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Name: IRVIN VILLEGAS GARCIA  
A Number: ~~XXXXXXXXXX~~  
Address: CAFCC, Florence, AZ  
P.O. Box 6300  
Florence, AZ 85132

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CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Name: IRVIN VILLEGAS GARCIA

Case No.

**CV25-04701-PHX-DWL--DMF**

Petitioner,  
- JOINED AND RESTRAINED -  
v. - DHS. - ACTING FIELD OFFICE  
DIRECTOR -  
- ICE; TODD M. LYONS  
- ICE; KRISTI NOEM, SECRETARY OF  
HOMELAND SECURITY  
- ATTORNEY GENERAL OF THE UNITED  
STATES: PAMELA BONDI  
- ROSA: WARDEN - CAFCC

PETITION FOR WRIT OF  
HABEAS CORPUS PURSUANT  
TO 28 U.S.C. § 2241

AND  
(T.R.O.) TEMPORAL RESTRICTION  
ORDER OF INJUNCTION -  
SEEKING EXHAUSTED ADMINISTRATIVE  
CLOSURE IN IMMIGRATION  
CASE.

Respondents.

Petitioner [name] IRVIN VILLEGAS - GARCIA petitions this Court for a writ of habeas corpus to remedy Petitioner's indefinite detention by Respondents.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction and may grant relief under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1651 (All Writs Act), and 28 U.S.C. § 1331 (federal question). This Court also has jurisdiction to hear this case under the Suspension Clause of Article I of the

UNITED STATES DISTRICT COURT  
for the District of Arizona

IRVIN VILLEGAS GARCIA  
Petitioner

v.


JOINED AND RESTRAINED

DHS-ICE / I Judge - JOINED  
Respondent

(name of warden or authorized person having custody of petitioner)

Case No. \_\_\_\_\_  
(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241  
Personal Information

1. (a) Your full name: IRVIN VILLEGAS-GARCIA
2. (b) Other names you have used: \_\_\_\_\_  
Place of confinement: N/A  
(a) Name of institution: Central Arizona Florence Central Complex  
(b) Address: P. O. Box 6300, Florence, AZ 85132
3. (c) Your identification number:   
Are you currently being held on orders by:  
 Federal authorities  State authorities  Other - explain: \_\_\_\_\_
4. Are you currently:  
 A pretrial detainee (waiting for trial on criminal charges)  
 Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime  
If you are currently serving a sentence, provide:  
(a) Name and location of court that sentenced you: Court Florence Immigration  
(b) Docket number of criminal case: 20100010 Pending Case, State of OH  
(c) Date of sentencing: No Sentence, 12/13/19 and 10/14/2010  
 Being held on an immigration charge  
 Other (explain): NONE only by 8 USC 1182. Under 212(a) and/or Under INA 235.

Decision or Action You Are Challenging

5. What are you challenging in this petition:  
 How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): Mandatory Detention Under INA 235. Improper  
Induction that is a Penalty according 8 USC § 1226(a)

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: Florence Immigration Court, AZ.  
after a violation on my due process, Under INA 235.
- (b) Docket number, case number, or opinion number: \_\_\_\_\_
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
a final decision for final Order of removal from  
a Ct. after asking for a different Immigration Re-  
lieve in the last Court of October 08, 2025.
- (d) Date of the decision or action: 10-08-2025

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- Yes
- No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: BIA - but still not received
- (2) Date of filing: the Letter of final Decision in my hand. (10-08-2025)
- (3) Docket number, case number, or opinion number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: I'M SEEKING FOR ADMINISTRATIVE CLOSURE IN AFTER  
FINAL ORDER OF REMOVAL

(b) If you answered "No," explain why you did not appeal: \_\_\_\_\_

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

- Yes
- No

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. Appeals of Immigration proceedings  
Does this case concern immigration proceedings?

- Yes
- No

If "Yes," provide:

- (a) Date you were taken into immigration custody: October 04, 2023
- (b) Date of the removal or reinstatement order: October 08, 2025
- (c) Did you file an appeal with the Board of Immigration Appeals?

- Yes
- No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Date of filing: 11-30-2025 still waiting for letter decision
- (2) Case number: \_\_\_\_\_
- (3) Result: \_\_\_\_\_
- (4) Date of result: \_\_\_\_\_
- (5) Issues raised: \_\_\_\_\_

I believe is an injustice because this decision has been taking by the IJ Nathali, she in July 22, 2025 she told me to think about looking for a another option instead. keep fighter under petition b-589 Asylum. This an Unfair trial.

(d) Did you appeal the decision to the United States Court of Appeals?  
 Yes  No

If "Yes," provide:

- (1) Name of court: BIA
- (2) Date of filing: \_\_\_\_\_
- (3) Case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

I'm PREPARING THE MOTION BECAUSE I'M STILL WAITING FOR THE FINAL ORDER IN LETTER BY ME (IJ). THE REASON SHE IS NOT SEND IT TO PETITIONER IS UNKNOWING SO I CAN SHOW THE REASONS WHY SHE DENYS IN LAST COURT HEARING.

12. Other appeals  
 Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?  
 Yes  No

If "Yes," provide:

- (a) Kind of petition, motion, or application: \_\_\_\_\_
- (b) Name of the authority, agency, or court: \_\_\_\_\_
- (c) Date of filing: \_\_\_\_\_
- (d) Docket number, case number, or opinion number: \_\_\_\_\_
- (e) Result: \_\_\_\_\_
- (f) Date of result: \_\_\_\_\_
- (g) Issues raised: \_\_\_\_\_

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a second appeal: \_\_\_\_\_

9.

**Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes

No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a third appeal: \_\_\_\_\_

10.

**Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes

No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes

No

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: I need a Temporal Restriction Order in all violation in my due process according the 8 USC § 1226 (a) & 1225. After an impartial trial in Immigration Court and ICE Detention.

(a) Supporting facts (Be brief. Do not cite cases or law):

In my support there enclosed find a document that tell by Sunshine Suzanne Syke who approve that mandatory Detention Under INA 35 is a policy that is a penalty in induction or hurting in the rights of Immigration proceeding. She approve Nationwide-bonds.

(b) Did you present Ground One in all appeals that were available to you?  
 Yes  No

GROUND TWO: I challenge this Detention of ICE because it's my believe this District Court have jurisdiction now in order to set me a release after a long Detention or Incarceration.

(a) Supporting facts (Be brief. Do not cite cases or law):

In support for prolonged Detention is the Unreasonable Incarceration only, because I'm an arriving Alien. that now the District judge of California designed this ICE policy as penalty or Induction in violation in Immigration rights and due process.

(b) Did you present Ground Two in all appeals that were available to you?  
 Yes  No

GROUND THREE: I challenge this Long Detention - after an Impartial and Profile Racial Hate in the last Court Hearing, on 10-08-2025 where the judge never listed to me in any moment.

(a) Supporting facts (Be brief. Do not cite cases or law):

A strong reason of this Racial Profile Decision is because the L.D. Nathali is making a lot of delays just to keep me waiting to long and also she is the time that don't sent to me her formal letter of her final Decision as a big signal of Racial Hate.

(b) Did you present Ground Three in all appeals that were available to you?  
 Yes  No

**GROUND FOUR:**

I Believe I should Qualifying for other Remedies for my Immigration Case. And those Benefits are Lack or Denyin without a good reasons or an Improper Purpose.

(a) Supporting facts (Be brief. Do not cite cases or law):

I'm a Victim of Crime here in the United States. I Submit a Self Petition for I-360 American Widower or Special Immigrant or I should Qualify for the U-Visa. Also I'm able to prove I can Qualify for DACA Bene- fits.

(b) Did you present Ground Four in all appeals that were available to you?

Yes

No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

I need to know the Situation of my Case if I Can be release by parole or bond and seek for a Immigration Relief out side and Defend my Case.

**Request for Reller**

15. State exactly what you want the court to do:

I respect fully request this Court District Court of Arizona for a Release of ICE Detent- ion and be considered for work permit and Defend my case out side with the help of an proper Immigra- tion Attorney and Criminal lawyer in my behalf or ADMINISTRATIVE CLOSURE. AND RECONSIDER WITH A AUTHORIZATION WORK PERMIT IN ORDER TO OBTAIN A HELP FROM AN IMMIGRATION ATTORNE AND CRIMINAL ATTORNEY.

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 12/09/25

  
\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Signature of Attorney or other authorized person, if any

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In *Zadvydas v. Davis*, the Supreme Court held that the immigration statute 8 U.S.C. § 1231(a)(6) does not allow ICE to detain a noncitizen indefinitely while attempting to carry out removal. 533 U.S. 678, 689 (2001). After six months of presumptively-reasonable detention, if the noncitizen provides good reason to believe that removal is not reasonably foreseeable, the burden shifts to the government to rebut that showing. *Id.* at 701.

Petitioner moves the Court to appoint counsel to represent Petitioner in this case. The Court may appoint counsel in a habeas action when the "interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B). Here, Petitioner has a strong chance of success on the merits because Petitioner has been held for longer than six months since being ordered removed and Petitioner's country still refuses to accept him or her. However, given the complexity of the law on immigration detention and Petitioner's status as a detained immigrant, Petitioner would have great difficulty presenting the case without the assistance of counsel. For these reasons, Petitioner respectfully requests that the Court appoint counsel.

Date: 12/09/2025

Signature:   
Petitioner

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future," the burden shifts to the government to rebut that showing. *Id.* Moreover, "as the period of prior postremoval confinement grows, what counts as the 'reasonably foreseeable future' conversely would have to shrink." *Id.*

21. In *Clark v. Martinez*, the Supreme Court held that its ruling in *Zadvydas* applies equally to noncitizens who have never been admitted to the United States. 543 U.S. 371 (2005).

**CLAIM FOR RELIEF**

**VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT**

22. The foregoing allegations are realleged and incorporated herein.

23. Petitioner's continued detention is unlawful and violates 8 U.S.C. § 1231(a)(6) as interpreted by the Supreme Court in *Zadvydas*. The six-month presumptively reasonable period of detention has expired and Petitioner has provided good reason to believe that his or her removal is not significantly likely to occur in the reasonably foreseeable future. Therefore, Respondents lack authority to continue detaining Petitioner.

**PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that the Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Issue an order pursuant to 28 U.S.C. § 2243 directing Respondents to show cause why the writ of habeas corpus should not be granted;
- c. Grant the writ of habeas corpus and order Petitioner's immediate release from custody;
- ✓ d. Grant any other and further relief as the Court deems just and proper.

Date: 12/09/2025

Signature:   
Petitioner

1 [date] October 04, 2023, Petitioner has remained in ICE custody since that date.

2 15. An Immigration Judge ordered Petitioner removed from the United States on or  
3 about [date] 10-08-2025, Petitioner [circle one] DID / DID NOT appeal  
4 the Immigration Judge's decision to the Board of Immigration Appeals (BIA). The BIA dismissed  
5 Petitioner's appeal on [date, if applicable] N/A.

6 16. Petitioner received a document titled "Decision to Continue Detention" from ICE  
7 on or about [date] 10-10-2025. Petitioner received a second "Decision to  
8 Continue Detention" from ICE on or about [date] 11-10-2025.

9 17. Petitioner has cooperated fully with all of ICE's efforts to remove Petitioner.  
10 Petitioner has cooperated with ICE in the following ways: Provide I.D.'s, Document  
11 of Country of birth, Assista to all Court dates,  
12 Showing Sponsor, Place of work, Finger prints.

13 18. Nonetheless, ICE has been unable to remove Petitioner from the United States.  
14 ICE is unlikely to be able to remove Petitioner because: Petitioner has a Case  
15 Pending With USCIS office for a Self-  
16 Petitioner for Petition I-360 Amerasia, Widower of  
17 Special Immigrant Juvenil, Seeking benefit by  
18 DACA, after enter since 2006, a benefit for U-Visa

19 LEGAL FRAMEWORK

20 19. In *Zadvydas v. Davis*, the Supreme Court held that the immigration statute 8  
21 U.S.C. § 1231(a)(6) does not allow ICE to detain a noncitizen indefinitely while attempting to  
22 carry out removal. 533 U.S. 678, 689 (2001). Because of the "serious constitutional problem"  
23 posed by indefinite detention, the Court read the statute to limit a noncitizen's detention to "a  
24 period reasonably necessary to bring about that alien's removal from the United States." *Id.*

25 20. The Court also recognized six months as the "presumptively reasonable period" of  
26 post-removal order detention. *Id.* at 701. After six months, once the noncitizen provides "good  
27 reason to believe that there is no significant likelihood of removal in the reasonably foreseeable  
28

7. Respondent Director of ICE ("ICE Director) is the head of ICE, an agency within the United States Department of Homeland Security that detains and removes certain noncitizens. Respondent ICE Director is a legal custodian of Petitioner.

8. Respondent Secretary of the United States Department of Homeland Security ("DHS Secretary") is responsible for the implementation and enforcement of the immigration laws and oversees ICE. As such, Respondent DHS Secretary has ultimate custodial authority over Petitioner.

9. Respondent Attorney General of the United States ("U.S. A.G.") is the head of the United States Department of Justice, which oversees the immigration courts. Respondent U.S. A.G. shares responsibility for enforcement of the immigration laws with Respondent DHS Secretary.

10. All Respondents are sued in their official capacities.

FACTUAL ALLEGATIONS

11. Petitioner [name] IRVIN VILLEGAS-GARCIA was born in [country] MEXICO.

12. Petitioner entered the United States on or about [date] October 03, 2023. Petitioner's immigration history is as follows: Alien under INA 235 who are in a INA 240 Proceedings.

13. Petitioner's criminal history is as follows: 10/14/2010 Traffic Warrant Out midvale, UTAM. AND 12/13/2019 Arrested Criminal Chief, domestic Violence in the presence of child Use a Possession of drug Paraphernalia. (This case is pending)

14. Petitioner was detained by Immigration and Customs Enforcement on or about

1 United States Constitution. *INS v. St. Cyr*, 533 U.S. 289 (2001).

2 2. Because Petitioner challenges his or her custody, jurisdiction is proper in this  
3 Court. While the courts of appeals have jurisdiction to review removal orders through petitions  
4 for review, see 8 U.S.C. §§ 1252(a)(1) and (b), the federal district courts have jurisdiction under  
5 28 U.S.C. § 2241 to hear habeas petitions by noncitizens challenging the lawfulness of their  
6 detention. See, e.g., *Zadvydus v. Davis*, 533 U.S. 678, 687-88 (2001); *Nadarajah v. Gonzales*, 443  
7 F.3d 1069, 1075-76 (9th Cir. 2006).

8 3. Petitioner has exhausted any and all administrative remedies to the extent required  
9 by law.

10 4. Venue is proper in the District of Arizona pursuant to 28 U.S.C §§  
11 1391(b) and (e) because a substantial part of the events or omissions giving rise to these claims  
12 occurred in this district. All material decisions have been made at the Arizona Field Office  
13 of Immigration and Customs Enforcement (ICE), which has authority over the detention of  
14 Petitioner and is located in this judicial district. See, e.g., *Salesh P. v. Kaiser*, No. 22-CV-03018-  
15 DMR, 2022 WL 17082375, at \*5 (N.D. Cal. Nov. 18, 2022) (holding the Northern District is the  
16 proper forum for habeas petition filed by noncitizen detained at Golden State Annex facility  
17 under the purview of the San Francisco FOD); *Ameen v. Jennings*, No. 22-CV-00140-WHO, 2022  
18 WL 1157900, at \*4-5 (N.D. Cal. Apr. 19, 2022) (collecting cases) (same); *Zepeda Rivas v.*  
19 *Jennings*, 445 F. Supp. 3d 36, 39 (N.D. Cal. 2020) (same with regards to petitioner's held at Mesa  
20 Verde Detention Facility and Yuba County Jail under the purview of the San Francisco FOD).

21 PARTIES

22 5. Petitioner is a noncitizen who is currently detained by Immigration and Customs  
23 Enforcement (ICE) at the [name of detention facility] CAFCC  
24 in [city, state] Florence, Arizona

25 6. Respondent Field Office Director for the Arizona Field Office of ICE ("A2  
26 FOD") has the authority to order Petitioner's release or continued detention. As such, Respondent  
27 A2FOD is a legal custodian of Petitioner.  
28

IRVIN VILLEGAS GARCIA  
(Name of alien(s) in proceedings)



(A-Number of alien(s) in proceedings)

CERTIFICATE OF SERVICE

On 1 IRVIN VILLEGAS GARCIA  
(date) (printed name of person signing below)

served a copy of this Writ Habeas Corpus  
(type of document)

and any attached pages to \_\_\_\_\_  
(name of party served)

at the following address: DHS/ICE 3250 W. Pinal  
(address of party served)

Parkway Ave. Florence, AZ 85732  
(address of party served)

by: First-Class mail  
(method of service - for example, overnight courier, hand-delivery, first-class mail, ICE OPIA eService)

[Signature]  
(signature)

\_\_\_\_\_  
(date)

**TOPIC: A**



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

Respondent Name:

VILLEGAS GARCIA, IRVIN

To:

VILLEGAS GARCIA, IRVIN  
CAFCC  
ICE - 1100 BOWLING RD  
P.O. BOX 6300  
FLORENCE, AZ 85132

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

11/10/2025

**ORDER OF THE IMMIGRATION JUDGE**

The Court finds that Respondent has not shown that his circumstances have changed materially since the prior bond redetermination.

**Order:**

Motion for bond hearing is denied.

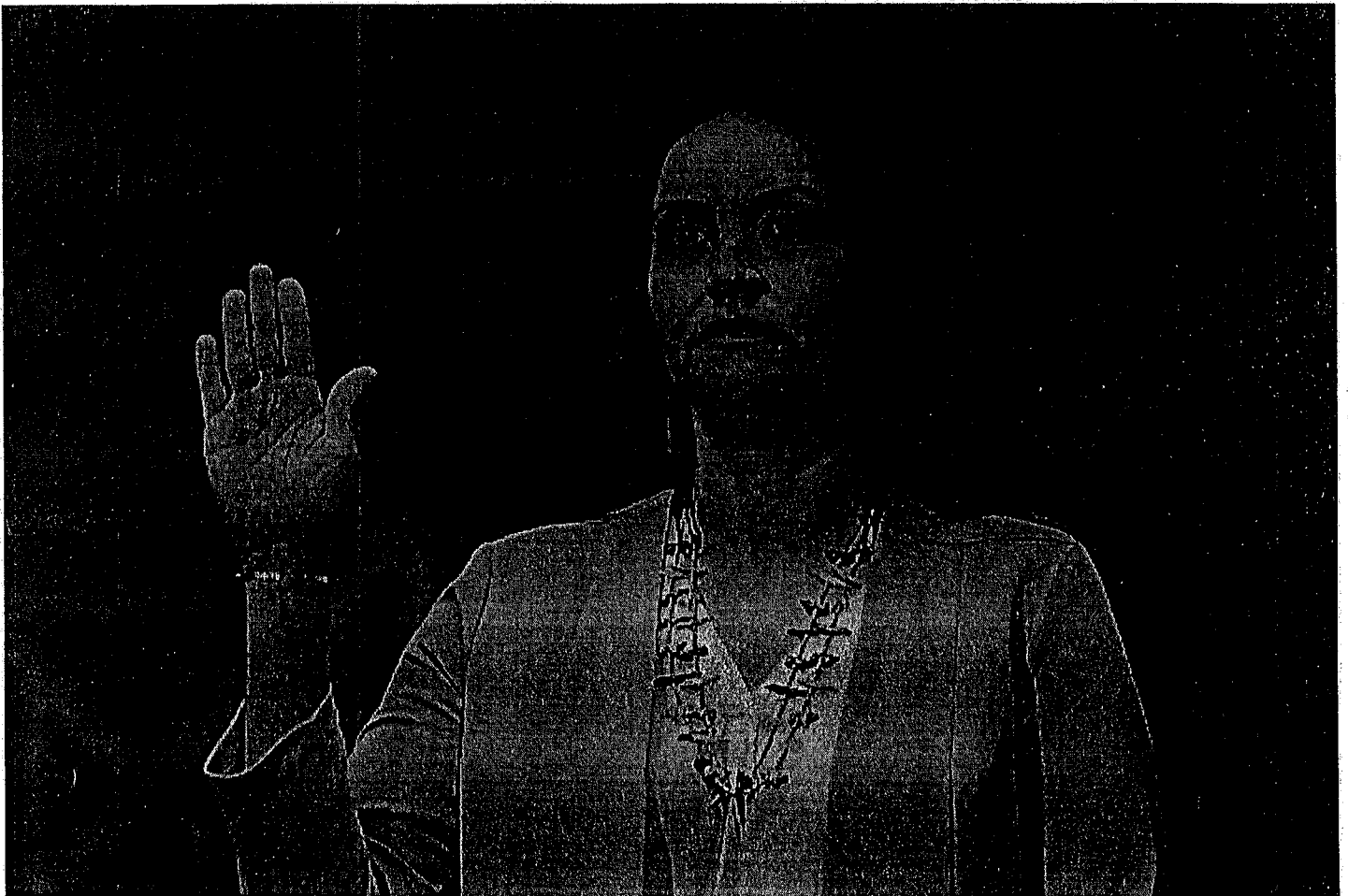
Any hearing set as a result is vacated.

Learn more about **LSEG**

## US judge orders Trump administration to provide bond hearings to detained migrants

By Daniel Wiessner

November 25, 2025 3:59 PM MST · Updated November 25, 2025



Sunshine Suzanne Sykes, a nominee to be a U.S. District Judge for the Central District Of California, swears in during a U.S. Senate Judiciary Committee hearing on Capitol Hill in Washington, ... [Purchase Licensing Rights](#) [Read more](#)

### Summary

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Earlier ruling that bond policy is illegal extended nationwide  
Dozens of other judges have said policy violates federal law  
Ruling comes amid immigration raids, broader crackdown

Nov 25 - A federal judge on Tuesday ruled that President Donald Trump's administration cannot impose mandatory detention on thousands of migrants held by U.S. immigration authorities without first giving them an opportunity to seek release on bond.

✓ U.S. District Judge Sunshine Sykes in Riverside, California, certified a nationwide class of individuals who were already living in the United States when they were detained and are legally entitled to a hearing to determine whether they can be released on bond while their deportation cases proceed.

Jumpstart your morning with the latest legal news delivered straight to your inbox from The Daily Docket newsletter. Sign up [here](#).

Sykes ruled last week that the Trump administration's policy adopted in July of denying bond hearings to migrants detained during domestic enforcement operations in the U.S. was illegal, joining dozens of other federal judges. While those decisions involved individual migrants or small groups, Sykes on Tuesday extended her ruling nationwide.

About 65,000 people were in immigration detention in the U.S. as of last week, according to government data.

The Trump administration has argued that individuals' differing circumstances required the issue to be reviewed on a case-by-case basis, but Sykes said that being deprived of the right to a bond hearing was an injury common to the class.

"Such common injury can be resolved in a single stroke upon the determination that the new policy is in violation of (migrants') due process rights," wrote Sykes, an appointee of Democratic President Joe Biden.

The U.S. Department of Justice and lawyers for the four migrants who filed the lawsuit did not immediately respond to requests for comment.

Under federal immigration law, "applicants for admission" to the United States are subject to mandatory detention while their cases proceed in immigration courts.

Bucking a longstanding interpretation of the law, the Trump administration in July said that non-citizens already residing in the United States, and not only those who arrive at a port of entry at the border, qualify as applicants for admission.

Sykes in her ruling last week disagreed, saying the law makes a clear distinction between existing U.S. residents and new arrivals.

Reporting by Daniel Wiessner in Albany, New York; Editing by Alexia Garamfalvi and Bill Berkrot

Our Standards: [The Thomson Reuters Trust Principles.](#) 

Suggested Topics:

Government

Constitutional Law

Public Policy

Immigration

Purchase Licensing Rights



**Daniel Wiessner**  
Thomson Reuters

Dan Wiessner (@danwiessner) reports on labor and employment and immigration law, including litigation and policy making. He can be reached at [daniel.wiessner@thomsonreuters.com](mailto:daniel.wiessner@thomsonreuters.com).





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

*FEC*

Respondent Name:

VILLEGAS GARCIA, IRVIN

To:

VILLEGAS GARCIA, IRVIN  
CAFCC  
ICE - 1100 BOWLING RD  
P.O. BOX 6300  
FLORENCE, AZ 85132

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

11/19/2025

**ORDER OF THE IMMIGRATION JUDGE**

Respondent has applied for a stay of removal in connection with a Motion to Reopen or Motion to Reconsider.

Upon consideration of the representations and submissions made by and on behalf of Respondent and the Department of Homeland Security, it is hereby ordered that the application for a stay of removal:

be granted, to be effective until determination of the motion.

be denied.  
Moot.



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

*FCC*

Respondent Name:

VILLEGAS GARCIA, IRVIN

To:

VILLEGAS GARCIA, IRVIN  
CAFCC  
ICE - 1100 BOWLING RD  
P.O. BOX 6300  
FLORENCE, AZ 85132

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

11/19/2025

**ORDER OF THE IMMIGRATION JUDGE**

Respondent has applied for a stay of removal in connection with a Motion to Reopen or Motion to Reconsider.

Upon consideration of the representations and submissions made by and on behalf of Respondent and the Department of Homeland Security, it is hereby ordered that the application for a stay of removal:

be granted, to be effective until determination of the motion.

be denied.  
Moot.

Immigration Judge: HUDDLESTON, NATALIE 11/19/2025

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

Appeal Due: 12/19/2025

**Certificate of Service**

This document was served:

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

Respondent Name : VILLEGAS GARCIA, IRVIN | A-Number :

Riders:

Date: 11/20/2025 By: McLaughlin, Shannon, Court Staff

FCC



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

Respondent Name:

VILLEGAS GARCIA, IRVIN

To:

VILLEGAS GARCIA, IRVIN  
CAFCC  
ICE - 1100 BOWLING RD  
P.O. BOX 6300  
FLORENCE, AZ 85132

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

11/19/2025

**ORDER OF THE IMMIGRATION JUDGE**

Respondent  The Department of Homeland Security has filed the following motion in these proceedings:

**MOTION FOR IJ REASSIGNMENT**

After considering the facts and circumstances, the motion is  granted  denied for the following reason(s):

unsupported by fact or law

Immigration Judge: HUDDLESTON, NATALIE 11/19/2025

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

Appeal Due: 12/19/2025

**Certificate of Service**

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

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

Respondent Name : VILLEGAS GARCIA, IRVIN | A-Number :



Riders:

Date: 11/20/2025 By: McLaughlin, Shannon, Court Staff

Grievance No.: ICE 2025-1268

**GRIEVANCE OFFICER'S (GO) REVIEW/DECISION; REVISION/DECISION DEL OFICIAL DE QUEJAS (GO):**  
(Attach additional pages if necessary. All pages must include the grievance number.) (Adjunte paginas adicionales si es necesario. Todas las paginas deben incluir el numero de quejas)

In response to your grievance I have investigated and found the following: you were seen 8/11/25 by the provider and you have a follow-up scheduled with a provider. You have medications ordered for your headache as well. Your issue remains unresolved for headaches.

Grievance Officer's Printed Name: [Signature] Title: ISA  
Nombre impreso del agente de quejas: [Signature] Fecha: 2/9/2025  
Grievance Officer's Signature: [Signature] Date: 2/9/2025  
Firma del agente de quejas: [Signature] Fecha: 2/9/2025  
Detainee's Signature (upon receipt): [Signature] Fecha: 2/9/2025  
Firma del detenido (a la recepcion): [Signature] Fecha: 2/9/2025

**DETAINEE APPEAL OF GO DECISION: (Must be submitted within five [5] days of receipt)/DETAINEE APELACION DE GO DECISION: (Debe presentarse dentro de los cinco [5] dias siguientes a la recepcion)** (Attach additional pages if necessary. All pages must include the grievance number.) (Adjunte paginas adicionales si es necesario. Todas las paginas deben incluir el numero de quejas)

**GRIEVANCE APPEAL BOARD DECISION/DECISION DE LA JUNTA DE APELACION DE QUEJAS:** (Attach additional pages if necessary. All pages must include the grievance number.) (Adjunte paginas adicionales si es necesario. Todas las paginas deben incluir el numero de quejas)

Staff Member's Printed Name : \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Nombre impreso del miembro del personal: \_\_\_\_\_ Firma: \_\_\_\_\_ Fecha: \_\_\_\_\_  
Staff Member's Printed Name : \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Nombre impreso del miembro del personal: \_\_\_\_\_ Firma: \_\_\_\_\_ Fecha: \_\_\_\_\_  
Staff Member's Printed Name : \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Nombre impreso del miembro del personal: \_\_\_\_\_ Firma: \_\_\_\_\_ Fecha: \_\_\_\_\_

**DETAINEE APPEAL OF GAB DECISION/APELACION DE DETENIDO DE LA DECISION DE GAB:**  
(Attach additional pages if necessary. All pages must include the grievance number.) (Adjunte paginas adicionales si es necesario. Todas las paginas deben incluir el numero de quejas)

**FACILITY ADMINISTRATOR'S DECISION/DECISION DEL ADMINISTRADOR DE LA INSTALACION:**  
(Attach additional pages if necessary. All pages must include the grievance number.) (Adjunte paginas adicionales si es necesario. Todas las paginas deben incluir el numero de quejas)

Facility Administrator's Signature/ \_\_\_\_\_ Date: \_\_\_\_\_  
Firma del administrador de la instalacion: \_\_\_\_\_ Fecha: \_\_\_\_\_  
Detainee's Signature (upon receipt): \_\_\_\_\_ Date: \_\_\_\_\_  
Firma del detenido (a la recepcion): \_\_\_\_\_ Fecha: \_\_\_\_\_

**TOPIC: A**

**TOPIC: B**