

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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FRANCISCO ARMANDO MORAN	:	
VALLE,	:	
	:	
<i>Petitioner</i>	:	
	:	Civ No. 25-7110 (Judge Gallagher)
v.	:	
	:	
CAMILLA WAMSLEY,	:	
DHS ET AL.,	:	
	:	
<i>Respondents</i>	:	

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R&G Legal Solutions  
3662 N 21<sup>st</sup> St  
Philadelphia, PA 19140

Eric Rosenfeld  
215.779.6443  
eric@rlegalsolutions.com  
PA 208106

ATTORNEY FOR PETITIONER

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**ORDER DENYING BOND BY IMMIGRATION JUDGE AND REQUEST FOR  
IMMEDIATE RULING**

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**ORDER DENYING BOND BY IMMIGRATION JUDGE AND REQUEST FOR IMMEDIATE RULING**

On January 27, 2026, Immigration Judge Dennis Ryan denied Petitioner's motion for custody redetermination citing lack of jurisdiction pursuant to *See Matter of YAJURE HURTADO*, 29 I&N Dec. 216 (BIA 2025). *See Exhibit A*. The petitioner entered the United States approximately 10 years ago "without inspection." *See Exhibit B* for complete bond motion and evidence. Petitioner is clearly a member of the class in *Maldonado Bautista v. Santacruz*, No. 25-cv-1873, ECF No. 94 (C.D. Cal. Dec. 18, 2025). Therefore, he is eligible for bond in immigration court.

On January 13, 2026, Chief Immigration Judge Teresa L. Riley issued the following guidance to all Immigration Judges: "*Yajure Hurtado* remains binding precedent on agency adjudicators." *See Exhibit C* for email from Chief Immigration Judge Teresa L. Riley. Accordingly, Petitioner has exhausted all avenues of relief in Immigration Court and therefore turns to this Honorable Court seeking relief.

**As Respondents themselves noted in their Answer**, "This legal question has been considered by numerous courts in the wake of the Board of Immigration Appeals' ("BIA") decision in *Matter of Hurtado*, 29 I. & N. Dec. 216 (B.I.A. 2025). The vast majority—including all decisions in this district (more than 100 to date)—have rejected the government's position."

**Respondents concede** that this case is no different from "all decisions in this district (more than 100 to date)" that ruled that similarly situated Petitioners are entitled to a bond hearing before an Immigration Judge. Therefore, this Honorable Court should rule in favor of the Petitioner and order the Immigration Judge to grant a bond hearing.

**CONCLUSION AND PRAYER FOR RELIEF**

For the foregoing reasons, Petitioner respectfully requests that this Court:

1. Immediately Order the Petitioner's release from ICE custody;
2. In the alternative, Order that the Immigration Judge immediately grant Petitioner a bond hearing with the possibility of release after consideration of the traditional factors of danger to the community and flight risk.

Dated: January 27, 2026

Respectfully submitted,

/s/ Eric Rosenfeld

Eric Rosenfeld, Esq.  
R&G Legal Solutions  
3662 N 21<sup>st</sup> St  
Philadelphia, PA 19140  
215.779.6443  
eric@rglegalsolutions.com

**CERTIFICATE OF SERVICE**

I certify that on January 27, 2026, this document was filed electronically via the Court's CM/ECF system and served via CM/ECF on all counsel of record.

Dated: January 27, 2026

Respectfully submitted,

/s/ Eric Rosenfeld

Eric Rosenfeld, Esq.  
R&G Legal Solutions  
3662 N 21<sup>st</sup> St  
Philadelphia, PA 19140  
215.779.6443  
eric@rglegalsolutions.com

# **EXHIBIT A**



**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
ELIZABETH IMMIGRATION COURT**

Respondent Name:

MORAN VALLE, FRANCISCO

To:

Rosenfeld, Eric  
3662 North 21st Street  
PHILADELPHIA, PA 19140

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

01/27/2026

**ORDER OF THE IMMIGRATION JUDGE**

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because  
Lack of jurisdiction – See Matter of Matter of YAJURE HURTADO, 29 I&N Dec. 216 (BIA 2025).
  
- Granted. It is ordered that Respondent be:
  - released from custody on his own recognizance.
  - released from custody under bond of \$
  - other:
  
- Other:

Immigration Judge: Ryan, Dennis 01/27/2026

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due: 02/26/2026

**Certificate of Service**

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable

To: [ ] Alien | [ ] Alien c/o custodial officer | [ E ] Alien atty/rep. | [ E ] DHS

Respondent Name : MORAN VALLE, FRANCISCO | A-Number :

Riders:

Date: 01/27/2026 By: VITALI, PATRICIA, Court Staff

# **EXHIBIT B**

**R&G LEGAL SOLUTIONS**  
Eric Rosenfeld, Esq.  
3662 21<sup>st</sup> N. Street  
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215.779.6443  
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PA Bar 208106  
EOIR II344335

**DETAINED**

**Attorney for Respondent**

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE IMMIGRATION JUDGE  
ELIZABETH, NEW JERSEY**

<b>IN THE MATTER OF</b>  <b>MORAN VALLE, FRANCISCO</b>  <b>Respondent</b>	) <b>IN REMOVAL PROCEEDINGS</b> ) <b>MOTION FOR CUSTODY</b> ) <b>REDETERMINATION</b> )  )
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Immigration Judge:  
**RYAN, DENNIS**

Next Master Hearing:  
**JANUARY 21, 2026 at 8:30AM ET**

**RESPONDENT'S MOTION FOR CUSTODY REDETERMINATION**

**MOTION FOR CUSTODY REDETERMINATION**

Respondent, through undersigned counsel, respectfully moves this Court for a redetermination of the conditions of detention and release pending removal proceedings, pursuant to 8 C.F.R. § 1003.19 and 8 C.F.R. § 1236.1(d). In Support of this Motion, the Respondent states and submits the following:

1. Respondent is a native and citizen of Guatemala.
2. Respondent has a fixed address in Bensalem, Pennsylvania.
3. Respondent lives with his romantic partner and the USC son they share.
4. Respondent has the support of his family and friends.
5. Respondent has a history of employment.

Undersigned counsel will supplement this filing with corroborating exhibits as soon as possible.

**ARGUMENT**

**A. RESPONDENT is statutorily eligible for bond because he is not subject to mandatory detention under INA § 235(b) or INA § 236(c)(1).**

RESPONDENT is not subject to INA § 235(b). Nor is Respondent subject to mandatory detention under INA § 236(c)(1). Respondent has not been arrested for or charged with any offense enumerated under INA § 236(c)(1)(E)(ii) (“Laken Riley Act”), including burglary, theft, larceny, shoplifting, assault of a law enforcement officer, or any crime resulting in death or serious bodily injury to another person.

**B. RESPONDENT merits release from custody.**

In Matter of Guerra, 25 I&N Dec. 37, 40 (BIA 2006), the Court set forth a series of factors that Immigration Judges could look to when considering whether to release a noncitizen from custody including. Each point is addressed below *in italics*.

1. whether the [noncitizen] has a fixed address in the United States;
  - *Respondent has a fixed address.*
2. the [noncitizen's] length of residence in the United States;
  - *Respondent has resided in the United States for a decade, when he arrived in the U.S. as an unaccompanied minor.*
3. the [noncitizen's] family ties in the United States, and whether they may entitle the [noncitizen] to reside permanently in the United States in the future;
  - *Respondent has a USC son and a longterm romantic partner (the child's mother).*
4. the [noncitizen's] employment history;
  - *Respondent has a lengthy history of continuous employment.*
5. the [noncitizen's] record of appearance in court
  - *Respondent has never been in court before these proceedings.*
6. the [noncitizen's] criminal record, including the extensiveness of criminal activity, the recency of such activity, and the seriousness of the offenses;
  - *Respondent has no criminal history.*
7. the [noncitizen's] history of immigration violations;
  - *Respondent's only immigration violation was unauthorized entry, when he came to this country as an unaccompanied minor.*
8. any attempts by the [noncitizen] to flee prosecution or otherwise escape from the authorities; and
  - *Respondent has never attempted to flee or escape.*
9. the [noncitizen's] manner of entry to the United States.

- Respondent entered the United States without authorization.

**C. RESPONDENT is not a danger to the community.**

RESPONDENT has no criminal record. He has positive equities and has made meaningful contributions to society. He clearly poses no safety risk.

**D. RESPONDENT is not a flight risk.**

RESPONDENT has been in the Philadelphia region for half of his adolescence and all of his adult life. He graduated high school in Bensalem, PA. He has a USC daughter with his longterm romantic partner. They have lived in the same area for years.

RESPONDENT will reside at his previous address if released. He will live with his family. He will resume employment. RESPONDENT has built a life in the Philadelphia area with no substantive connections anywhere else. Undersigned counsel has been in regular contact with these individuals and they are eagerly awaiting the opportunity to welcome Respondent home should he be released on bond.

**CONCLUSION**

WHEREFORE, Respondent respectfully requests that this Honorable Court consider the totality of circumstances in his favor and grant him release from custody on a reasonable bond, in whatever amount and under whatever conditions the Court deems just and appropriate.

Date: January 21, 2026

Respectfully Submitted,



---

Eric Rosenfeld, Esq.  
Attorney for Respondent  
EOIR ID: II344335

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE IMMIGRATION JUDGE  
ELIZABETH, NEW JERSEY

<b>IN THE MATTER OF</b>  <b>MORAN VALLE, FRANCISCO</b>  <b>Respondent</b>	) <b>IN REMOVAL PROCEEDINGS</b> ) <b>MOTION FOR CUSTODY</b> ) <b>REDETERMINATION</b> )  )
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**PROOF OF SERVICE**

I hereby certify that on January 21, 2026, I, Eric Rosenfeld, Esq., caused to be submitted online a copy of Respondent's filing, and any attached pages to:

the Office of Chief Counsel, U.S. Immigration and Customs Enforcement, Department of Homeland Security

by ECAS electronic service.

Both parties participate in ECAS. Therefore, no separate service was completed.

Date: January 21, 2026

Respectfully Submitted,



Eric Rosenfeld, Esq.  
Attorney for Respondent  
EOIR ID: II344335

**R&G LEGAL SOLUTIONS**  
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**3662 N. 21<sup>st</sup> Street**  
**Philadelphia, PA 19140**  
**215.779.6443**  
**eric@rglegalsolutions.com**  
**PA Bar 208106**  
**EOIR** 

**DETAINED**

**Attorney for Respondent**

**UNITED STATES DEPARTMENT OF JUSTICE**  
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**  
**OFFICE OF THE IMMIGRATION JUDGE**  
**ELIZABETH, NEW JERSEY**

<b>IN THE MATTER OF</b>	)	<b>IN REMOVAL PROCEEDINGS</b>
	)	
<b>MORAN VALLE, FRANCISCO</b>	)	<b>NOTICE OF INTENT TO OFFER</b>
	)	<b>EVIDENCE</b>
<b>RESPONDENT</b>	)	
	)	
	)	

Immigration Judge:  
**Hon. Dennis Ryan**

Next **MASTER** Hearing Date:  
**January 21, 2026 at 8:30AM ET**

**NOTICE OF INTENT TO OFFER EVIDENCE**

EOIR + bfo6969

**NOTICE OF INTENT TO OFFER EVIDENCE**

RESPONDENT offers the following evidence:

- ***Exhibit A***
  - High School Diploma from Bensalem High School, Bensalem, PA
  - High School ID's from 2017-18, 2018-19
- ***Exhibit B***
  - Birth certificate of USC son
  - Son's baptism certificate
  - Son's IEP from school
  - Pictures of son and longterm partner (mother of his son) at Christmas 2025
- ***Exhibit C***
  - Residential Lease
- ***Exhibit D***
  - Letters of support from Employer
- ***Exhibit E***
  - Tax filings and ITIN registration
- ***Exhibit F***
  - Letter of support from longterm romantic partner
- ***Exhibit G***
  - Letter of support from Church
- ***Exhibit H***
  - Letters of support from friends and family members
- ***Exhibit I***
  - Photographs of Respondent with family and friends

Date: January 13, 2026

Respectfully Submitted,



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Eric Rosenfeld, Esq.  
Attorney for Respondent  
EOIR ID: II344335

# EXHIBIT A



# EXHIBIT B

**To Whom It May Concern,**

I am writing this letter in support of my coworker, Francisco Armando Moran Valle, whom I have had the pleasure of working with La Cena Restaurant for 7 years

During the time I have known him, Francisco has consistently shown himself to be a responsible, respectful, and trustworthy individual. He is dependable in his work, treats others with kindness and professionalism, and contributes positively to our workplace environment. He works well with others and takes his responsibilities seriously.

To my knowledge, Francisco has no criminal record and has always conducted himself in a lawful and ethical manner. I have never known him to be involved in any behavior that would raise concerns about his character or integrity.

I believe Francisco is a good person who makes a positive contribution to his community and workplace. I respectfully ask that this letter be considered as a character reference on his behalf.

If any additional information is needed, I would be willing to provide it.

Sincerely,  
Roberto Santos  
Head Chef  
La Cena Restaurant



**To Whom It May Concern,**

I am writing this letter as a character reference for Francisco Armando Moran Valle, whom I previously worked with while employed as a waitress at La Cena Restaurant

During the time we worked together, Francisco consistently conducted himself in a respectful, honest, and professional manner. He was dependable in his role, treated coworkers and customers with courtesy, and followed workplace rules and expectations. He was someone I felt comfortable working alongside and could rely on during busy shifts.

Based on my personal experience and knowledge, I have no evidence or reason to believe that Francisco has ever had a criminal record. Throughout our time working together, I never observed any behavior that would suggest unlawful or inappropriate conduct.

From my experience, Francisco is a hardworking and responsible individual. I respectfully provide this letter in support of his immigration matter and hope it is taken into consideration.

If further information is needed, I am willing to be contacted.

Sincerely,  
Salma Santos  
[Former Job Title – Waitress]

La Cena Restaurant



**To Whom It May Concern,**

I am writing this letter in support of Francisco Armando Moran Valle whom I have worked with on many occasions through my company, G Tree Service Company, which I own and operate.

Francisco has worked with me as a driver and ground man whenever he is available. During the time I have known and worked with him, he has always been reliable, responsible, and hardworking. He performs his duties professionally and follows instructions carefully while helping ensure that our job sites run smoothly and safely.

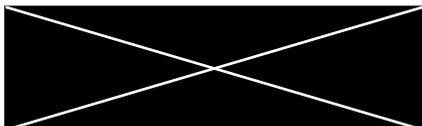
To my knowledge, Francisco has no criminal history or records. He has always conducted himself respectfully, honestly, and in a positive manner. He is always willing to help, shows good character, and demonstrates a strong work ethic.

Francisco has been a valuable help to my business, and I consider him a trustworthy and dependable individual. I am confident that he is a person of good moral character and would be a positive contributor to the community.

Please feel free to contact me if you require any additional information.

Sincerely,

**Jason Guacamayan Moran**  
Owner / Operator  
G Tree Service Company



# EXHIBIT F

## To Whom It May Concern,

My name is Nathalin Mayerly Cruz, and I am writing this letter in support of my partner, Francisco Armando Moran Valle, regarding his immigration matter.

Francisco and I have been in a committed relationship since September 24, 2020, and during this time we have built a life and family together. We have a son named [REDACTED], whom we raise together.

Francisco is a loving, responsible, and involved father who plays an important role in our son's daily care and well-being.

At this time, I am a stay-at-home mother in order to care for our son full-time. Because of this, our household depends economically on Francisco. He works hard to support our family and ensure our basic needs are met. His financial and emotional support are essential to the stability of our home.

Francisco has always shown dedication to his family, responsibility, and strong moral character. His presence is vital to our family's well-being, and I respectfully ask that this letter be taken into consideration in support of his case.

Thank you for your time and consideration.

Sincerely,  
Nathalin Mayerly Cruz  
Partner of Francisco Armando Moran Valle

# EXHIBIT H



Honorable Judge

I respectfully write to you for the purpose of providing my personal reference for Francisco Armando Moran Valle, whom I have known since we attended school together in 2017.

During the time I knew him in the school environment, he consistently demonstrated that he is a responsible, respectful person with strong moral values. From the moment I arrived at Bensalem High School, Francisco offered me his help on many occasions, always showing willingness and empathy.

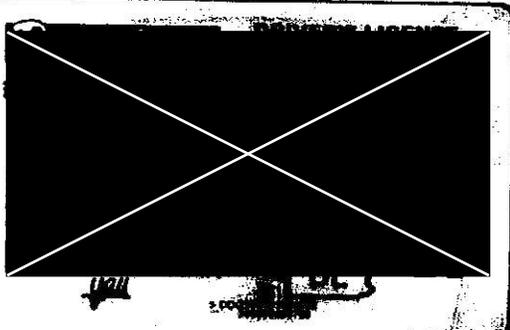
I can confidently state that he is a good person and a good citizen, characterized by his appropriate behavior, respect for others and his desire to do the right thing. I never observed any negative behavior from him; on the contrary, he always maintained exemplary conduct and treated those around him with kindness.

For these reasons, I believe it is important that this reference be taken into consideration, as a reflection of his human quality and character. I am, Francisco Armando Moran Valle.

over time.

Thank you in advance for your attention. I remain available should you require any additional information.

Yolanda Rodriguez Gonzalez



## **To Whom It May Concern,**

I am writing this letter in support of Francisco Armando Moran Valle whom I know personally through our church and community.

I have known Francisco and his family for some time through church, where they regularly attend services and are respectful, welcoming, and kind to others. They are well known within the congregation and have always conducted themselves in a positive and responsible manner.

In addition to church involvement, Francisco and his family are active participants in community events and local festivals. I have seen them volunteer their time, attend gatherings, and support community activities. They are always engaged, friendly, and willing to help, which reflects their commitment to being active and caring members of the community.

From my personal experience, Francisco is a person of good character who values family, community, and responsibility. I respectfully offer this letter as a character reference in support of his immigration matter.

Please feel free to contact me if additional information is needed.

Sincerely,  
Carmela Lopez Perez



To whom it may concern:

This letter is to certify that I personally know Francisco Armando Moran Valle for 5 years. He is a good person, he is married and has one child. He is a loving father and husband. A very hard working person that gets along with everybody.

*Norman A. Comer*

Witness before me on this date 12/16/2025.

Notary Public  
Buckley County  
Notary Commission Expires 12/31/2026

To Whom It May Concern:

My name is Juliana Hernandez, and I am writing this letter in support of Francisco Armando Moran-Valle, who is the father of my godson. I have known Francisco for approximately seven years, both personally and professionally.

During the time I have known him, Francisco has consistently shown himself to be an honest, respectful, and kind individual. We worked together at a local pizzeria, where I personally witnessed his strong work ethic, reliability, and willingness to help others. He takes pride in his work and treats everyone with respect.

Francisco has also been an active and long-standing member of the community. He graduated from Bensalem High School and has built meaningful ties here over many years. He is always willing to lend a helping hand and is known by those around him as a sincere and caring person.

Since Francisco was detained by ICE, the impact on his family—especially his son—has been devastating. His son has been taking this separation extremely hard. He has stopped eating, cries frequently, and has begun acting out due to the emotional distress of being separated from his father. Francisco is not only the main source of financial support for his household, but he is also a crucial emotional presence in his son's life.

Francisco's son was born in the United States and has only ever known his community here. The idea of separation or relocation would cause significant hardship and emotional harm. His child needs his father's stability, guidance, and love during these formative years.

Based on my personal knowledge and experience, I strongly believe that Francisco is a valuable member of the community and a devoted father. I respectfully ask that you take into consideration his character, community ties, and the severe hardship his detention has placed on his U.S. citizen child.

Thank you for your time and consideration.

Sincerely,

Juliana Hernandez

December 18, 2025

To Whom It May Concern,

I am writing to provide a personal reference for Armando Mora, also known as Armando, for approximately 5.5 years. He was in my English Language Development class at Ben Leland High School, Bensalem, Pennsylvania.

Throughout the time I have known Armando, he has consistently demonstrated strong character, reliability, and integrity. Armando is someone whom I have trusted to follow through on commitments, and he approaches responsibilities with maturity and care. Some of his greatest strengths include a strong work ethic, kindness, and dedication to being a father, which I have witnessed firsthand.

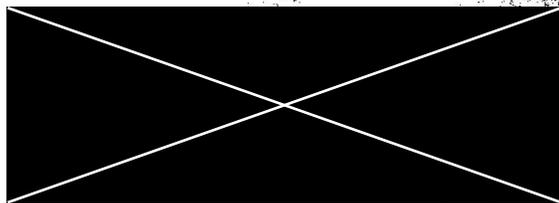
In addition to being dependable, Armando works well with others and communicates respectfully and clearly. He handles challenges calmly and is willing to learn and improve—qualities that I believe make him a decent and respectable human being.

I ask you to consider Armando's situation and allow him to return to his family. Please feel free to contact me if you require any additional information.

Sincerely,



Kathryn Tevelson, M. Ed.





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EOIR II344335

**DETAINED**

Attorney for Respondent

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE IMMIGRATION JUDGE  
ELIZABETH, NEW JERSEY**

IN THE MATTER OF	)	IN REMOVAL PROCEEDINGS
MORAN VALLE, FRANCISCO	)	NOTICE OF INTENT TO OFFER
RESPONDENT	)	EVIDENCE
	)	
	)	

Immigration Judge:  
**Hon. Dennis Ryan**

Next MASTER Hearing Date:  
**January 21, 2026 at 8:30AM ET**

**NOTICE OF INTENT TO OFFER EVIDENCE**

**NOTICE OF INTENT TO OFFER EVIDENCE**

RESPONDENT previously submitted Exhibits A through I. They are incorporated herein by reference. RESPONDENT now submits the following additional Evidence:

- **Exhibit J**
  - February 12, 2017, Release under Sponsor Care Agreement.

Date: January 14, 2026

Respectfully Submitted,



---

Eric Rosenfeld, Esq.  
Attorney for Respondent  
EOIR ID: II344335



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE IMMIGRATION JUDGE  
ELIZABETH, NEW JERSEY

IN THE MATTER OF	)	IN REMOVAL PROCEEDINGS
	)	
MORAN VALLE, FRANCISCO	)	NOTICE OF INTENT TO OFFER
	)	EVIDENCE
RESPONDENT	)	
	)	
	)	

**PROOF OF SERVICE**

I hereby certify that on January 14, 2026, I, Eric Rosenfeld, Esq., caused to be submitted online a copy of Respondent's filing, and any attached pages to:

the Office of Chief Counsel, U.S. Immigration and Customs Enforcement, Department of Homeland Security

by ECAS electronic service.

Both parties participate in ECAS. Therefore, no separate service was completed.

Date: January 14, 2026

Respectfully Submitted,



Eric Rosenfeld, Esq.  
Attorney for Respondent  
EOIR ID: II344335

# **EXHIBIT C**

From: Riley, Teresa (EOIR) <Teresa.Riley@ice.dhs.gov>  
Sent: Tuesday, January 13, 2026 3:09 PM  
Subject: Guidance

Good afternoon viewing ACUs

Please provide the following guidance to all Immigration Judges forthwith:

*Maldonado Bautista* is not a nationwide injunctive bar and does not purport to vacate, stay, or enjoin *Yajure Hurtado*. Therefore, *Yajure Hurtado* remains binding precedent on agency adjudication. Declaratory judgments differ from injunctions in that the former clarifies parties' legal rights and relationships without ordering specific action, while the latter is a court order for a party to do or stop doing a specific act. A declaratory judgment is not an equitable remedy and does not, by itself, have the effect of compelling specific action by a party.

Thank you for your attention in this matter

Sincerely,

Teresa L. Riley  
Chief Immigration Judge