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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RAFAEL ALBERTO CASTRILLO ZAMORA,
[REDACTED]

Case No.

Petitioner,

**PETITION FOR WRIT OF
HABEAS CORPUS**

v.

Bret BRADFORD, Houston Field Office
Director for U.S. Immigration and Customs
Enforcement; Todd LYONS, Acting Director
for U.S. Immigration and Customs
Enforcement; Kristi NOEM, Secretary, U.S.
Department of Homeland Security; U.S.
DEPARTMENT OF HOMELAND
SECURITY; Pamela BONDI, U.S. Attorney
General; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; Randy TATE,
Warden of Montgomery Processing Center,

Respondents.

1 **INTRODUCTION**

2 1. Petitioner, RAFAEL ALBERTO CASTRILLO ZAMORA, a native and citizen of
3 Nicaragua, brings this petition for a writ of habeas corpus to seek enforcement of his constitutional
4 rights and to remedy his unlawful detention. Petitioner is in the physical custody of Respondents
5 at the Montgomery Processing Center in Conroe, Texas. He now faces unlawful detention, in
6 violation of his statutory and constitutional rights, because the Department of Homeland Security
7 (DHS) and the Executive Office for Immigration Review (EOIR) have improperly determined that
8 he is detained pursuant to 8 U.S.C. § 1225(b) and thus subject to mandatory detention.

9 2. Petitioner entered the United States on or about April 30, 2022, without inspection
10 by immigration officials. He was detained sometime after entry to the United States and issued a
11 facially insufficient order of Expedited Removal on May 3, 2022. It appears no credible fear
12 interview was conducted. Instead, Petitioner was released on his own recognizance on May 3,
13 2022. More than three years later and without alleging any violation of the order of release on
14 recognizance or other changed circumstance, ICE detained Petitioner on November 12, 2025, and
15 his continued detention has become unreasonably prolonged.

16 3. After apprehending Petitioner, the DHS issued him a Notice to Appear, dated
17 November 13, 2025. The following day, DHS placed him in removal proceedings pursuant to 8
18 U.S.C. § 1229(a) by filing a Notice to Appear with the Immigration Court in Conroe, Texas. DHS
19 has charged Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(7)(A)(i)(I), alleging that
20 was not in possession of valid entry and travel documents at the time of application for admission.
21 (Exhibit “C”).

1 4. On December 16, 2025, Petitioner requested custody redetermination. On
2 December 19, 2025, the immigration judge (IJ) denied bond, noting lack of jurisdiction, but not
3 citing any authority. (Exhibit “A”).

4 5. On May 15, 2025, the Board of Immigration Appeals rendered a decision holding
5 that an applicant for admission who is arrested and detained without a warrant while arriving in
6 the United States, whether or not at a port of entry, and subsequently placed in removal proceedings
7 is detained under section 235(b) of the Immigration and Nationality Act (“INA”), 8 U.S.C. §
8 1225(b) (2018), and is ineligible for any subsequent release on bond under section 236(a) of the
9 INA, 8 U.S.C. § 1226(a) (2018). *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025). An alien detained
10 under section 235(b) of the INA, 8 U.S.C. § 1225(b), who is released from detention pursuant to a
11 grant of parole under section 212(d)(5)(A) of the INA, 8 U.S.C. § 1182(d)(5)(A) (2018), and whose
12 grant of parole is subsequently terminated, is returned to custody under section 235(b) pending the
13 completion of removal proceedings.

14 6. On June 30, 2025, the Board of Immigration Appeals (BIA) issued a decision on
15 *Matter of Akhmedov*, where the BIA noted that the respondent in that case entered the United States
16 unlawfully in 2022 and arrested at a later date and was therefore detained under 8 U.S.C. § 1226(a),
17 29 I&N Dec. 166 (BIA 2025). Though the issue in that case was not whether the respondent was
18 subject to INA §235(b)(2)(A), the Petitioner contends that this case supports his stance that he was
19 detained under 8 U.S.C. § 1226(a) and is therefore eligible for a bond hearing over which the
20 Immigration Judge doubtlessly has proper jurisdiction.

21 7. On September 5, 2025, the Board of Immigration Appeals (“BIA”) issued a
22 precedential decision that unlawfully reinterpreted the Immigration and Nationality Act (“INA”).
23 *See Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Prior to this decision, noncitizens
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1 like Petitioner who had lived in the U.S. for many years and were apprehended by Immigration
2 and Customs Enforcement (“ICE”) in the interior of the country were detained pursuant to 8 U.S.C.
3 § 1226(a) and eligible to seek bond hearings before Immigration Judges (“IJs”). Instead, in conflict
4 with nearly thirty years of legal precedent, Petitioner is now considered subject to mandatory
5 detention under 8 U.S.C. § 1225(b)(2)(A) and has no opportunity for release on bond while his
6 removal proceedings are pending.

7 8. Petitioner’s detention pursuant to § 1225(b)(2)(A) violates the plain language of the
8 INA and its implementing regulations. Petitioner, who entered the United States in April 2022 and
9 was subsequently released by ICE on his own recognizance should not be considered an “applicant
10 for admission” who is “seeking admission” at this time. When he was most recently detained, on
11 November 12, 2025, he was not seeking admission, he was reporting for an ICE check-in in
12 compliance with his order of release on recognizance. (Exhibit “B”). At no time was Petitioner
13 granted parole or released from immigration custody pursuant to INA 212(d)(5). Thus, he is
14 detained pursuant 8 U.S.C. § 1226(a), which allows for release on conditional parole or bond.

15 9. The District Court in *Maldonado Bautista* granted partial summary judgment on
16 behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and
17 extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-
18 CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025)
19 (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v.*
20 *Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at *9 (C.D.
21 Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners’ proposed nationwide Bond Eligible
22 Class, incorporating and extending declaratory judgment from Order Granting Petitioners’ Motion
23 for Partial Summary Judgment). The partial summary judgment held that the Bond Denial Class
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1 members are detained under 8 U.S.C. § 1226(a) and thus may not be denied consideration for
2 release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

3 10. The Executive Office for Immigration Review and its subagency the Immigration
4 Court and the Department of Homeland Security (DHS) have blatantly refused to abide by the
5 declaratory relief and have unlawfully ordered that Petitioner be denied the opportunity to be
6 released on bond.

7 11. On December 18, 2025, the district court in *Maldonado Bautista* issued a final
8 judgment thereby holding that class members are detained pursuant to INA § 236(a) and are
9 therefore entitled to consideration for release on bond before an immigration judge. *Id.* The Court
10 further held that the government’s policy is unlawful and granted vacatur. *Id.* Though the Court
11 did not vacate *Matter of Yajure Hurtado*, the court found “*Yajure Hurtado* is no longer controlling;
12 the legal conclusion underlying the decision is no longer tenable.” *Maldonado Bautista v.*
13 *Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3288403, at *9 (C.D.
14 Cal. Nov. 25, 2025).

15 12. The Court should expeditiously grant this petition.

16 13. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full
17 “force and effect of a final judgment.” 28 U.S.C. § 2201(a).

18 14. Immigration judges have informed class members in bond hearings that they have
19 been instructed by “leadership” that the declaratory judgment in *Maldonado Bautista* is not
20 controlling, even with respect to class members, and that instead IJs remain bound to follow the
21 agency’s prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

22 15. Continued detention violates the Fifth Amendment’s Due Process Clause and the
23 Immigration and Nationality Act. The IJ’s bond denial cannot legally sustain detention.

1 16. Because Respondents are detaining Petitioner, who is neither an applicant for
2 admission nor seeking admission, the Court should order his immediate release.

3 17. Alternatively, Petitioner seeks declaratory relief that he is subject to detention under
4 § 1226(a) and its implementing regulations and asks that this Court order Respondents to release
5 Petitioner from custody immediately.

6 18. Alternatively, Petitioner seeks declaratory relief that he is subject to detention under
7 § 1226(a), and the Court should order the Petitioner's release unless the Respondents provide a
8 bond hearing under 8 U.S.C. § 1226(a) within seven (7) days.

9 **CUSTODY**

10 19. Petitioner is currently in the custody of ICE, a branch of the Department of
11 Homeland Security ("DHS") at Geo Group's Montgomery Processing Center in Conroe, Texas.
12 See ICE Detainee Locator Results, (Exhibit "D"). Petitioner is in the physical custody of
13 Respondents. He is therefore in "'custody' of [the DHS] within the meaning of the habeas corpus
14 statute." *Jones v. Cunningham*, 371 U.S. 236, 243 (1963); See 28 U.S.C. § 2241(c)(5).

15 **JURISDICTION**

16 20. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C.
17 § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the
18 Suspension Clause).

19 21. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment
20 Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

21 22. Federal district courts have jurisdiction to hear habeas claims by non-citizens
22 challenging both the lawfulness and the constitutionality of their detention. See *Zadvydas v. Davis*,
23 533 U.S. 678, 687 (2001).

1 **VENUE**

2 23. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-
3 500 (1973), venue lies in the United States District Court for the Southern District of Texas, the
4 judicial district in which Petitioner currently is detained.

5 24. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
6 Respondents are either employees or officers of the United States acting in their official capacities,
7 or agencies of the United States, and because a substantial part of the events or omissions giving
8 rise to the claims occurred in the Southern District of Texas. (Exhibit 3).

9 **REQUIREMENTS OF 28 U.S.C. § 2243**

10 25. The Court should grant the petition for writ of habeas corpus “forthwith,” as the
11 legal issues have already been resolved for class members in *Maldonado Bautista*.

12 26. Habeas corpus is “perhaps the most important writ known to the constitutional
13 law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or
14 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the
15 writ usurps the attention and displaces the calendar of the judge or justice who entertains it and
16 receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208
17 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

18 **PARTIES**

19 27. Petitioner, Rafael Alberto Castrillo Zamora, is a 42-year-old native and citizen of
20 Nicaragua. ICE-ERO detained Mr. Castrillo on November 12, 2025. ICE did not set bond, and
21 Petitioner requested review of his custody by an IJ. On December 19, 2025, the IJ denied bond for
22 lack of jurisdiction.

1 28. Respondent Bret Bradford is the Director of the Houston Field Office of ICE's
2 Enforcement and Removal Operations division. As such, Bret Bradford is Petitioner's immediate
3 custodian and is responsible for Petitioner's detention. He is sued in his official capacity.

4 29. Respondent Todd Lyons is the Acting Director for U.S. Immigration and Customs
5 Enforcement. Mr. Lyons is responsible for overseeing the agency's operations and ensuring
6 compliance with immigration laws. He is sued in his official capacity.

7 30. Respondent Kristi Noem is the Secretary of the Department of Homeland Security.
8 She is responsible for the implementation and enforcement of the Immigration and Nationality Act
9 (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate
10 custodial authority over Petitioner and is sued in her official capacity.

11 31. Respondent Department of Homeland Security (DHS) is the federal agency
12 responsible for implementing and enforcing the INA, including the detention and removal of
13 noncitizens.

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

18 33. Respondent Executive Office for Immigration Review (EOIR) is the federal agency
19 responsible for implementing and enforcing the INA in removal proceedings, including for custody
20 redeterminations in bond hearings.

21 34. Respondent Randy Tate is employed by Geo Group as Warden of the Montgomery
22 Processing Center, where Petitioner is detained. He has immediate physical custody of Petitioner.
23 He is sued in his official capacity.

1 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

2 35. Petitioner sought bond redetermination before an Immigration Judge and bond was
3 denied on December 19, 2025. (Exhibit “A”).

4 **STATEMENT OF FACTS**

5 36. Petitioner is a citizen of Nicaragua.

6 37. Petitioner has resided in the U.S. since 2022.

7 38. Upon information and belief, Petitioner has only been arrested for a motorcycle
8 accident in Nicaragua. He has never been arrested for, charged with, or convicted
9 of any crime in the United States.

10 39. He is now detained at Geo Group’s Montgomery Processing Center. (Exhibit “D”).

11 40. An Immigration Judge denied the Petitioner’s bond request and stated that the
12 Immigration Court did not have jurisdiction to grant bond. (Exhibit “A”).

13 41. Without relief from this Court, he faces continued and indefinite detention without
14 a bond hearing.

15 **LEGAL BACKGROUND**

16 42. The INA prescribes three basic forms of detention for noncitizens subject to
17 removal. First, individuals detained pursuant to 8 U.S.C. § 1226(a) are generally entitled to a
18 bond hearing, unless they have been arrested, charged with, or convicted of certain crimes and
19 are subject to mandatory detention. *See* 8 U.S.C. §§ 1226(a), 1226(c) (listing grounds for
20 mandatory detention); *see also* 8 C.F.R. §§ 1003.19(a) (immigration judges may review custody
21 determinations made by DHS), 1236.1(d) *Id.*

22 43. Second, the INA provides for mandatory detention of noncitizens subject to
23 expedited removal under 8 U.S.C. § 1225(b)(1) as well as other recent arrivals deemed to be
24 “seeking admission” under § 1225(b)(2).

1 44. Third, the INA authorizes detention of noncitizens who have received a final order
2 of removal, including those in withholding-only proceedings. *See* 8 U.S.C. § 1231(a)–(b).

3 45. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the
4 Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No.
5 104-208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Following
6 IIRIRA, the Executive Office for Immigration Review (“EOIR”) issued regulations clarifying that
7 individuals who entered the country without inspection were not considered detained under § 1225,
8 but rather under § 1226(a). *See Inspection and Expedited Removal of Aliens; Detention and*
9 *Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures*, 62 Fed. Reg. 10312,
10 10323 (Mar. 6, 1997) (“Despite being applicants for admission, aliens who are present without
11 having been admitted or paroled (formerly referred to as aliens who entered without inspection)
12 will be eligible for bond and bond redetermination”).

13 46. Thus, in the decades that followed, most people who entered without inspection
14 and were thereafter detained and placed in standard removal proceedings were considered for
15 release on bond and also received bond hearings before an Immigration Judge (“IJ”), unless their
16 criminal history rendered them ineligible. That practice was consistent with many more decades
17 of prior practice, in which noncitizens who had entered the United States, even if without
18 inspection, were entitled to a custody hearing before an IJ or other hearing officer. In contrast,
19 those who were stopped at the border were only entitled to release on parole. *See* 8 U.S.C. §
20 1225(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at 220 (1996) (noting that § 1226(a) simply
21 “restates” the detention authority previously found at § 1225(a)).

22 47. For decades, long-term residents of the U.S. who entered without inspection and
23 were subsequently apprehended by ICE in the interior of the country have been detained pursuant
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1 to § 1226 and entitled to bond hearings before an IJ, unless barred from doing so due to their
2 criminal history.

3 48. In July 2025, however, ICE began asserting that all individuals who entered without
4 inspection should be considered “seeking admission” and therefore subject to mandatory detention
5 under 8 U.S.C. § 1225(b)(2)(A).

6 49. On September 5, 2025, the BIA issued a precedential decision adopting this
7 interpretation, departing from the INA’s text, federal precedent, and existing regulations. *Matter*
8 *of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025).

9 50. Respondents’ new legal interpretation is plainly contrary to the statutory framework
10 and its implementing regulations. Indeed, for decades, Respondents had applied § 1226(a) to
11 people like the Petitioner. Respondents’ new policies are thus not only contrary to law but are
12 arbitrary and capricious in violation of the Administrative Procedure Act (“APA”). They were also
13 adopted without complying with the procedural requirements of the APA.

14 51. Numerous federal courts have rejected this interpretation and instead have
15 consistently found that § 1226, not § 1225(b)(2), authorizes detention of noncitizens who entered
16 without inspection and were later apprehended in the interior of the country. *See e.g., Sampiao v.*
17 *Hyde*, 2025 WL 2607924 (D. Mass. Sept. 9, 2025) (noting court’s disagreement with BIA’s
18 analysis in *Yajure Hurtado*); *Leal-Hernandez v. Noem*, 2025 WL 2430025 (D. Md. Aug. 24, 2025);
19 *Lopez Benitez v. Francis*, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Jimenez v. FCI Berlin,*
20 *Warden*, No. 25-cv-326-LM-AJ (D.N.H. Sept. 8, 2025); *Kostak v. Trump*, 2025 WL 2472136
21 (W.D. La. Aug. 27, 2025); *Cuevas Guzman v. Andrews*, 2025 WL 2617256, at *3 n.4 (E.D. Cal.
22 Sept. 9, 2025).

23 52. Under the Supreme Court’s recent decision in *Loper Bright v. Raimondo*, this Court
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1 should independently interpret the statute and give the BIA’s expansive interpretation of §
2 1225(b)(2) no weight, as it conflicts with the statute, regulations, and precedent. 603 U.S. 369
3 (2024).

4 **LEGAL ARGUMENT**

5 53. The statutory context and structure make clear that § 1226 applies to individuals
6 who have not been admitted and entered without inspection. In 2025, Congress added new
7 mandatory detention grounds to § 1226(c) that apply only to noncitizens who have not been
8 admitted. *See* The Laken Riley Act, Pub. L. No. 119-1, § 2, 139 Stat. 3, 3 (2025) (8 U.S.C. §
9 1226(c)(1)(E)).

10 54. By specifically referencing inadmissibility for entry without inspection under 8
11 U.S.C. § 1182(6)(A), Congress made clear that such individuals are otherwise covered by §
12 1226(a). Thus, § 1226 plainly applies to noncitizens charged as inadmissible, including those
13 present without admission or parole.

14 55. The Supreme Court has explained that § 1225(b) is concerned “primarily [with
15 those] seeking entry,” and is generally imposed “at the Nation’s borders and ports of entry, where
16 the Government must determine whether [a noncitizen] seeking to enter the country is admissible.”
17 *Jennings v. Rodriguez*, 583 U.S. 281, 297, 2987 (2018). In contrast, Section 1226 “authorizes the
18 Government to detain certain aliens *already in the country* pending the outcome of removal
19 proceedings.” *Id.* at 289 (emphases added).

20 56. Furthermore, § 1225(b)(2) specifically applies only to those “seeking admission,”
21 and the implementing regulations at 8 C.F.R. § 1.2 address noncitizens who are “coming or
22 attempting to come into the United States.” The use of the present progressive tense would exclude
23 noncitizens like Petitioner who are apprehended in the interior years after they entered, as they are
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1 no longer “seeking admission” or “coming [...] into the United States.” *See Martinez v. Hyde*,
2 2025 WL 2084238 at *6 (D. Mass. July 24, 2025) (citing the use of present and present progressive
3 tense to support conclusion that INA § 1225(b)(2) does not apply to individuals apprehended in
4 the interior); *see also Al Otro Lado v. McAleenan*, 394 F. Supp. 3d 1168, 1200 (S.D. Cal. 2019)
5 (construing “is arriving” in INA § 235(b)(1)(A)(i) and observing that “[t]he use of the present
6 progressive, like use of the present participle, denotes an ongoing process”).

7 57. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to
8 Petitioner, who entered the United States without inspection on May 3, 2022. He was not seeking
9 admission on November 12, 2025. To his knowledge, he was an applicant for asylum. However,
10 his asylum application had been dismissed by USCIS a few days prior. (Exhibit “E”).

11 CLAIM FOR RELIEF

12 13 **Claim I: Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1 and 1003.19 Unlawful Denial of Release on Bond**

14 58. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-
15 Immigration and Naturalization Service (“INS”) issued an interim rule to interpret and apply
16 IIRIRA. Specifically, under the heading of “Apprehension, Custody, and Detention of
17 [Noncitizens],” the agencies explained that “[d]espite being applicants for admission, [noncitizens]
18 who are present without having been admitted or paroled (formerly referred to as [noncitizens]
19 who entered without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg.
20 at 10323. The agencies thus made clear that individuals who had entered without inspection were
21 eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its
22 implementing regulations. In 2022, Mr. Castrillo was released pursuant to 8 C.F.R. § 236. (Exhibit
23 “B.”)

1 59. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued
2 detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

3
4 **Claim II: Improper Application of 8 U.S.C. § 1225(b)(2)
Unlawful Detention Under This Provision**

5 60. Petitioner repeats, re-alleges, and incorporates by reference paragraphs 1-57.

6 61. Title 8 U.S.C. § 1225(b) is concerned primarily with those seeking entry to the
7 United States and is generally imposed at the Nation's borders and ports of entry, where the
8 Government must determine whether a noncitizen seeking to enter the country is admissible.

9 62. Upon information and belief, Petitioner has resided in the U.S. since 2004. He is
10 therefore neither an arriving alien nor an alien who is now seeking admission to the United States.

11 63. Because 8 U.S.C. § 1225(b) does not apply to Petitioner, Respondents' detention
12 of him under this provision is unlawful.

13 **Claim III: Violation of the Fifth Amendment's Due Process Clause**

14 64. Petitioner repeats, re-alleges, and incorporates by reference paragraphs 1-57.

15 65. The Fifth Amendment guarantees liberty and requires that immigration detention
16 be reasonably related to a legitimate governmental purpose. Petitioner's detention is arbitrary and
17 capricious. Petitioner is not an applicant for admission. He did not, and Respondents do not allege
18 that he arrived at Port Bolivar from abroad by boat at the time of apprehension. Given that
19 Petitioner is not an applicant for admission seeking admission, he is subject to 8 U.S.C. § 1226(a)
20 and need not be detained during the pendency of his recently initiated removal proceedings.

21 66. Under the Fifth Amendment to the United States Constitution, those threatened
22 with the loss of liberty or property due to actions by the federal government are entitled to due
23 process of law.

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Attorney for Petitioner

**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF PURSUANT
TO 28 U.S.C. § 2242**

I am submitting this verification on behalf of the Petitioner because I am the attorney for Petitioner. I or my co-counsel have discussed with the Petitioner the events described in this Petition. Based on those discussions, I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: December 26, 2025.

Respectfully submitted,



Tania Buitron
Counsel for Petitioner

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the CM/ECF system. My office will furthermore mail a copy by USPS Certified Priority Mail with Return Receipts to each of the following individuals:

Bret Bradford

Houston Field Office Director of Enforcement and Removal Operations
126 Northpoint Drive
Houston, TX 77060

Todd Lyons

Acting Filed Director for U.S. Immigration and Customs Enforcement
500 12th St SW
Washington, DC 20536

Kristi Noem

Secretary of Homeland Security
MS 0525 Department of Homeland Security
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Pamela Bondi

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Randy Tate

Warden of Montgomery Processing Center
806 Hilbig Road
Conroe, Texas 77301

Dated: December 26, 2025.

Respectfully submitted,



Tania Buitron
Counsel for Petitioner