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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

GERARDO RANGEL OSUNA)

Petitioner,)

v.)

JEREMY CASEY, *in his official as WARDEN*)
of Imperial Detention Facility;)

GREGORY J. ARCHAMBEAULT, *in his official*)
Capacity as San Diego Field Office Director)
of the Immigration and Customs Enforcement,)
Enforcement and Removal Operations;)

KRISTI NOEM, *in her official capacity as*)
Secretary of the U.S. Department of Homeland)
Security; and)

PAM BONDI, *in her official*)
capacity as Attorney General of the United States,)

Respondents.)
_____)

'25CV3668 LL MMP

**PETITION FOR WRIT OF
HABEAS CORPUS**

INTRODUCTION

1. This petition for Writ of Habeas Corpus filed on behalf of Petitioner Gerardo Rangel Osuna (“Petitioner”) to remedy his unlawful detention.
2. Petitioner is a native of Mexico, born on  1981. He first entered the United States on or around the year 1990. He is the father of two U.S. citizen children.

3. On August 11, 2025, Petitioner was arrested by Immigration and Customs Enforcement (ICE) without reasonable suspicion in violation of the Fourth Amendment's safeguard against unreasonable seizures. He was detained in Commerce, California without reasonable suspicion while targeted on his way to buy a vehicle. *Id.*
4. On August 12, 2025, Petitioner was denied release from custody under bond by Order of the Immigration Judge. The Court contended that it lacks jurisdiction [*See* Exhibit A: "EOIR Order Denying Petitioners Release Under Bond"].
5. Petitioner is actively pursuing lawful permanent resident status. Through counsel, he filed Form I-130 and Form I-485, which are currently pending adjudication by the United States Citizenship and Immigration Services (USCIS). [*See* Exhibit C: "USCIS Receipt Notices for I-130 and I-485 Applications for Petitioner"]. Petitioner is eligible to adjust status pursuant to INA § 245(i). Based on this eligibility, Petitioner filed a motion to terminate removal proceedings, which the Immigration Judge denied on October 12, 2025. [*See* Exhibit D: "Immigration Judge Denial of Motion to Terminate"].
6. Petitioner, through counsel, also filed a I-589, Application for Asylum with Executive Office for Immigration Review (EOIR) based on his fear of persecution if he is removed to Mexico. [*See* Exhibit E: "I-589 Application Uploaded for Petitioner"]. He also has a pending Cancellation of Removal application with EOIR. [*See* Exhibit F: "EOIR 42-B Application Uploaded for Petitioner"].
7. Petitioner has exhausted all available legal remedies with ICE and EOIR to seek release.
8. Accordingly, Petitioner respectfully requests that this Court order Respondents to provide him with a prompt and constitutionally adequate bond hearing before an Immigration Judge,

or, in the alternative, to release him from custody if such a hearing is not provided within a reasonable period.

JURISDICTION

9. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*
10. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).
11. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

12. Venue is proper in this district and division pursuant to 28 U.S.C. § 2241(c)(3) and 28 U.S.C. § 1391(b)(2) and (e)(1) because Petitioner is detained within this district at Imperial Retional Detention Facility in Calexico, California, which is within the jurisdiction of this District.
13. Venue is proper in this District because a substantial part of the events or omissions giving rise to this action occurred and continue to occur Imperial Retional Detention Facility in Calexico, California. 28 U.S.C. § 1391(e).

REQUIREMENTS OF 28 U.S.C. § 2243

14. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require respondents to file a return “within *three days* unless for good cause additional time, not exceeding twenty days, is

allowed.” *Id.* (emphasis added).

15. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

16. Petitioner was arrested by ICE officers on August 1, 2025, and was transferred to Imperial Retional Detention Facility where he is currently detained. He is in custody, and under the direct control, of Respondents and their agents.
17. Jeremy Casey, as the acting Warden of Imperial Retional Detention Facility, has immediate physical custody of Petitioner pursuant to the facility’s contract with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner. Respondent is a legal custodian of Petitioner.
18. Respondent Gregory J. Archambeault, is sued in his official capacity as the Acting Director of the San Diego Field Office of U.S. Immigration and Customs Enforcement. Respondent Divver is a legal custodian of Petitioner and has authority to release him.
19. Respondent Kristi Noem is sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement, the component agency responsible for Petitioner’s detention and custody. Respondent Noem is a legal custodian of Petitioner.

20. Respondent Pam Bondi is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent Bondi is a legal custodian of Petitioner.

EXHAUSTION OF REMEDIES

21. Petitioner has exhausted all administrative remedies available to him. He is currently detained at the Imperial Regional Detention Facility under the custody of U.S. Immigration and Customs Enforcement (“ICE”). After his arrest, Petitioner sought release from custody through a bond request. His request for custody redetermination was denied by an Immigration Judge on August 12, 2025, based solely on the Immigration Judge contending lack of jurisdiction.

22. No further administrative process exists to challenge his ongoing detention or to obtain the relief sought. Petitioner does not challenge the discretionary denial of bond itself but rather the legality of his continued detention without a meaningful opportunity for release. Accordingly, the filing of this habeas corpus petition under 28 U.S.C. § 2241 is proper. *See Singh v. Holder*, 638 F.3d 1196, 1203–04 (9th Cir. 2011); *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

STATEMENT OF FACTS

23. Petitioner is a 44-year-old citizen of Mexico. He has two U.S. citizen children.

24. He first entered the United States on or around the year 1990, when he was around nine years old and has remained continuously present ever since.

25. On August 11, 2025, at or around midday, Petitioner was unlawfully detained by ICE in Commerce, California while he was riding his scooter crossing the train tracks around Eastern Ave and Randolph Ave in Commerce, California.
26. Petitioner was riding his scooter to go buy a vehicle when he was approached by masked men coming out of an unmarked van. He was forcibly detained without any warrant or cause.
27. On August 12, 2025, Petitioner was denied release from custody under bond by Order of the Immigration Judge. The Court contended that it lacks jurisdiction with no further explanation. [See Exhibit A: "EOIR Order Denying Petitioners Release Under Bond"].
28. Petitioner has viable avenues of immigration relief currently before both USCIS and the Immigration Court. He has submitted Forms I-130 and I-485, which remain pending with USCIS. [See Exhibit C: "USCIS Receipt Notices for I-130 and I-485 Applications for Petitioner"]. Petitioner qualifies for adjustment of status under INA § 245(i) and sought termination of removal proceedings on that basis; however, the Immigration Judge denied that request on October 12, 2025. [See Exhibit D: "Immigration Judge Denial of Motion to Terminate"].
29. In addition, through counsel, Petitioner filed an Application for Asylum (Form I-589) with the Executive Office for Immigration Review based on a well-founded fear of persecution if returned to Mexico. [See Exhibit E: "I-589 Application Uploaded for Petitioner"]. He also has a pending application for Cancellation of Removal. [See Exhibit F: "EOIR 42-B Application Uploaded for Petitioner"].
30. Petitioner has been detained at this facility for over four months. He has exhausted all measures to seek release from ICE and EOIR and has not been granted a fair opportunity. ICE has not identified any exceptional circumstances warranting Petitioner's continued

detention under their policy. His detention violates the Immigration and Nationality Act and Fifth Amendment rights and continued detention under these circumstances is unlawful.

LEGAL FRAMEWORK

31. The Due Process Clause requires that the deprivation of Petitioners' liberty be narrowly tailored to serve a compelling government interest. See *Reno v. Flores*, 507 U.S. 292, 301–02 (1993) (holding that due process “forbids the government to infringe certain ‘fundamental’ liberty interests at all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest”). As the Supreme Court held in *Zadvydas*, indefinite detention, and detention without adequate procedural protections, would raise a “serious constitutional problem” and run afoul of the Due Process Clause. 533 U.S. at 690.
32. Section 1226(a) authorizes the Attorney General to arrest and detain a noncitizen “pending a decision on whether the alien is to be removed.” Detention under § 1226(a) is discretionary and permits release on bond or conditional parole unless the person falls within the limited mandatory detention provisions of § 1226(c). The Ninth Circuit has held that individuals detained under § 1226(a) are entitled to individualized bond hearings where the government bears the burden to show, by clear and convincing evidence, that continued detention is justified by flight risk or danger. *Rodriguez v. Robbins*, 804 F.3d 1060, 1078 (9th Cir. 2015), vacated on other grounds, *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018). When detention under § 1226(a) becomes prolonged, it must remain reasonably related to its purposes of ensuring appearance and protecting the community. See *Demore v. Kim*, 538 U.S. 510, 531 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Continued detention without a final

order of removal, absent these justifications, is arbitrary, excessive, and violates the Due Process Clause.

33. On September 5, 2025, the Board of Immigration Appeals issued *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (B.I.A. 2025). The Board held that any noncitizen present in the United States without inspection or admission is subject to detention under INA § 235(b)(2) (8 U.S.C. § 1225(b)(2)), rather than § 236(a) (8 U.S.C. § 1226(a)). This interpretation treats all such noncitizens as “applicants for admission” and places them in mandatory detention without bond eligibility before immigration judges.
34. The decision overruled longstanding agency practice that classified interior arrests of noncitizens who entered without inspection under INA § 236(a) (8 U.S.C. § 1226(a)), which permits discretionary release on bond or parole. Under *Yajure Hurtado*, only those noncitizens who have been formally “admitted,” as defined in INA § 101(a)(13)(A), retain bond eligibility.

CLAIMS FOR RELIEF

COUNT ONE

Violation Of Immigration and Nationality Act, 8 U.S.C. § 1231(A)(6)

35. Petitioner realleges and incorporates by reference the paragraphs above.
36. 8 U.S.C. § 1226(a) authorizes the Attorney General to arrest and detain a noncitizen “pending a decision on whether the alien is to be removed,” but expressly permits release on bond or conditional parole. This provision governs the detention of individuals, like Petitioner, who have not been ordered removed and whose proceedings remain pending.
37. Detention under § 1226(a) must remain reasonably related to its purposes of ensuring appearance at removal proceedings and protecting the community. When those justifications no longer apply, continued custody exceeds the scope of the statute. See *Demore v. Kim*, 538

U.S. 510, 529–31 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

38. The Supreme Court in *Jennings v. Rodriguez*, 583 U.S. 830 (2018), distinguished between the discretionary detention authority in § 1226(a) and the mandatory detention provisions of § 1226(c). *Jennings* held that § 1226(a) allows for release on bond or conditional parole and does not itself impose mandatory custody. While the Court rejected the imposition of automatic, periodic bond hearings as a matter of statutory interpretation, it left open the constitutional question of whether prolonged detention without an individualized hearing violates due process. *See id.* at 851 (remanding to consider constitutional claims).
39. Subsequent courts have recognized that such prolonged detention without a hearing raises serious due process concerns. *See Hernandez-Lara v. Lyons*, 10 F.4th 19, 41 (1st Cir. 2021) (holding that due process requires the government to justify continued § 1226(a) detention by clear and convincing evidence of danger or by a preponderance of evidence of flight risk).
40. Petitioner is detained under 8 U.S.C. § 1226(a), which governs pre-final-order detention for individuals in ongoing removal proceedings. Respondents' continued detention of Petitioner without affording a bond hearing violates § 1226(a)'s plain language and structure. Detention under § 1226(a) must be justified by legitimate governmental interests, however Respondents have not demonstrated that Petitioner presents a flight risk or danger to the community, making his continued detention is arbitrary, excessive, and contrary to law.
41. Following *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (B.I.A. 2025), Respondents have adopted a blanket interpretation that classifies all noncitizens who entered without inspection as subject to mandatory detention under § 1225(b), thereby denying bond eligibility to those properly detained under § 1226(a). This interpretation is inconsistent with the statute and longstanding practice, resulting in the unlawful denial of individualized bond determinations.

42. Notably, The Central District of California has rejected DHS's attempt to treat interior-arrest noncitizens as mandatory detainees under § 1225(b). (*Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873, TRO Order (C.D. Cal. July 28, 2025)). In *Maldonado Bautista v. Santacruz*, the court granted a Temporary Restraining Order enjoining DHS from detaining similarly situated individuals without providing an individualized § 1226(a) bond hearing, holding that DHS's reliance on § 1225(b) for interior arrests was unconvincing and inconsistent with the statutory framework. *Id.* The court concluded that individuals arrested inside the United States and detained under § 1226(a) were being unlawfully deprived of the procedural protections guaranteed by that statute, including a bond hearing before a neutral adjudicator. *Id.*
43. Here, Petitioner is in the same posture as the Petitioners in *Maldonado Bautista*. He was arrested in the interior and denied a bond hearing solely because DHS asserted, they did not have jurisdiction. Although, deficient in terms of date of entry into the United States, the Petitioner's Notice to Appear expressly charges him as "an alien present in the United States without being admitted or paroled", not as "an arriving alien." [*See* Exhibit B: "Notice to Appear for Petitioner"]. Under *Maldonado Bautista* and long-standing practice, such detention is unlawful, and Petitioner is entitled to habeas relief directing the government to provide a prompt § 1226(a) bond hearing or order his release.
44. Petitioner has strong family and community ties in the United States. He has resided in the United States continuously since 1990. He was around nine years old when he entered the United States. The United States is the only home he knows, and he has established himself here. He has is now married and is a devoted father to two United States citizens. This Petition includes several letters of support that attest to his admirable and helpful character.

[See Exhibit H: “Letters of Support for Petitioner”]. In addition, Petitioner’s is eligible for adjustment of status under INA § 245(i). He has a pending I-130 and I-485, which demonstrates that he has a viable pathway to lawful permanent residence. Petitioner has no history of violent convictions. His only conviction is a non-violent misdemeanor. He was convicted for 18 U.S.C. 3 Accessory After the Fact, which is not a crime involving moral turpitude or an aggravated felony under 8 U.S.C. § 1101(a)(43). Importantly, this misdemeanor does render him a danger to the community or subject him to mandatory detention under 8 U.S.C. § 1226(c). Because Petitioner is detained under 8 U.S.C. § 1226(a), he is statutorily entitled to seek release on bond following an individualized custody determination. Respondents’ refusal to provide such a bond hearing contravenes § 1226(a)’s discretionary framework and exceeds the detention authority Congress has authorized.

45. Accordingly, the Court should declare that Respondents lack statutory authority to detain Petitioner under § 1226(a) without providing a constitutionally adequate bond hearing and should order either (1) a prompt bond hearing before an Immigration Judge at which the government bears the burden of proof, or (2) Petitioner’s release from custody pursuant to 28 U.S.C. § 2241.

COUNT THREE
Violation of Fifth Amendment Due Process Clause

46. The allegations in the above paragraphs are realleged and incorporated herein.

47. The Due Process Clause of the Fifth Amendment forbids the government from depriving any person of liberty without due process of law. U.S. Const. amend. V. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty” that the Due Process Clause protects. *Zadvydas*, 533 U.S. at 690 (citing *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992)). Civil immigration detention

violates due process if it is not reasonably related to its statutory purpose. See *id.* at 690 (citing *Jackson v. Indiana*, 406 U.S. 715, 738 (1972)). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention: to mitigate the risk of flight and prevent danger to the community. *Id.*; *Demore v. Kim*, 538 U.S. 510, 514–15, 528 (2003). Courts have further held that prolonged detention under 8 U.S.C. § 1226(a) implicates due process and requires the government to justify continued confinement at a meaningful bond hearing. See *Hernandez-Lara v. Lyons*, 10 F.4th 19, 41 (1st Cir. 2021) (requiring the government to prove danger by clear and convincing evidence or flight risk by a preponderance of the evidence).

48. The due process concerns identified in *Maldonado Bautista v. Santacruz* further demonstrate that Respondent’s continued detention without a bond hearing is unconstitutional. In granting the TRO, the court found that DHS’s misapplication of § 1225 deprived interior-arrest noncitizens of the legal protections guaranteed under § 1226(a), raising “serious question[s]” as to whether DHS had permissibly altered its detention practices to withhold statutory and constitutional safeguards. TRO Order at 5–7. The court emphasized that continued detention under an unlawful policy serves “neither equity nor the public interest,” and “potentially arbitrarily violates due process rights.” *Galvez v. Jaddou*, 52 F.4th 821, 832 (9th Cir. 2022); see also *Xuyue Zhang v. Barr*, 612 F. Supp. 3d 1005, 1017 (C.D. Cal.) (public interest is implicated whenever constitutional rights are denied). As in *Maldonado Bautista*, Respondent’s detention under the incorrect statutory framework deprives him of the procedural protections mandated by § 1226(a), rendering his continued detention fundamentally inconsistent with the Fifth Amendment. This concern is heightened because

Respondent was previously denied a bond hearing based on lack of jurisdiction, which presumably relied on the same misapplication of § 1225(b) that the district court rejected.

49. First, Petitioner does not pose a danger to the community. He has significant ties to the United States. His entire immediate family resides in this country and specifically, in the State of California. Petitioner is a devoted father to two young U.S. citizen children. He and his children are fully integrated into American life. His children depend on him for daily care, guidance, and stability. As a father he provides consistent emotional support and financial stability. Prior to his detention by ICE, Petitioner was steadily employed in the United States as a delivery driver and served as a primary source of financial support for his household. His continued detention has placed his family at significant financial risk and threatens the stability of his U.S. citizen children, who rely on him for both emotional and economic support.
50. On June 3, 2025, Respondent was convicted of Accessory After the Fact in violation of 8 U.S.C § 3, a misdemeanor offense. The criminal court imposed a sentence of credit for time served (approximately two months) and no monetary fine or other terms. This conviction is not a deportable offense under the Immigration and Nationality Act, is not an aggravated felony, and does not constitute a crime involving moral turpitude. The minimal sentence imposed reflects the criminal court's assessment that Petitioner does not pose a threat to public safety. Furthermore, the sentence imposed does not meet the statutory requirements for removability. Taken together, these factors demonstrate that Petitioner does not pose a danger to the community.
51. Second, Petitioner does not pose a risk of flight. He is committed to pursuing his applications for relief in the United States. His objective is to remain in the United States in a lawful

manner. He has every incentive to, and will, comply with all obligations required to enable him to remain in the United States. Petitioner has a pathway to become a legal permanent resident through adjustment of status under INA § 245(i). [See Exhibit C: “USCIS Receipt Notices for I-130 and I-485 Applications for Petitioner”]. This adjustment of status application is currently pending and he will continue to pursue it once he is released. *Id.*

52. Petitioner’s strong family ties further anchor him to this jurisdiction. His two U.S. citizen children reside in the United States and depend on him, providing powerful motivation to appear at all hearings and comply with any conditions of release. The strength of his eligibility for relief and the pendency of his application weigh heavily against any suggestion that he would abscond.

53. Another factor that should be afforded weight is that Petitioner is represented by undersigned counsel. Retaining the services attorney is a significant financial commitment. It is an indication that he is invested in his case and willing to follow through with any requirements imposed by ICE in order to continue litigating his claim. His willingness to invest in his litigating his claim should mitigate any flight risk concerns. Petitioner is planning to stay in the jurisdiction to fully litigate his relief applications. His investment contradicts any likelihood of absconding, as flight risk might try to leave the jurisdiction to avoid arrest or to abscond. The act of securing legal representation suggests that Petitioner is very likely remaining within the country or region to actively pursue his relief applications.

54. For these reasons, Petitioner’s continued detention violates the Due Process Clause of the Fifth Amendment, and he must be immediately released.

COUNT FOUR

55. If he prevails, Petitioner requests attorney’s fees and costs in the amount of \$5,000 under the

Equal Access to Justice Act (“EAJA”), as amended, 28 U.S.C. § 2412

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

- (1) Assume jurisdiction over this matter.
- (2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.
- (3) Declare that Petitioners’ detention violates the Immigration and Nationality Act and Due Process Clause of the Fifth Amendment.
- (4) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately.
- (5) Enjoin Respondents from further unlawfully detaining Petitioners.
- (6) Grant a writ of habeas corpus ordering Respondents to immediately release Petitioners from custody.
- (7) In the alternative, grant a writ of habeas corpus ordering Respondents to immediately release Petitioners from custody under reasonable conditions of supervision.
- (8) Award Petitioner attorney’s fees and costs under the Equal Access to Justice Act, and on any other basis justified under law and
- (9) Grant any further relief this Court deems just and proper.

Respectfully submitted,

/s/ Alfonso Morales
Alfonso Morales, Esq.
Attorney for Gerardo Rangel Osuna

Dated: December 18, 2025

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Gerardo Rangel Osuna, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 18 day of December 2025.

/s/ Alfonso Morales
Alfonso Morales, Esq.
Attorney for Gerardo Rangel Osuna

EXHIBIT A



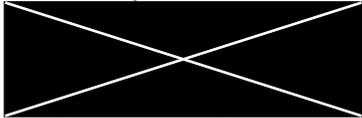
UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMPERIAL IMMIGRATION COURT

Respondent Name:

RANGEL OSUNA, GERARDO

To:

Morales, Alfonso



A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

09/12/2025

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
no jurisdiction.

Granted. It is ordered that Respondent be:
 released from custody on his own recognizance.
 released from custody under bond of \$
 other:

Other:



Immigration Judge: Simpson, Scott 09/12/2025

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

Appeal Due: 10/13/2025

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 : RANGEL OSUNA, GERARDO | A-Number : 

Riders:

Date: 09/12/2025 By: Beltran, Vanessa, Court Staff

EXHIBIT B

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [REDACTED]

Event No: [REDACTED]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

FINS: [REDACTED]

File No: [REDACTED]

In the Matter of:

Respondent: GERARDO RANGEL OSUNA

currently residing at:

[REDACTED]

(Number, street, city, state and ZIP code)

[REDACTED]

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of MEXICO and a citizen of MEXICO;
3. You entered the United States at or near SAN YSIDRO, CA, on or about April 6, 2025;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

EOIR - IMPERIAL, 1572 GATEWAY RD, CALEXICO CALIFORNIA 92231.

(Complete Address of Immigration Court, including Room Number, if any)

On September 15, 2025 at 8:00 am to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

J 4115 RUIZ - SDDO
(Signature and Title of Issuing Officer)

Date: September 4, 2025

Calexico, California
(City and State)

EOIR - 1 of 5

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Allen Registration: This copy of the Notice to Appear served upon you is evidence of your allen registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/I-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

 (Signature of Respondent)

Date: _____

 (Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on September 4, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
 Attached is a credible fear worksheet.
 Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

 (Signature of Respondent if Personally Served)

ALEX PALACIOS - DO
 (Signature and Title of officer)

EOIR - 2 of 5

EXHIBIT C

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

NOTICE TYPE Receipt		NOTICE DATE August 21, 2025
CASE TYPE I-485, Application to Register Permanent Residence or Adjust Status		USCIS ALIEN NUMBER
RECEIPT NUMBER	RECEIVED DATE August 19, 2025	PAGE 1 of 1
PRIORITY DATE August 19, 2025	PREFERENCE CLASSIFICATION Parent of a U.S. citizen	DATE OF BIRTH

GERARDO RANGEL OSUNA
C/O ALFONSO MORALES LAW OFFICES OF ALFONSO MORAL
8131 ROSECRANS AVE STE 200
PARAMOUNT, CA 90723

14 00003073

PAYMENT INFORMATION:

Application/Petition Fee: \$1,440.00
Total Amount Received: \$1,440.00
Total Balance Due: \$0.00



NAME AND MAILING ADDRESS

We have received your form and are currently processing the above case. If this notice contains a priority date, this priority does not reflect earlier retained priority dates. We will notify you separately about any other case you filed.

If we determine you must submit biometrics, we will mail you a biometrics appointment notice with the time and place of your appointment.

If you have questions or need to update your personal information listed above, please visit the USCIS Contact Center webpage at uscis.gov/contactcenter to connect with a live USCIS representative in English or Spanish.

RECEIVED AUG 28 2025

USCIS Office Address:
USCIS
National Benefits Center
P.O. Box 648003
Lee's Summit, MO 64002

USCIS Contact Center Number:
(800)375-5283
ATTORNEY COPY



000001



Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

NOTICE TYPE Receipt		NOTICE DATE August 21, 2025
CASE TYPE I-130, Petition for Alien Relative		USCIS ALIEN NUMBER
RECEIPT NUMBER [REDACTED]	RECEIVED DATE August 19, 2025	PAGE 1 of 1
PRIORITY DATE August 19, 2025	PREFERENCE CLASSIFICATION 201 B INA PARENT OF USC	DATE OF BIRTH [REDACTED]

KATTIE A. RANGEL
C/O ALFONSO MORALES LAW OFFICES OF ALFONSO MORAL
8131 ROSECRANS AVE STE 200
PARAMOUNT, CA 90723

14 00003074

PAYMENT INFORMATION:

Application/Petition Fee: \$675.00
Total Amount Received: \$675.00
Total Balance Due: \$0.00



APPLICANT/PETITIONER NAME AND MAILING ADDRESS

We have received your form and are currently processing the above case for the following beneficiaries:

Name	Date of Birth	Country of Birth	Class (If Applicable)
RANGEL OSUNA, GERARDO	[REDACTED]	MEXICO	

If this notice contains a priority date, this priority does not reflect earlier retained priority dates. We will notify you separately about any other case you filed.

If we determine you must submit biometrics, we will mail you a biometrics appointment notice with the time and place of your appointment.

If you have questions or need to update your personal information listed above, please visit the USCIS Contact Center webpage at uscis.gov/contactcenter to connect with a live USCIS representative in English or Spanish.

RECEIVED AUG 28 2025

USCIS Office Address:
USCIS
National Benefits Center
P.O. Box 648003
Lee's Summit, MO 64002

USCIS Contact Center Number:
(800)375-5283
ATTORNEY COPY



000002



Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

NOTICE TYPE Receipt		NOTICE DATE August 21, 2025
CASE TYPE I-765, Application for Employment Authorization		USCIS ALIEN NUMBER
RECEIPT NUMBER 	RECEIVED DATE August 19, 2025	PAGE 1 of 1
		DATE OF BIRTH

PAYMENT INFORMATION:

GERARDO RANGEL OSUNA
C/O ALFONSO MORALES LAW OFFICES OF ALFONSO MORAL
8131 ROSECRANS AVE STE 200
PARAMOUNT, CA 90723

Application/Petition Fee: \$260.00
Total Amount Received: \$260.00
Total Balance Due: \$0.00



NAME AND MAILING ADDRESS

Eligibility Category: C09

We have received your form and are currently processing it. We will notify you separately about any other form you filed. If we determine you must submit biometrics, we will mail you a biometrics appointment notice with the time and place of your appointment. If you have questions or need to update your personal information listed above, please visit the USCIS Contact Center webpage at uscis.gov/contactcenter to connect with a live USCIS representative in English or Spanish.

If you filed to renew your Employment Authorization Document (EAD) under category A03, A05, A07, A08, A10, A12, A17, A18, C08, C09, C10, C16, C19, C20, C22, C24, C26, or C31, you may be eligible for an automatic extension of your EAD. Full details and an eligibility calculator are at uscis.gov/eadautoextend.

You qualify for an automatic extension if: (1) the category on your current EAD matches the "Class Requested" listed on this notice, * and (2) the "Received Date" on this notice is before the "Card Expires" date on your EAD.

If you are eligible for an automatic extension of your EAD, you can show this notice with your expired EAD to your employer for employment eligibility verification (Form I-9) purposes. The automatic extension is for up to 540 days* from the expiration date printed on the front of your EAD. If we deny your renewal application, the automatic extension ends immediately, and you can no longer use this notice for Form I-9 purposes. If your EAD is also your Advance Parole document, the automatic extension does not apply to Advance Parole. This notice, by itself, does not grant any immigration status or benefit, nor is it evidence that this application is still pending.

*If you filed under the A12 or C19 classifications, you qualify for an automatic extension of the shorter of one year or the duration of your Temporary Protected status (TPS), and if: (1) this notice and your expired EAD contain either A12 or C19 (they do not need to match); and (2) you filed your renewal Form I-765 during the TPS re-registration period indicated in the applicable Federal Register notice for your country found at uscis.gov/humanitarian/temporary-protected-status.

If we have approved or are still processing your underlying Form I-140 and your Form I-485 has been pending for at least 180 days, you may request to change employers under INA 204(j). For more information on this process, please visit uscis.gov/i-485supi.

Based on your responses in Part 2 on the Form I-765, you have consented to the disclosure of your information to the Social Security Administration (SSA). If USCIS approves your application for employment authorization, USCIS will electronically transmit the data to SSA and the SSA may assign you a Social Security Number (SSN) and issue a card.

RECEIVED AUG 28 2025

USCIS Office Address:

USCIS
National Benefits Center
P.O. Box 648003
Lee's Summit, MO 64002

USCIS Contact Center Number:

(800)375-5283
ATTORNEY COPY



U.S. Department of Justice
Immigration and Naturalization Service

Notice of Action

IN THE UNITED STATES OF AMERICA

RECEIPT NUMBER [REDACTED]		CASE TYPE 1130 IMMIGRANT PETITION FOR RELATIVE FIANC(E) OR ORPHAN	
RECEIVED DATE April 25, 1997	PRIORITY DATE	PETITIONER RANGEL, GREG	
NOTICE DATE April 25, 1997	PAGE 1 of 1	BENEFICIARY RANGEL MEDINA, MARTIN	
GREG RANGEL [REDACTED]		Notice Type: Receipt Notice Amount received: \$ 80.00 Section: Sister or brother of U.S. Citizen, 203(a)(4) INA	

The above application or petition has been received. It usually takes 30 to 40 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect. Our customer service phone number is listed below.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number below to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).

Please see the additional information on the back. You will be notified separately about any other cases you filed.
IMMIGRATION & NATURALIZATION SERVICE
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL, CA 92607-0111
Customer Service Telephone: (714) 360-2769



EXHIBIT D



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMPERIAL IMMIGRATION COURT

Respondent Name:

RANGEL OSUNA, GERARDO

To:

Morales, Alfonso
8131 ROSECRANS AVE
SUITE 200
PARAMOUNT, CA 90723

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

10/13/2025

ORDER OF THE IMMIGRATION JUDGE

Respondent the Department of Homeland Security has filed a motion to terminate these proceedings, and the non-moving party was accorded notice and an opportunity to respond. The motion is opposed unopposed.

After considering the facts and circumstances, the immigration court orders that the motion to terminate is granted with without prejudice denied because:

- The Department of Homeland Security met did not meet its burden of proving by clear and convincing evidence that Respondent is removable as charged. 8 C.F.R. § 1240.8(a).
- Respondent met did not meet the burden of proving that Respondent is clearly and beyond a doubt entitled to admission to the United States and is not inadmissible as charged. 8 C.F.R. § 1240.8(b)-(c).
- Other.
- Further analysis/explanation:

Although Respondent has receipts for an I-130 and an I-485 that have been filed on his behalf, unless and until the I-130 is actually approved, there is no guarantee that Respondent will be able to achieve relief through this process. This motion is denied without prejudice to renew should the I-130 be approved.



Immigration Judge: Perry, Anne Kristina 10/13/2025

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

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 : RANGEL OSUNA, GERARDO | A-Number : 

Riders:

Date: 10/14/2025 By: LUGO, CASSANDRA, Court Staff

EXHIBIT E

1 **Alfonso Morales, State Bar No. 235314**
2 LAW OFFICES OF ALFONSO MORALES, ESQ.
3 8131 Rosecrans Avenue, Suite 200
4 Paramount, CA 90723
5 Telephone: (310) 669-8700
6 Fax: (310) 669-8788
7 Attorney for Respondent

DETAINED

8 **UNITED STATES DEPARTMENT OF JUSTICE**
9 **EXECUTIVE OFFICE OF IMMIGRATION REVIEW**
10 **OFFICE OF THE IMMIGRATION JUDGE**
11 **IMPERIAL, CALIFORNIA**

12 In the Matter of

13 **RANGEL OSUNA, Gerardo**

Case No. 

14 Respondent,

In Removal Proceedings.

15
16 Immigration Judge: Perry, Anne Kristina

17 Hearing Date: Master- December 15, 2025 at 8:30 a.m.

18
19
20
21 **INDEX IN SUPPORT OF ASYLUM AND FOR WITHHOLDING OF REMOVAL**
22 **AND COVENTION AGAINST TORTURE**
23
24
25
26

27 Proof of Service is attached.

28 1

INTRODUCTION

Counsel hereby files with the court this INDEX IN SUPPORT OF I-589 ASYLUM & WITHHOLDING OF REMOVAL AND CONVENTION AGAINST TORTURE.

Executed: 12/12/2025

Respectfully Submitted,



Alfonso Morales, Esq.
Attorney for Respondent

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PROOF OF SERVICE

I, Paulina Tamayo, hereby verify that I am over 18 years of age and reside in Los Angeles County. I am not a party to this action. On 12/12/2025 I served by e-service a true and correct copy of the document entitled: INDEX IN SUPPORT OF ASYLUM FOR WITHHOLDING OF REMOVAL on the following:

OFFICE OF THE PRINCIPAL LEGAL ADVISOR
2409 La Brucherie Road Suite 3
Imperial, CA 92251

Date Executed: 12/12/2025


Paulina Tamayo, Legal Assistant

**INDEX IN SUPPORT OF
ASYLUM AND FOR WITHHOLDING OF REMOVAL AND
CONVENTION AGAINST TORTURE
FOR
GERARDO RANGEL OSUNA**



EXHIBIT	PAGE	DESCRIPTION
<u>A</u>		STATUTORY ELIGIBILITY
	<u>1-12</u>	FORM I-589 APPLICATION FOR ASYLUM AND FOR WITHHOLDING OF REMOVAL AND CONVENTION AGAINST TORTURE
	<u>13</u>	COPY OF CURRENT CALIFORNIA DRIVER LICENSE
	<u>14-16</u>	COPY OF BIRTH CERTIFICATE AND ENGLISH TRANSLATION
	<u>17</u>	COPY OF I-589 PAYMENT RECEIPT FROM THE EOIR PAYMENT PORTAL
	<u>18-19</u>	COPY OF UNITED STATES DISTRICT COURT JUDGMENT IN CRIMINAL CASE SUMMARY
	<u>20</u>	COPY OF U.S. BIRTH CERTIFICATE FOR   RANGEL, U.S.C. DAUGHTER OF GERARDO RANGEL OSUNA
<u>21</u>	COPY OF U.S. BIRTH CERTIFICATE FOR   RANGEL, U.S.C. SON OF GERARDO RANGEL OSUNA	
<u>B</u>		<i>COUNTRY CONDITIONS</i>
	<u>22-30</u>	HUMAN RIGHTS WATCH "MEXICO EVENTS OF 2024"
	<u>31-50</u>	MEXICO 2024 HUMAN RIGHTS REPORT

Application for Asylum and for Withholding of Removal

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0067
Expires 09/30/2027

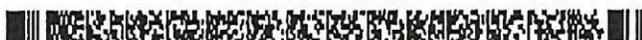


START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application.

NOTE: Check this box if you also want to apply for withholding of removal under the Convention Against Torture.

Part 1. IDENTIFICATION INFORMATION			
1. Alien Registration Number(s) (A-Number) (if any) [REDACTED]		2. U.S. Social Security Number (if any) NONE	
3. USCIS Online Account Number (if any)			
4. Complete Last Name RANGEL OSUNA		5. First Name GERARDO	6. Middle Name
7. What other names have you used (include maiden name and aliases)? NONE			
8. Residence in the U.S. (where you physically reside)			
Street Number and Name [REDACTED]			Apt. Number
City ADELANTO	State CA	Zip Code 92301	Telephone Number ()
<i>(NOTE: You must be residing in the United States to submit this form.)</i>			
9. Mailing Address in the U.S. (if different than the address in Item Number 8)			
In Care Of (if applicable):			Telephone Number ()
Street Number and Name			Apt. Number
City	State	Zip Code	
10. Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	11. Marital Status: <input type="checkbox"/> Single <input checked="" type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed		
12. Date of Birth (mm/dd/yyyy) [REDACTED]	13. City and Country of Birth MAZATLAN MEXICO		
14. Present Nationality (Citizenship) MEXICAN	15. Nationality at Birth MEXICAN	16. Race, Ethnic, or Tribal Group HISPANIC	17. Religion
18. Check the box, a through c, that applies: a. <input type="checkbox"/> I have never been in Immigration Court proceedings. b. <input checked="" type="checkbox"/> I am now in Immigration Court proceedings. c. <input type="checkbox"/> I am not now in Immigration Court proceedings, but I have been in the past.			
19. Complete 19 a through c.			
a. When did you last leave your country? (mm/dd/yyyy) <u>1990</u>		b. What is your current I-94 Number, if any? _____	
c. List each entry into the U.S. beginning with your most recent entry. List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.)			
Date <u>1990</u>	Place <u>SAN DIEGO CA</u>	Status <u>EWI</u>	Date Status Expires _____
Date _____	Place _____	Status _____	
Date _____	Place _____	Status _____	
20. What country issued your last passport or travel document? NA		21. Passport Number <u>NA</u> Travel Document Number <u>NA</u>	22. Expiration Date (mm/dd/yyyy)
23. What is your native language (include dialect, if applicable)? SPANISH	24. Are you fluent in English? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	25. What other languages do you speak fluently? NONE	

EOIR - 6 of 56



For EOIR use only.	For USCIS use only.	Action: Interview Date: _____ Asylum Officer ID No.: _____	Decision: Approval Date: _____ Denial Date: _____ Referral Date: _____
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Your spouse I am not married. (Skip to Your Children below.)

1. Alien Registration Number (A-Number) (if any) NA	2. Passport/ID Card Number (if any) NA	3. Date of Birth (mm/dd/yyyy)	4. U.S. Social Security Number (if any)
5. Complete Last Name MANZANO	6. First Name NEISSY	7. Middle Name X	8. Other names used (include maiden name and aliases)
9. Date of Marriage (mm/dd/yyyy) 04/18/2008	10. Place of Marriage MAYWOOD CA USA	11. City and Country of Birth MEXICO	
12. Nationality (Citizenship) MEXICAN		13. Race, Ethnic, or Tribal Group HISPANIC	14. Sex <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
15. Is this person in the U.S.? <input checked="" type="checkbox"/> Yes (Complete Blocks 16 to 24.) <input type="checkbox"/> No (Specify location):			
16. Place of last entry into the U.S. NA	17. Date of last entry into the U.S. (mm/dd/yyyy) NA	18. I-94 Number (if any) NA	19. Status when last admitted (Visa type, if any) NA
20. What is your spouse's current status?	21. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy) NA	22. Is your spouse in Immigration Court proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	23. If previously in the U.S., date of previous arrival (mm/dd/yyyy) NA
24. If in the U.S., is your spouse to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Your Children. List all of your children, regardless of age, location, or marital status.

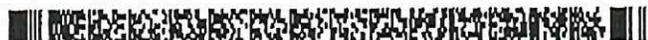
I do not have any children. (Skip to Part A.III., Information about your background.)

I have children. Total number of children: 2

(NOTE: Use Form I-589 Supplement A or attach additional sheets of paper and documentation if you have more than four children.)

1. Alien Registration Number (A-Number) (if any) NA	2. Passport/ID Card Number (if any) NA	3. Marital Status (Married, Single, Divorced, Widowed) NA	4. U.S. Social Security Number (if any) NA
5. Complete Last Name RANGEL	6. First Name X	7. Middle Name X	8. Date of Birth (mm/dd/yyyy) X
9. City and Country of Birth WHITTIER USA	10. Nationality (Citizenship) USC	11. Race, Ethnic, or Tribal Group HISPANIC	12. Sex <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
13. Is this child in the U.S. ? <input checked="" type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location):			
14. Place of last entry into the U.S. NA	15. Date of last entry into the U.S. (mm/dd/yyyy) NA	16. I-94 Number (If any) NA	17. Status when last admitted (Visa type, if any) NA
18. What is your child's current status? USC	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy) NA	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

EOIR - 7 of 56



Part 4 - Information About Your Spouse and Child(ren) (continued)			
1. Alien Registration Number (A-Number) (if any) NA	2. Passport/ID Card Number (if any) NA	3. Marital Status (Married, Single, Divorced, Widowed) NA	4. U.S. Social Security Number (if any) NA
5. Complete Last Name RANGEL	6. First Name X	7. Middle Name X	8. Date of Birth (mm/dd/yyyy) X
9. City and Country of Birth MONTEREY PARK USA	10. Nationality (Citizenship) USC	11. Race, Ethnic, or Tribal Group HISPANIC	12. Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input checked="" type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location):			
14. Place of last entry into the U.S. NA	15. Date of last entry into the U.S. (mm/dd/yyyy) NA	16. I-94 Number (If any) NA	17. Status when last admitted (Visa type, if any) NA
18. What is your child's current status? USC	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy) NA	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
1. Alien Registration Number (A-Number) (if any)	2. Passport/ID Card Number (if any)	3. Marital Status (Married, Single, Divorced, Widowed)	4. U.S. Social Security Number (if any)
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth (mm/dd/yyyy)
9. City and Country of Birth	10. Nationality (Citizenship)	11. Race, Ethnic, or Tribal Group	12. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location):			
14. Place of last entry into the U.S.	15. Date of last entry into the U.S. (mm/dd/yyyy)	16. I-94 Number (If any)	17. Status when last admitted (Visa type, if any)
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes <input type="checkbox"/> No			
1. Alien Registration Number (A-Number) (if any)	2. Passport/ID Card Number (if any)	3. Marital Status (Married, Single, Divorced, Widowed)	4. U.S. Social Security Number (if any)
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth (mm/dd/yyyy)
9. City and Country of Birth	10. Nationality (Citizenship)	11. Race, Ethnic, or Tribal Group	12. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location):			
14. Place of last entry into the U.S.	15. Date of last entry into the U.S. (mm/dd/yyyy)	16. I-94 Number (If any)	17. Status when last admitted (Visa type, if any)
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes <input type="checkbox"/> No			

EOIR - 8 of 56

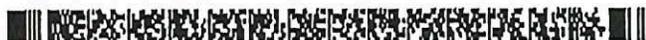


EXHIBIT F

1 **Alfonso Morales, California State Bar No. 235314**
2 LAW OFFICE OF ALFONSO MORALES, ESQ.
3 8131 Rosecrans Ave., Suite 200
4 Paramount, CA 90723
5 Telephone: (310) 669-8700
6 Fax: (310) 669-8788

DETAINED

7 Attorney for Respondent

8 **UNITED STATES DEPARTMENT OF JUSTICE**
9 **EXECUTIVE OFFICE OF IMMIGRATION REVIEW**
10 **OFFICE OF THE IMMIGRATION JUDGE**
11 **IMPERIAL, CALIFORNIA**

12 In the Matter of

13 **RANGEL OSUNA, Gerardo**

Case No. 

14 Respondent,

In Removal Proceedings.

15
16 Immigration Judge: **Perry, Anne Kristina**

17
18 Hearing Date and Time: **Master – December 15, 2025 8:30 a.m.**

19
20
21
22 **FILING IN SUPPORT OF EOIR 42B CANCELLATION OF REMOVAL AND**
23 **ADJUSTMENT OF STATUS FOR CERTAIN NONPERMANENT RESIDENTS**

24
25
26 Proof of Service is attached.

27
28
29 **FILING IN SUPPORT OF EOIR 42B CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS FOR CERTAIN**
30 **NONPERMANENT RESIDENTS** 

1 Respondent, GERARDO RANGEL OSUNA, through his attorney Alfonso Morales, Esq.,
2 files this FILING IN SUPPORT OF EOIR 42B CANCELLATION OF REMOVAL AND
3 ADJUSTMENT OF STATUS FOR CERTAIN NONPERMANENT RESIDENTS.
4
5
6

7 Executed: 12/12/2025
8

9 Respectfully Submitted,
10

11 
12 _____
13 Alfonso Morales, Esq.
14 *Attorney for Respondent*
15
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PROOF OF SERVICE

1
2 I, **Paulina Tamayo**, hereby verify that I am over 18 years of age and reside in Los
3 Angeles County. I am not a party to this action. On 12/12/2025 I served by e-service a
4 true and correct copy of the document entitled FILING IN SUPPORT OF EOIR 42B
5 CANCELLATION OF REMOVAL on the following:

6
7 OFFICE OF THE PRINCIPAL LEGAL ADVISOR
8 2409 La Brucherie Road Suite 3
9 Imperial, CA 92251

10 Date Executed: 12/12/2025

11
12 
13 Paulina Tamayo, Legal Assistant

**INDEX IN SUPPORT OF
EOIR 42B CANCELLATION OF REMOVAL
FOR
GERARDO RANGEL OSUNA
A# [REDACTED]**

EXHIBIT	PAGE	DOCUMENT
A		<i>STATUTORY ELIGIBILITY</i>
	<u>1-8</u>	FORM EOIR-42B, CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS FOR CERTAIN NONPERMANENT RESIDENTS APPLICATION
	<u>9</u>	COPY OF EOIR-42B PAYMENT RECEIPT FROM THE EOIR PAYMENT PORTAL
	<u>10</u>	COPY OF CURRENT CALIFORNIA DRIVER LICENSE
	<u>11-13</u>	COPY OF BIRTH CERTIFICATE AND ENGLISH TRANSLATION
	<u>14-15</u>	COPY OF UNITED STATES DISTRICT COURT JUDGMENT IN CRIMINAL CASE SUMMARY
B		<i>HARDSHIP</i>
	<u>16</u>	COPY OF U.S. BIRTH CERTIFICATE FOR [REDACTED] RANGEL, U.S.C. DAUGHTER OF GERARDO RANGEL OSUNA
	<u>17</u>	COPY OF U.S. BIRTH CERTIFICATE FOR [REDACTED] [REDACTED] RANGEL, U.S.C. SON OF GERARDO RANGEL OSUNA

C		<i>GOOD MORAL CHARACTER</i>
	<u>18-19</u>	SUPPORT LETTER FROM MARIBEL CAMPOS AND COPY OF CITIZENSHIP
	<u>20-21</u>	SUPPORT LETTER FROM ALEJANDRO RANGEL AND COPY OF CITIZENSHIP
	<u>22-23</u>	SUPPORT LETTER FROM ELIZABETH FELIX AND COPY OF U.S. BIRTH CERTIFICATE
	<u>24-26</u>	SUPPORT LETTER FROM JANET ALONSO, ED.D. AND COPY OF U.S. BIRTH CERTIFICATE
	<u>27-28</u>	SUPPORT LETTER FROM ALFOSO RANGEL AND COPY OF PASSPORT CARD
	<u>29-30</u>	SUPPORT LETTER FROM SANDRA RANGEL AND COPY OF PASSPORT CARD
	<u>31-32</u>	SUPPORT LETTER FROM ADEELA RANGEL AND COPY OF PASSPORT CARD

PART 4 - INFORMATION ABOUT YOUR MARITAL STATUS AND SPOUSE (Continued)

35) I - have - have not been previously married: (If previously married, list the name of each prior spouse, the dates on which each marriage began and ended, the place where the marriage terminated, and describe how each marriage ended.)

Name of prior spouse: (Last, First, Middle)	Date marriage began: Date marriage ended:	Place marriage ended: (City and Country)	Description or manner of how marriage was terminated or ended:

36) My present spouse - has - has not been previously married: (If previously married, list the names of each prior spouse, the dates on which each marriage began and ended, the place where the marriage terminated, and describe how each marriage ended.)

Name of prior spouse: (Last, First, Middle)	Date marriage began: Date marriage ended:	Place marriage ended: (City and Country)	Description or manner of how marriage was terminated or ended:

37) Have you been ordered by any court, or are otherwise under any legal obligation, to provide child support and/or spousal maintenance as a result of a separation and/or divorce? Yes No

PART 5 - INFORMATION ABOUT YOUR EMPLOYMENT AND FINANCIAL STATUS

38) Since my arrival into the United States, I have been employed by the following named persons or firms: (Please begin with present employment and work back in time. Any periods of unemployment or school attendance should be specified. Attach a separate sheet for additional entries if necessary.)

Full Name and Address of Employer	Earnings Per Week (Approximate)	Type of Work Performed	Employed From: (Month, Day, Year)	Employed To: (Month, Day, Year)
JITSU 13943 MARYTON AVE SANTA FE SPRINGS, CA	\$	DELIVERY DRIVER	11/2022	PRESENT
	\$			
	\$			

39) If self-employed, describe the nature of the business, the name of the business, its address, and net income derived therefrom:

N/A

40) My assets (and if married, my spouse's assets) in the United States and other countries, not including clothing and household necessities, are:

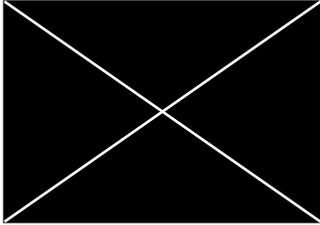
<u>Self</u>		<u>Jointly Owned With Spouse</u>	
Cash, Stocks, and Bonds.....	\$ 0	Cash, Stocks, and Bonds.....	\$ 0
Real Estate.....	\$ 0	Real Estate.....	\$ 0
Auto (dollar value minus amount owed).....	\$ 0	Auto (dollar value minus amount owed).....	\$ 0
Other (describe on line below).....	\$ 0	Other (describe on line below).....	\$ 0
TOTAL	\$ 0	TOTAL	\$ 0

41) I - have - have not received public or private relief or assistance (e.g., Welfare, Unemployment Benefits, Medicaid, TANF, AFDC, etc.). If you have, please give full details including the type of relief or assistance received, date for which relief or assistance was received, place, and total amount received during this time: _____

42) Please list each of the years in which you have filed an income tax return with the Internal Revenue Service: _____

EXHIBIT H

Maribel Campos



08/22/2025

To: U.S. Citizenship and Immigration Services (or the appropriate agency)

Subject: Letter of Support for Gerardo Rangel

Dear Sir/Madam,

My name is Maribel Campos, and I am a U.S. citizen residing at [REDACTED] Visalia, CA 93277. I am writing this letter in full support of my cousin Gerardo Rangel, I have known him my entire life, and I can say without hesitation that he is one of the hardworking and admirable individuals one could encounter.

I kindly request that you grant Gerardo Rangel permission for immigration so that he may pursue his dream of becoming a successful entrepreneur. If you require further information or have any questions, please feel free to contact me.

Thank you for considering my support for Gerardo Rangel.

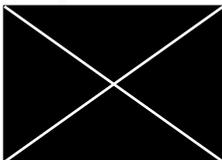
Sincerely,

Maribel Campos

A handwritten signature in cursive script that reads "Maribel Campos".

000018

Alejandro Rangel



08/22/2025

To: U.S. Citizenship and Immigration Services (or the appropriate agency)

Subject: Letter of Support for Gerardo Rangel

Dear Sir/Madam,

My name is Alejandro Rangel, and I am a U.S. citizen residing at [REDACTED] Visalia, CA 93291. I am writing this letter in full support of my cousin Gerardo Rangel, I have known him my entire life, and I can say without hesitation that he is one of the hardworking and admirable individuals one could encounter.

I kindly request that you grant Gerardo Rangel permission for immigration so that he may pursue his dream of becoming a successful entrepreneur. If you require further information or have any questions, please feel free to contact me.

Thank you for considering my support for Gerardo Rangel.

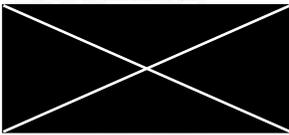
Sincerely,

Alejandro Rangel

Alejandro Rangel

000020

Elizabeth Felix



August 21, 2025

To Whom It May Concern:

I am writing this letter in support of the immigration application of my cousin, Gerardo Rangel, who is seeking residency.

My name is Elizabeth Felix, and I am a U.S. citizen, currently residing at  Pico Rivera CA 90660. I am employed as a Program Supervisor with Montebello Unified School District and have lived in the United States for all my life.

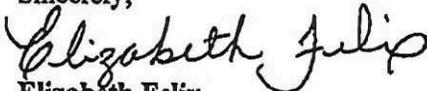
Gerardo Rangel is my cousin, and I have known him since he was born. He is a person of integrity, responsibility, and good moral character. He also has strong work ethic, and is very committed to his children, father and family, and has a desire to contribute to the community.

Gerardo Rangel intends to reside in the United States to be with his father, children and family. I have confidence that he can support himself and respect the laws and customs of the United State.

I believe that Gerardo Rangel will be a valuable member of our community and will uphold the values and responsibilities expected of residents in this country.

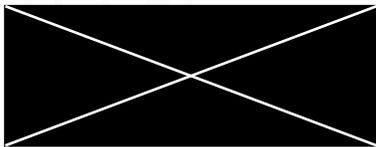
Please feel free to contact me if you require any further information or clarification.

Sincerely,


Elizabeth Felix

000022

Janet Alonso, Ed.D.



August 21, 2025

U.S. Citizenship and Immigration Services,

I am writing this letter in strong support of my cousin, Gerardo Rangel, regarding his immigration case. I have known Gerardo Rangel since he was little and then when he arrived in the United States at a very young age, and I have personally witnessed the life he has built here over the years.

From the moment he arrived, Gerardo Rangel became fully integrated into the American way of life. He attended Pio Pico Elementary School, North Park Middle School, and graduated from El Rancho High School in the United States. The only reason he did not continue his education at the college level was due to his lack of legal status, which prevented him from qualifying for financial aid or student loans to help cover the high costs of tuition. Despite this setback, he did not give up. Immediately after high school, Gerardo Rangel entered the workforce, and through hard work and determination, he has been able to provide for himself and his family.

Today, Gerardo Rangel is a devoted father to two U.S.-born children. He has lived nearly his entire life in this country and considers it his home. Sending him back to Mexico, a country he has not known since he first arrived in the United States, would be devastating not only for him but also for his children and our entire family. The thought of uprooting his life and separating him from his children is heartbreaking, especially knowing that the state of Sinaloa is currently unsafe due to cartel-related violence and ongoing criminal activity.

As a veteran educator with over thirty years of experience, I have seen firsthand the emotional, mental, and physical toll that family separation takes on children. I cannot even begin to fathom what Gerardo Rangel's children would endure if their father were removed from the only home they have ever known. Gerardo Rangel has spent practically his entire life in the United States. He deserves the chance to remain here with his family, contributing to the community and our country.

I am confident that, if given the opportunity to adjust his legal status, Gerardo Rangel will continue to work diligently, as he always has, to provide for his family without relying on

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government assistance, something he has never done to this day. In fact, with legal status, I believe he would have the opportunity to pursue a short-term career or certification program that would allow him to further improve his family's financial stability and positively contribute to our nation's economy.

I respectfully ask that you consider his longstanding presence, contributions, and ties to the United States when making your decision. Allowing Gerardo Rangel to remain in the U.S. would not only benefit his family but also our broader community.

If you have any questions or need additional information, please feel free to contact me at the contact information provided above.

Thank you for your time and thoughtful consideration.

Sincerely,

Janet Alonso

Janet Alonso, Ed.D.
Elementary School Principal

"I declare upon penalty of perjury, pursuant to the laws of the United States, that the foregoing statement is true and correct."

000025

August 20, 2025

Regarding: Gerardo Rangel

DOB: 

To Whom It May Concern:

My name is Alfonso Rangel Medina, Gerardo is my nephew.
I have known Gerardo since he was born, He grew up very close to me.
We have had so many good moments. He is a great nephew and a great dad.

Gerardo is very smart and hardworking. He loves to help around the house, he is
very handy. He is very respectful to all of us and he cares for his uncles and aunts.

He loves his children very much. He loves spending his free time with the family.
He enjoys his family life.

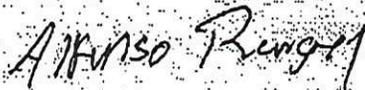
We are all missing him very much, I'm sure he misses us too.

It's very hard to see his children lonely waiting for dad to walk in. Every day they
ask if dad is coming home soon. They are not little kids but they love their dad
and miss him. They are so used of being with him.

He is the main source of support for his children, now they feel left alone.

We hope he can come home soon.

Thank you very much for your understanding.



Alfonso Rangel

8/20/25

August 19, 2025

Regarding: Gerardo Rangel

DOB: 

To Whom It May Concern:

My name is Sandra Rangel and I am Gerardo's aunt. I have known Gerardo for about 28 years.

I have seen him grow to be a great human being. He is very lovable by all of us. He is great father to his 2 children as well.

He is there for others when they need help. He is a very hardworking man.

He is always helping around the house, finding ways to help with anything needed.

He is a single parent, and as a single parent he has shown to be a great one. He is very dedicated father to his 2 children. He always makes sure his children have food on the table and anything they need he is there for them. He is supportive financially and emotionally to them.

He spends most of his time sharing good times with his children and family. He is very well missed and needed among all of us. It has been very devastating for all of us and specially his children these days that he has been away from home.

We sincerely hope the department can consider granting him his freedom to come back home to his family.

Respectfully, thank you for you assistant to this matter.

You can reach me with any questions at the number below

I have attached a copy of my US Passport for your reference.

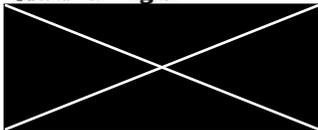
If needed, I can also supply a copy of my Passport book.

 08/19/25

Sandra Rangel

(562) 879-6685

Adela Rangel



08/19/2025

RE: Letter of Support for Gerardo Rangel

To Whom It May Concern,

My name is Adela Rangel, and I am writing this letter in support of my cousin Gerardo Rangel, who is currently being held in a detention center.

My cousin Gerardo Rangel has lived in the United States since he was a child. The U.S. is the only home he has ever truly known. He is now a 43-year-old father of two, and he has built his entire life here.

I can confidently say that he is a kind, responsible, and hardworking person. He has always shown strong moral character, treats others with respect, and is deeply committed to his children and family. Despite the immense hardship of tragically losing his little brother in 2010 and his mom recently as of 2024, he has remained steadfast and continues to provide strength and support to those around him.

Granting him a release would allow him to continue supporting his family emotionally as they navigate their grief.

Furthermore, I have witnessed Gerardo's efforts to learn from the past and take positive steps forward. More importantly, I know he is motivated to contribute positively and prove that he is deserving of trust and opportunity.

I respectfully ask that you consider granting this second chance, I am confident that with all the love and support from his family he will continue to act with integrity and responsibility.

Thank you for your time and consideration.

Adela Rangel 8/19/2025

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