

1 Robert E. Coughlon, Jr.
2 Coughlon Law Firm, PLLC.
3 531 E. Thomas Rd., Ste. 101
4 Phoenix, AZ 85012
5 Phone: (602) 636-0800
6 Arizona State Bar No. 020415
7 Email: Robert@coughlonlaw.com
8 Attorney for Petitioner

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10 **UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ARIZONA**

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William Alexander Perez-Villamarin,

Petitioner

v.

Kristi Noem, Secretary of the
U.S. Department of Homeland Security;

Pamela Bondi,
Attorney General of the United States;

Todd M. Lyons, Acting Director of
Immigration and Customs Enforcement;

Christopher Howard, Assistant Warden
Of the Eloy Detention Center;

Christopher McGregor, Field Office
Director for Enforcement and Removal
Operations,

U.S. Department of Homeland Security;
In their official capacities,

Respondents

Case No. _____

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

I. INTRODUCTION

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2 1. Petitioner, William Alexander Perez-Villamarin, ~~████████████████████~~
3 is being detained unlawfully at the Eloy Detention Center in the custody of U.S.
4 Immigration Customs and Enforcement (“ICE”). Petitioner is a native and citizen of
5 Venezuela who is harmed by Respondents’ new, draconian policy reinterpreting the
6 immigration detention statutes to preclude Petitioner from eligibility for bond under
7 the Immigration and Nationality Act (INA), 8 U.S.C. § 1226(a), and for bond hearings
8 under 8 C.F.R. §§ 1003.19(a), 1235.1(d). Instead, pursuant to this new policy,
9 Respondents now consider Petitioner as subject to mandatory detention under 8 U.S.C.
10 § 1225(b)(2)(A), without the opportunity for release on bond during the pendency of
11 his lengthy removal proceedings.

12 2. Petitioner brings this habeas corpus action pursuant to 28 U.S.C.
13 § 2241 to challenge his continued unlawful detention by Immigration and Customs
14 Enforcement (ICE) in violation of the Immigration and Nationality Act (INA) and the
15 Fifth Amendment to the U.S. Constitution.

16 3. Absent an Order from this Court, Petitioner will continue to be
17 unlawfully held in detention by ICE.

18 4. Petitioner asks this Court to find that Petitioner is being unlawfully
19 detained by ICE and order that Respondents provide Petitioner with a bond
20 redetermination hearing or release him from custody under the same conditions that
21 existed before his detention.

II. REQUIREMENTS OF 28 U.S.C. § 2243

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

1 October 1, 2022. He has resided in the United States since that time and is currently
2 detained by ICE at the Eloy Detention Center.

3 14. Respondent, Christopher Howard, is the legal custodian of
4 Petitioner. Christopher Howard is an employee of CoreCivic which is the company
5 that owns and operates the Eloy Detention Center. Christopher Howard is the
6 Assistant Warden of the Eloy Detention Center where Petitioner is being held in
7 custody, and is sued in his official capacity. Petitioner has been informed and believes
8 that the office of Warden of the Eloy Detention Center is currently vacant.

9 15. Respondent Christopher McGregor is the Acting Field Office
10 Director of Enforcement and Removal Operations for Immigration and Customs
11 Enforcement within the State of Arizona, an agency of the Department of Homeland
12 Security, and is sued in his official capacity.

13 16. Respondent Pamela Bondi is the Attorney General of the United
14 States. She is responsible for the Department of Justice, of which the Executive Office
15 for Immigration Review and the immigration court system it operates is a component
16 agency. She is sued in her official capacity.

17 17. Respondent Kristi Noem is the Secretary of Homeland Security of
18 the United States. She is responsible for the implementation and enforcement of the
19 INA, and oversees ICE, which is responsible for Petitioner's detention. Respondent
20 Noem has ultimate custodial authority over Petitioner and is sued in her official
21 capacity.

22 18. Respondent Todd M. Lyons is the Acting Director of U.S.
23 Immigration and Customs Enforcement and is sued in his official capacity.

24 VI. LEGAL FRAMEWORK

25 19. Petitioner's detention violates the plain language of the INA and its
26 implementing regulations. Respondents' new legal interpretation set forth in *Matter of*
27 *Yajure Hurtado* is plainly contrary to the statutory framework and its implementing
28 regulations.

1 20. The INA prescribes three basic forms of detention for the vast
2 majority of noncitizens in removal proceedings. The detention provisions at 8 U.S.C.
3 § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and
4 Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104-208, Div. C, §§ 302–
5 03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226 was most
6 recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat.
7 3 (2025).

8 21. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in
9 standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in
10 Section 1226(a) detention are generally entitled to a bond hearing at the outset of their
11 detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been
12 arrested, charged with, or convicted of certain crimes are subject to mandatory
13 detention until their removal proceedings are concluded, *see* 8 U.S.C. § 1226(c).
14 According to the Supreme Court, “§ 1226(c) applies to aliens already present in the
15 United States. Section 1226(a) creates a default rule for those aliens...” *Jennings v.*
16 *Rodriguez*, 138 S.Ct. 830 (2018). The Court states, “Section 1226(a) also permits the
17 Attorney General to release those aliens on bond, “[e]xcept as provided in subsection
18 (c) of this section.”

19 22. Second, Section 1225 governs DHS’s inspection of noncitizens
20 who arrive at the borders and ports of entry of the United States. Section 1225
21 provides for mandatory detention of noncitizens subject to expedited removal under 8
22 U.S.C. § 1225(b)(1) and for other recent arrivals “seeking admission” referred to under
23 § 1225(b)(2). 8 U.S.C. § 1225(b)(2)(A) applies to individuals who are apprehended
24 on arrival in the United States. It states that an “applicant for admission” who is
25 “seeking admission” shall be detained for a removal proceeding under section 1229a.
26 *Id.* It does not apply to individuals like Petitioner who are arrested and detained by
27 ICE after having entered and begun residing in the United States years earlier, who are
28 not presently “seeking admission.”

1 23. Last, the INA also provides for detention of noncitizens who have
2 received a final order of removal from the United States, including individuals in
3 withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b). This section does not
4 apply to Petitioner in this case because he does not have a final order of removal.

5 24. Petitioner’s case concerns the detention provisions at § 1226(a) and
6 § 1225(b)(2).

7 25. For decades, Respondents have applied § 1226(a) to people like
8 Petitioner who entered the United States without inspection and have lived in the
9 United States for many years.

10 26. In the decades that followed the passage of IRRIRA in 1996,
11 people who had entered without inspection and were thereafter arrested within the
12 United States and placed in removal proceedings as aliens present without admission
13 or parole were considered for release on bond and also received bond hearings before
14 an IJ under Section 1226, unless their criminal history rendered them ineligible. This
15 practice by EOIR, INS, and then DHS, was a reflection of and implementation of the
16 law as it is written.

17 27. However, on July 8, 2025, Defendants adopted an entirely new
18 interpretation of the statute, one not supported by the law. On that day, ICE, “in
19 coordination with the Department of Justice (DOJ),” announced a corresponding
20 policy that rejected the well-established understanding of the statutory and regulatory
21 framework and reversed decades of practice. The new policy, entitled “Interim
22 Guidance Regarding Detention Authority for Applicants for Admission,” (known as
23 “the Lyons Memo”) authored by Defendant Todd Lyons, claims that all persons who
24 entered the United States without inspection and are present in the United States
25 without having been admitted or paroled shall now be deemed subject to mandatory
26 detention under § 1225(b)(2)(A). *Id.* The policy applies regardless of when a person is
27 apprehended, and affects those who have resided in the United States for months,
28 years, and even decades. This “Interim Guidance” is an unlawful agency interpretation

1 that conflicts with statute, precedent, and due process, and has been Vacated by
2 District Court Judge Sykes in the Final Judgment of the case *Bautista v. Santacruz*, No.
3 5:25-CV-01873-SSS-BRM, 2025 WL 3288403 (C.D. Cal. Dec. 18, 2025).

4 28. DHS's and DOJ's interpretation set forth in the now-vacated
5 "Interim Guidance" and *Matter of Yajure Hurtado* defies the INA. Section 1226(a)
6 applies by default to all persons "pending a decision on whether the [noncitizen] is to
7 be removed from the United States." These removal hearings are held under § 1229a,
8 to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

9 29. The text of § 1226 also explicitly applies to people charged as
10 being inadmissible, including those who entered without inspection and are present in
11 the United States without being admitted or paroled. *See* 8 U.S.C. § 1226(c)(1)(E). Just
12 this year in early 2025, Congress added subparagraph (E) to Section 1226(c)(1) by
13 enacting the Laken Riley Act to exclude certain noncitizens who are present without
14 admission or parole from § 1226(a)'s default bond eligibility. Under the Laken Riley
15 Act, a noncitizen who is present in the U.S. without having been admitted or paroled
16 *and* has been accused of theft-related crimes is not eligible for bond. By adding a
17 provision relating to a person who is present without admission or parole and has been
18 accused of a theft-related crime, the Laken Riley Act actually assumes that a person
19 who is present without admission *and has not been accused or convicted* of a theft-
20 related crime *is* eligible for bond, as a general rule. Section 1226(c)(1)(E)'s reference
21 to persons inadmissible under § 1182(6)(A), i.e., persons inadmissible for entering
22 without inspection, makes clear that, *by default*, such people are eligible for release on
23 bond under Section 1226(a), if that person has not been accused or convicted of a
24 theft-related crime. As the *Rodriguez Vazquez* court explained, "[w]hen Congress
25 creates "specific exceptions" to a statute's applicability, it "proves" that absent those
26 exceptions, the statute generally applies. *Rodriguez Vazquez*, 2025 WL 1193850, at
27 *12 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393,
28 400 (2010)). Otherwise, Section 1226(c)(1)(E) would be surplusage. Section 1226

1 therefore leaves no doubt that it does apply to people who are present without
2 admission or parole.

3 30. By contrast, § 1225(b) applies to people arriving at U.S. ports of
4 entry or who very recently entered the United States. The statute's entire framework is
5 premised on inspections at the border of people who are "*seeking admission*" to the
6 United States. 8 U.S.C. § 1225(b)(2)(A); *see also Diaz Martinez*, 2025 WL 2084238,
7 at *8 ("[O]ur immigration laws have long made a distinction between those
8 [noncitizens] who have come to our shores seeking admission . . . and those who are
9 within the United States after an entry, irrespective of its legality." (quoting *Leng May*
10 *Ma v. Barber*, 357 U.S. 185, 187 (1958))). Indeed, the Supreme Court has explained
11 that this mandatory detention scheme applies "at the Nation's borders and ports of
12 entry, where the Government must determine whether a[] [noncitizen] seeking to enter
13 the country is admissible." *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).
14 Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to
15 people like Petitioner, who has already entered and was residing in the United States at
16 the time he was apprehended.

17 38. Since Respondents adopted their new policies, dozens of federal
18 courts have rejected their new interpretation of the INA's detention authorities. Courts
19 have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the
20 statute as ICE. Even before ICE or the BIA introduced these nationwide policies, IJs
21 in the Tacoma, Washington, immigration court stopped providing bond hearings for
22 persons who entered the United States without inspection and who have since resided
23 here. There, the U.S. District Court in the Western District of Washington found that
24 such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies
25 to noncitizens who are not apprehended upon arrival to the United States. *Rodriguez*
26 *Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025).

27 39. Subsequently, court after court has adopted the same reading of the
28 INA's detention authorities and rejected ICE and EOIR's new interpretation. *See, e.g.*,

1 *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025);
2 *Diaz Martinez v. Hyde*, No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL
3 2084238 (D. Mass. July 24, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR
4 (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), *report and recommendation*
5 *adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133 (D. Ariz. Aug. 13,
6 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588
7 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025
8 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-
9 01789-ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*,
10 No. 25-11631-BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No.
11 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo*
12 *v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-*
13 *Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24,
14 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136 (W.D. La.
15 Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051 (ECT/DJF), --- F. Supp. 3d ----,
16 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v. Raycraft*, No. 2:25-cv-
17 12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Vasquez Garcia v.*
18 *Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025);
19 *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530
20 (C.D. Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL
21 2609425 (E.D. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025
22 WL 2607924 (D. Mass. Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No.
23 8:25CV494, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court
24 tends to agree” that § 1226(a) and not § 1225(b)(2) authorizes detention); *Jacinto v.*
25 *Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL 2402271 at *3 (D. Neb. Aug. 19,
26 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224
27 at *2 (D. Neb. Aug. 14, 2025) (same). Accordingly, the mandatory detention provision
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1 of §1225(b)(2)(A) does not apply to people like Petitioner, who have already entered
2 and were residing in the United States at the time they were apprehended.

3 42. In the case of *Bautista v. Santacruz*, No. 5-25-cv-01873-SSS-BFM,
4 U.S. District Court Judge Sykes granted Final Judgment for Declaratory Relief,
5 vacating the Department of Homeland Security policy described in the July 8, 2025,
6 “Interim Guidance Regarding Detention Authority for Applicants for Admission”
7 under the Administrative Procedure Act as not in accordance with law. Judge Sykes
8 granted final judgment as to Claims I, II, and III of the Amended Class Complaint.
9 Claim I was for a Violation of 8 U.S.C. § 1226(a) Unlawful Denial of Release on Bond
10 for the reason that “[t]he mandatory detention provision at 8 U.S.C. § 1225(b)(2) does
11 not apply to all noncitizens residing in the United States who are subject to the grounds
12 of inadmissibility...Such noncitizens are detained under § 1226(a) and are eligible for
13 release on bond, unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.” Claim
14 II was for a Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1, and
15 1003.19, Unlawful Denial of Release on Bond, for the reason that notwithstanding a
16 person being an applicant for admission, noncitizens who are present in the U.S.
17 without having been admitted or paroled, *are* eligible for bond and bond
18 redetermination, under the regulations. Claim III was for a Violation of the
19 Administrative Procedure Act, Contrary to Law and Arbitrary and Capricious Agency
20 Policy. By granting Claim III, the Court found that the mandatory detention provision
21 at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States
22 who are subject to the grounds of inadmissibility.

23 43. The *Bautista* Final Judgment incorporates the Court’s previous
24 Order granting Partial Summary Judgment whereby the Court rejected the
25 government’s argument (and thereby also rejecting DOJ’s interpretation in *Yajure*
26 *Hurtado*) that the plain language of section 235(b)(2)(A) of the INA, 8 U.S.C. §
27 1225(b)(2)(A) precludes an immigration judge from hearing bond requests or granting
28 bond to noncitizens who are present in the U.S. without admission.

VII. FACTS

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2 31. Petitioner is currently detained at the Eloy Detention Center in
3 Eloy, Arizona. Petitioner entered the United States without inspection on October 1,
4 2022, and has lived in the United States continuously since that time. Petitioner has
5 never been convicted of any crime. Petitioner is not subject to detention under 8
6 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

7 32. Petitioner entered the United States without inspection on or about
8 October 1, 2022. On that same day, U.S. Border Patrol encountered Petitioner and
9 paroled him into the United States. On or about March 3, 2023 Petitioner filed his I-
10 589 Application for Asylum and Withholding of Removal with USCIS. USCIS has
11 not adjudicated this application. Petitioner has a valid approved Authorization for
12 Employment issued by USCIS, valid until November 15, 2028.

13 33. On or about November 13, 2025, DHS officers encountered
14 Petitioner when Petitioner came to the ICE office in Phoenix to inquire about the
15 whereabouts of his mother. On November 14, 2025, DHS arrested Petitioner and
16 issued a Notice to Appear for Petitioner to appear in immigration court, alleging that
17 Petitioner entered the United States without inspection on October 1, 2022, and
18 charging him with being removable from the United States under Section 212(a)(6)(A)
19 of the INA, as a noncitizen who is present in the U.S. without being admitted or
20 paroled.

21 34. On December 18, 2025, Eloy Immigration Judge Michael Schnitzer
22 denied Petitioner's request for bond redetermination. According to the immigration
23 judge's Order, the reason for the denial was "because Based on the plain language of
24 section 235(b)(2)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1225(b)(2)(A)
25 (2018), Immigration Judges lack authority to hear bond requests or to grant bond to
26 aliens who are present in the United States without admission. See Matter of YAJURE
27 HURTADO, 29 I&N Dec. 216 (BIA 2025)."
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1 **VIII. CLAIMS FOR RELIEF**

2 **COUNT I**

3 **Violation of 8 U.S.C. § 1226(a)**

4 **Unlawful Denial of Release on Bond**

5 35. Petitioner incorporates by reference the allegations of fact set forth
6 in the preceding paragraphs.

7 36. The mandatory detention provision of 8 U.S.C. §1225(b)(2) does
8 not apply to all noncitizens residing in the United States who previously entered the
9 country and have been residing in the United States prior to being apprehended and
10 placed in removal proceedings by Respondents. It does not apply to those who
11 previously entered the country and have been residing in the United States prior to
12 being apprehended and placed in removal proceedings by Respondents. Such
13 noncitizens are detained under §1226(c), unless they are subject to §1225(b)(1),
14 §1225(c), or §1231.

15 37. The application of §1225(b)(2) to Petitioner unlawfully mandates
16 his continued detention and violates the INA.

17 **COUNT II**

18 **Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1 and 1003.19**

19 **Unlawful Denial of Release on Bond**

20 38. Petitioner incorporates by reference the allegations of fact set forth
21 in the preceding paragraphs.

22 39. In 1997, after Congress amended the INA through IIRIRA, EOIR
23 and the then-Immigration and Naturalization Service issued an interim rule to interpret
24 and apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and
25 Detention of [Noncitizens],” the agencies explained that “[d]espite being applicants for
26 admission, [noncitizens] who are present without having been admitted or paroled
27 (formerly referred to as [noncitizens] who entered without inspection) *will be eligible*
28 *for bond and bond redetermination.*” 62 Fed. Reg. at 10323 (emphasis added). The

1 agencies thus made clear that individuals who had entered without inspection were
2 eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226
3 and its implementing regulations.

4 40. Nonetheless, DHS and EOIR have adopted a policy and practice of
5 applying § 1225(b)(2) to Petitioner. The application of § 1225(b)(2) to Petitioner
6 unlawfully mandates his continued detention and violates 8 C.F.R. §§ 236.1, 1236.1,
7 and 1003.19.

8 **COUNT III**

9 **Violation of the Administrative Procedure Act**

10 **Contrary to Law and Arbitrary and Capricious Agency Policy**

11 41. Petitioner incorporates by reference the allegations of fact set forth
12 in the preceding paragraphs.

13 42. The APA provides that a “reviewing court shall...hold unlawful
14 and set aside agency action, findings, and conclusions found to be ... arbitrary and
15 capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C.
16 § 706(2)(A).

17 43. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does
18 not apply to all noncitizens residing in the United States who are subject to the grounds
19 of inadmissibility. As relevant here, it does not apply to those who previously entered
20 the country and have been residing in the United States prior to being apprehended and
21 placed in removal proceedings by Respondents. Such noncitizens are detained under §
22 1226(a) and are eligible for release on bond, unless they are subject to § 1225(b)(1), §
23 1226(c), or § 1231.

24 44. Nonetheless, DHS and EOIR through the Eloy Immigration Court
25 IJs have a policy and practice of applying § 1225(b)(2) to those such as Petitioner who
26 detained under § 1226(a) and are eligible for release on bond.

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COUNT IV

Violation of Due Process Under the Fifth Amendment

45. Petitioner repeats, re-alleges, and incorporates by reference each and every factual allegation in the preceding paragraphs as if fully set forth herein.

46. The government may not deprive a person of life, liberty, or property 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 Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

47. Petitioner has a fundamental interest in liberty and being free from official restraint.

47. The government’s detention of Petitioner without a bond redetermination hearing to determine whether he is a flight risk or danger to others violates his right to due process.

IX. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- a. Assume jurisdiction over this matter;
- b. Order that Petitioner shall not be transferred outside the District of Arizona while this petition is pending
- c. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within 3 days;
- d. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner or, in the alternative, provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) within seven days;
- e. Declare that Petitioner’s detention is unlawful;
- f. Award Petitioner attorney’s fees and costs under the Equal Access to Justice Act (“EAJA”), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

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g. Grant any other and further relief that this Court deems just and proper.
DATED this 22nd day of December, 2025.

Respectfully submitted,

/s/ Robert E. Coughlon, Jr.

ROBERT E. COUGHLON, JR.
COUGHLON LAW FIRM, PLLC.
531 E. Thomas Rd., Ste. 101
Phoenix, AZ 85012
Phone: (602) 636-0800
Email: Robert@coughlonlaw.com

Attorney for Petitioner