

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Bianca L. Torres  
MAYESTELLES ATTORNEYS  
3636 N. Central Ave Suite 1000  
Phoenix, AZ 85012  
bianca@mayestelles.com  
602.714.7900 o  
602.357.3037 f

*Attorney for Petitioner-Plaintiff*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Kerim Escobar-Diaz,

Petitioner-Plaintiff,

v.

John Cantu, Field Office Director of Phoenix  
Office of Detention and Removal, U.S.  
Immigrations and Customs Enforcement; U.S.  
Department of Homeland Security;

Todd M. Lyons, Acting Director, Immigration  
and Customs Enforcement, U.S. Department of  
Homeland Security;

Kristi Noem, in her Official Capacity, Secretary,  
U.S. Department of Homeland Security; and

Pam Bondi, in her Official Capacity, Attorney  
General of the United States;

Respondents-Defendants.

Case No.



**MOTION FOR TEMPORARY  
RESTRAINING ORDER**

**POINTS AND AUTHORITIES  
IN SUPPORT OF EX PARTE  
MOTION FOR TEMPORARY  
RESTRAINING ORDER AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

Challenge to Unlawful Incarceration;  
Request for Declaratory and Injunctive  
Relief

**NOTICE OF MOTION**

Petitioner applies to this honorable Court for a temporary restraining order enjoining Respondents Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), and Pam Bondi, in her official capacity as the U.S. Attorney General, (1) from continuing to detain him based on an unlawful action by ICE, (2) ordering his immediate release from immigration detention; and (3) from re-arresting Petitioner-Plaintiff until he is afforded a hearing before a neutral decisionmaker, as required by the Due Process clause of the Fifth Amendment, to determine whether circumstances have materially changed such that his re-incarceration would be justified because there is clear and convincing evidence establishing that he is a danger to the community or a flight risk.

[IF RELEVANT:] If the Court deems oral argument necessary, Petitioner requests to appear by video.

Dated: December 29, 2025

Respectfully submitted,

/s/ Bianca L. Torres  
Bianca L. Torres  
Attorney for Petitioner-Plaintiff

1 **I. LEGAL STANDARD**

2 The Petitioner is entitled to a temporary restraining order if he establishes that he is “likely  
3 to succeed on the merits, . . . likely to suffer irreparable harm in the absence of preliminary relief,  
4 that the balance of equities tips in [his] favor, and that an injunction is in the public interest.”  
5 *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *Stuhlberg Int’l Sales Co. v. John D.*  
6 *Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001) (noting that preliminary injunction and  
7 temporary restraining order standards are “substantially identical”). Even if the Petitioner does  
8 not show a likelihood of success on the merits, the Court may still grant a temporary restraining  
9 order if he raises “serious questions” as to the merits of his claims, the balance of hardships tips  
10 “sharply” in his favor, and the remaining equitable factors are satisfied. *Alliance for the Wild*  
11 *Rockies v. Cottrell*, 632 F.3d 1127 (9th Cir. 2011). As set forth in more detail below, the Petitioner  
12 overwhelmingly satisfies both standards.

13 **II. LEGAL ARGUMENT**

14 **A. THE PETITIONER WARRANTS A TEMPORARY RESTRAINING**  
15 **ORDER**

16 A temporary restraining order should be issued if “immediate and irreparable injury, loss,  
17 or irreversible damage will result” to the applicant in the absence of an order. Fed. R. Civ. P.  
18 65(b). The purpose of a temporary restraining order is to prevent irreparable harm before a  
19 preliminary injunction hearing is held. *See Granny Goose Foods, Inc. v. Bhd. Of Teamsters &*  
20 *Auto Truck Drivers Local No. 70 of Alameda City*, 415 U.S. 423, 439 (1974). The Petitioner is  
21 likely to remain in unlawful custody in violation of his due process rights without intervention by  
22 this Court. The Petitioner will continue to suffer irreparable injury if he continues to be detained  
23 without due process.

24 **1. The Petitioner is Likely to Succeed on the Merits of His Claim That in**  
25 **This Case the Constitution Requires a Hearing Before a Neutral**  
26 **Adjudicator Prior to Any Re-Incarceration by ICE**

27 The Petitioner is likely to succeed on his claim that, in his particular circumstances, his  
28 current detention is unlawful because the Due Process Clause of the Constitution prevents  
Respondents from re-arresting him without first providing a pre-deprivation hearing before a

1 neutral adjudicator where the government demonstrates by clear and convincing evidence that  
2 there has been a material change in circumstances such that he is now a danger or a flight risk.

3 The statute and regulations grant ICE the ability to unilaterally revoke any noncitizen's  
4 immigration bond and re-arrest the noncitizen at any time. 8 U.S.C. § 1226(b); 8 C.F.R. §  
5 236.1(c)(9). Notwithstanding the breadth of the statutory language granting ICE the power to  
6 revoke an immigration bond "at any time," 8 U.S.C. 1226(b), in *Matter of Sugay*, 17 I&N Dec.  
7 647, 640 (BIA 1981), the BIA recognized an implicit limitation on ICE's authority to re-arrest  
8 noncitizens. There, the BIA held that "where a previous bond determination has been made by an  
9 immigration judge, no change should be made by [the DHS] absent a change of circumstance."  
10 *Id.* In practice, DHS "requires a showing of changed circumstances both where the prior bond  
11 determination was made by an immigration judge *and* where the previous release decision was  
12 made by a DHS officer." *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017), *aff'd*  
13 *sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137 (9th Cir. 2018) (emphasis added). The Ninth  
14 Circuit has also assumed that, under *Matter of Sugay*, ICE has no authority to re-detain an  
15 individual absent changed circumstances. *Panosyan v. Mayorkas*, 854 F. App'x 787, 788 (9th Cir.  
16 2021) ("Thus, absent changed circumstances ... ICE cannot redetain Panosyan.").

17 ICE has further limited its authority as described in *Sugay*, and "generally only re-arrests  
18 [noncitizens] pursuant to § 1226(b) after a *material* change in circumstances." *Saravia*, 280 F.  
19 Supp. 3d at 1197 (N.D. Cal. 2017), *aff'd sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137  
20 (9th Cir. 2018) (quoting Defs.' Second Supp. Br. at 1, Dkt. No. 90) (emphasis added). Thus, under  
21 BIA case law and ICE practice, ICE may re-arrest a noncitizen who had been previously released  
22 from custody only after a material change in circumstances. *See Saravia*, 280 F. Supp. 3d at 1176;  
23 *Matter of Sugay*, 17 I&N Dec. at 640.

24 ICE's power to re-arrest a noncitizen who is at liberty following a release from custody is  
25 also constrained by the demands of due process. *See Hernandez v. Sessions*, 872 F.3d 976, 981  
26 (9th Cir. 2017) ("the government's discretion to incarcerate non-citizens is always constrained by  
27 the requirements of due process"). In this case, the guidance provided by *Matter of Sugay*—that  
28

1 ICE should not re-arrest a noncitizen absent changed circumstances—is insufficient to protect the  
2 Petitioner weighty interest in his freedom from unlawful detention.

3 The District of Arizona has recognized that when the government seeks to revoke or stay  
4 a noncitizen’s release from custody, due process under the Fifth Amendment requires a  
5 meaningful opportunity to be heard before the deprivation occurs. *See Organista v. Sessions*, No.  
6 CV-18-00285-PHX-GMS (D. Ariz. Feb. 8, 2018). Applying the familiar three-factor test  
7 from *Mathews v. Eldridge*, 424 U.S. 319 (1976), the court weighed 1) the private liberty interest  
8 at stake; 2) the risk of erroneous deprivation; and 3) the burden on the government – “the  
9 fundamental requirement of due process – the opportunity to be heard at a meaningful time and  
10 manner.” *Organista*, No. CV-18-00285-PHX-GMS, at 4.; *City of Los Angeles v. David*, 538 U.S.  
11 715, 717 (2003). In weighing the *Mathews* factors, the court declared that “there is no  
12 meaningful dispute that Petitioner has a liberty interest in being heard before the BIA can  
13 prolong his detention.” *Organista*, No. CV-18-00285-PHX-GMS, at 4.

14 Likewise, federal district courts in California have repeatedly recognized that the  
15 demands of due process and the limitations on DHS’s authority to revoke a noncitizen’s bond or  
16 parole set out in DHS’s stated practice and *Matter of Sugay* both require a pre-deprivation  
17 hearing for a noncitizen on bond, like the Petitioner, *before* ICE re-detains him. *See, e.g., Ortega*  
18 *v. Bonnar*, 415 F. Supp. 3d 963 (N.D. Cal. 2019); *Vargas v. Jennings*, No. 20-CV-5785-PJH,  
19 2020 WL 5074312, at \*3 (N.D. Cal. Aug. 23, 2020); *Jorge M. F. v. Wilkinson*, No. 21-CV-  
20 01434-JST, 2021 WL 783561, at \*2 (N.D. Cal. Mar. 1, 2021); ); *Romero v. Kaiser*, No. 22-cv-  
21 02508-TSH, 2022 WL 1443250, at \*3-4 (N.D. Cal. May 6, 2022) (Petitioner would suffer  
22 irreparable harm if re-detained, and required notice and a hearing before any re-detention);  
23 *Enamorado v. Kaiser*, No. 25-CV-04072-NW, 2025 WL 1382859, at \*3 (N.D. Cal. May 12,  
24 2025) (temporary injunction warranted preventing re-arrest at plaintiff’s ICE interview when he  
25 had been on bond for more than five years). *See also Doe v. Becerra*, No. 2:25-cv-00647-DJC-  
26 DMC, 2025 WL 691664, \*4 (E.D. Cal. Mar. 3, 2025) (holding the Constitution requires a  
27 hearing before any re-arrest).

28

1 Courts analyze procedural due process claims such as this one in two steps: the first asks  
2 whether there exists a protected liberty interest under the Due Process Clause, and the second  
3 examines the procedures necessary to ensure any deprivation of that protected liberty interest  
4 accords with the Constitution. *See Kentucky Dep't of Corrections v. Thompson*, 490 U.S. 454,  
5 460 (1989).

6 **a. The Petitioner Has a Protected Liberty Interest in His Conditional  
7 Release**

8 The Petitioner's liberty from immigration custody is protected by the Due Process Clause:  
9 "Freedom from imprisonment—from government custody, detention, or other forms of physical  
10 restraint—lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas v.*  
11 *Davis*, 533 U.S. 678, 690 (2001).

12 Since August 2014, The Petitioner exercised that freedom under the IJ's order granting  
13 him release from custody. Accordingly, he retains a weighty liberty interest under the Due  
14 Process Clause of the Fifth Amendment in avoiding unlawful re-incarceration. *See Young v.*  
15 *Harper*, 520 U.S. 143, 146-47 (1997); *Gagnon v. Scarpelli*, 411 U.S. 778, 781-82 (1973);  
16 *Morrissey v. Brewer*, 408 U.S. 471, 482-483 (1972).

17 In *Morrissey*, the Supreme Court examined the "nature of the interest" that a parolee has  
18 in "his continued liberty." 408 U.S. at 481-82. The Court noted that, "subject to the conditions of  
19 his parole, [a parolee] can be gainfully employed and is free to be with family and friends and to  
20 form the other enduring attachments of normal life." *Id.* at 482. The Court further noted that "the  
21 parolee has relied on at least an implicit promise that parole will be revoked only if he fails to live  
22 up to the parole conditions." *Id.* The Court explained that "the liberty of a parolee, although  
23 indeterminate, includes many of the core values of unqualified liberty and its termination inflicts  
24 a grievous loss on the parolee and often others." *Id.* In turn, "[b]y whatever name, the liberty is  
25 valuable and must be seen within the protection of the [Fifth] Amendment." *Morrissey*, 408 U.S.  
26 at 482.

27 This basic principle—that individuals have a liberty interest in their conditional release—  
28 has been reinforced by both the Supreme Court and the circuit courts on numerous occasions.

1 See, e.g., *Young v. Harper*, 520 U.S. at 152 (holding that individuals placed in a pre-parole  
2 program created to reduce prison overcrowding have a protected liberty interest requiring pre-  
3 deprivation process); *Gagnon v. Scarpelli*, 411 U.S. at 781-82 (holding that individuals released  
4 on felony probation have a protected liberty interest requiring pre-deprivation process). As the  
5 First Circuit has explained, when analyzing the issue of whether a specific conditional release  
6 rises to the level of a protected liberty interest, “[c]ourts have resolved the issue by comparing the  
7 specific conditional release in the case before them with the liberty interest in parole as  
8 characterized by *Morrissey*.” *Gonzalez-Fuentes v. Molina*, 607 F.3d 864, 887 (1st Cir. 2010)  
9 (internal quotation marks and citation omitted). See also, e.g., *Hurd v. District of Columbia*, 864  
10 F.3d 671, 683 (D.C. Cir. 2017) (“a person who is in fact free of physical confinement—even if  
11 that freedom is lawfully revocable—has a liberty interest that entitles him to constitutional due  
12 process before he is re-incarcerated”) (citing *Young*, 520 U.S. at 152, *Gagnon*, 411 U.S. at 782,  
13 and *Morrissey*, 408 U.S. at 482).

14 In fact, it is well-established that an individual maintains a protectable liberty interest even  
15 where the individual obtains liberty through a mistake of law or fact. See *id.*; *Gonzalez-Fuentes*,  
16 607 F.3d at 887; *Johnson v. Williford*, 682 F.2d 868, 873 (9th Cir. 1982) (noting that due process  
17 considerations support the notion that an inmate released on parole by mistake, because he was  
18 serving a sentence that did not carry a possibility of parole, could not be re-incarcerated because  
19 the mistaken release was not his fault, and he had appropriately adjusted to society, so it “would  
20 be inconsistent with fundamental principles of liberty and justice” to return him to prison)  
21 (internal quotation marks and citation omitted).

22 Here, when this Court “compar[es] the release in [the Petitioner’s case], with the liberty  
23 interest in parole as characterized by *Morrissey*,” they bear similar features in liberty interests.  
24 See *Gonzalez-Fuentes*, 607 F.3d at 887. Just as in *Morrissey*, the Petitioner’s release “enables him  
25 to do a wide range of things open to persons,” including to live at home, work, care for his family,  
26 for whom he is the financial provider, and “be with family and friends and to form the other  
27 enduring attachments of normal life.” *Morrissey*, 408 U.S. at 482.

28

**b. The Petitioner's Liberty Interest Mandates His Release from Unlawful Custody And A Hearing Before any Re-Arrest**

The Petitioner asserts that, here, (1) where his detention would be civil; (2) where he has been at liberty for thirteen (13) years, during which time he has complied with all conditions of release and served as the financial provider for his family; (3) where he has a credible claim for cancellation of relief for certain non-permanent residents; (4) where no change in circumstances exist that would justify his lawful detention; and (5) where the only circumstance that has changed is DHS's Motion to Recalendar Administratively Closed Proceedings combined with ICE's move to arrest as many people as possible under the new administration's initiative, due process mandates that he be released from his unlawful custody and receive notice and a hearing before a neutral adjudicator *prior* to any re-arrest or revocation of his custody release.

"Adequate, or due, process depends upon the nature of the interest affected. The more important the interest and the greater the effect of its impairment, the greater the procedural safeguards the [government] must provide to satisfy due process." *Haygood v. Younger*, 769 F.2d 1350, 1355-56 (9th Cir. 1985) (en banc) (citing *Morrissey*, 408 U.S. at 481-82). This Court must "balance [the Petitioner's] liberty interest against the [government's] interest in the efficient administration of" its immigration laws to determine what process he is owed to ensure that ICE does not unconstitutionally deprive him of his liberty. *Id.* at 1357. Under the test set forth in *Mathews v. Eldridge*, this Court must consider three factors in conducting its balancing test: "first, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probative value, if any, of additional or substitute procedural safeguards; and finally the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirements would entail." *Haygood*, 769 F.2d at 1357 (citing *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)).

The Supreme Court "usually has held that the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property." *Zinermon v. Burch*, 494 U.S. 113, 127 (1990) (emphasis in original). Only in a "special case" where post-deprivation remedies are "the

1 only remedies the State could be expected to provide” can post-deprivation process satisfy the  
2 requirements of due process. *Zinermon*, 494 U.S. at 985. Moreover, only where “one of the  
3 variables in the *Mathews* equation—the value of predeprivation safeguards—is negligible in  
4 preventing the kind of deprivation at issue” such that “the State cannot be required constitutionally  
5 to do the impossible by providing predeprivation process,” can the government avoid providing  
6 pre-deprivation process. *Id.*

7 Because, in this case, the provision of a pre-deprivation hearing is both possible and  
8 valuable to preventing an erroneous deprivation of liberty, ICE is required to provide the  
9 Petitioner with notice and a hearing *prior* to any re-incarceration and revocation of his bond. *See*  
10 *Morrissey*, 408 U.S. at 481-82; *Haygood*, 769 F.2d at 1355-56; *Jones*, 393 F.3d at 932; *Zinermon*,  
11 494 U.S. at 985; *see also Youngberg v. Romeo*, 457 U.S. 307, 321-24 (1982); *Lynch v. Baxley*,  
12 744 F.2d 1452 (11th Cir. 1984) (holding that individuals awaiting involuntary civil commitment  
13 proceedings may not constitutionally be held in jail pending the determination as to whether they  
14 can ultimately be recommitted). Under *Mathews*, “the balance weighs heavily in favor of [The  
15 Petitioner ’s] liberty” and requires a pre-deprivation hearing before a neutral adjudicator.

## 16 **2. The Petitioner Will Suffer Irreparable Harm Absent Injunctive** 17 **Relief**

18 The Petitioner will suffer irreparable harm were he to remain detained after being deprived  
19 of his liberty and subjected to unlawful incarceration by immigration authorities without being  
20 provided the constitutionally adequate process that this motion for a temporary restraining order  
21 seeks. Detainees in ICE custody are held in “prison-like conditions.” *Preap v. Johnson*, 831 F.3d  
22 1193, 1195 (9th Cir. 2016). As the Supreme Court has explained, “[t]he time spent in jail awaiting  
23 trial has a detrimental impact on the individual. It often means loss of a job; it disrupts family life;  
24 and it enforces idleness.” *Barker v. Wingo*, 407 U.S. 514, 532-33 (1972); *accord Nat’l Ctr. for*  
25 *Immigrants Rights, Inc. v. I.N.S.*, 743 F.2d 1365, 1369 (9th Cir. 1984). Moreover, the Ninth  
26 Circuit has recognized in “concrete terms the irreparable harms imposed on anyone subject to  
27 immigration detention” including “subpar medical and psychiatric care in ICE detention facilities,  
28 the economic burdens imposed on detainees and their families as a result of detention, and the

1 collateral harms to children of detainees whose parents are detained.” *Hernandez*, 872 F.3d at  
2 995. The government itself has documented alarmingly poor conditions in ICE detention centers.  
3 *See, e.g.*, DHS, Office of Inspector General (OIG), Summary of Unannounced Inspections of ICE  
4 Facilities Conducted in Fiscal Years 2020-2023 (2024) (reporting violations of environmental  
5 health and safety standards; staffing shortages affecting the level of care detainees received for  
6 suicide watch, and detainees being held in administrative segregation in unauthorized restraints,  
7 without being allowed time outside their cell, and with no documentation that they were provided  
8 health care or three meals a day).<sup>1</sup>

9 The Petitioner has been out of ICE custody for more than eleven (11) years. During that  
10 time, he has worked hard to establish a stable life for himself, his partner, and his son. Since his  
11 release in 2014, he has not violated the law. Continued detention is bound to result in irreversible  
12 harm not only to the Petitioner but will also significantly affect his partner and son.

13 As detailed *supra*, the Petitioner contends that his re-arrest absent a hearing before a  
14 neutral adjudicator violates his due process rights under the Constitution. It is clear that “the  
15 deprivation of constitutional rights ‘unquestionably constitutes irreparable injury.’” *Melendres v.*  
16 *Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976)).  
17 Thus, a temporary restraining order is necessary to prevent the Petitioner from suffering  
18 irreparable harm by being subject to unlawful and unjust detention.

### 19 **3. The Balance of Equities and the Public Interest Favor Granting the** 20 **Temporary Restraining Order**

21 The balance of equities and the public interest undoubtedly favor granting this temporary  
22 restraining order.

23 First, the balance of hardships strongly favors the Petitioner. The government cannot  
24 suffer harm from an injunction that prevents it from engaging in an unlawful practice. *See Zepeda*  
25 *v. I.N.S.*, 753 F.2d 719, 727 (9th Cir. 1983) (“[T]he INS cannot reasonably assert that it is harmed  
26 in any legally cognizable sense by being enjoined from constitutional violations.”). Therefore, the

27 \_\_\_\_\_  
28 <sup>1</sup> Available at <https://www.oig.dhs.gov/sites/default/files/assets/2024-09/OIG-24-59-Sep24.pdf>  
(last accessed Feb. 6, 2024).

1 government cannot allege harm arising from a temporary restraining order or preliminary  
2 injunction ordering it to comply with the Constitution.

3 Further, any burden imposed by requiring the ICE to release the Petitioner from unlawful  
4 custody and refrain from re-arrest unless and until he is provided a hearing before a neutral is  
5 both *de minimis* and clearly outweighed by the substantial harm he will suffer as if he is detained.  
6 See *Lopez v. Heckler*, 713 F.2d 1432, 1437 (9th Cir. 1983) (“Society’s interest lies on the side of  
7 affording fair procedures to all persons, even though the expenditure of governmental funds is  
8 required.”).

9 A temporary restraining order is in the public interest. First and most importantly, “it  
10 would not be equitable or in the public’s interest to allow [a party] . . . to violate the requirements  
11 of federal law, especially when there are no adequate remedies available.” *Ariz. Dream Act Coal.*  
12 *v. Brewer*, 757 F.3d 1053, 1069 (9th Cir. 2014) (quoting *Valle del Sol Inc. v. Whiting*, 732 F.3d  
13 1006, 1029 (9th Cir. 2013)). If a temporary restraining order is not entered, the government would  
14 effectively be granted permission to detain the Petitioner in violation of the requirements of Due  
15 Process. “The public interest and the balance of the equities favor ‘prevent[ing] the violation of a  
16 party’s constitutional rights.’” *Ariz. Dream Act Coal.*, 757 F.3d at 1069 (quoting *Melendres*, 695  
17 F.3d at 1002); see also *Hernandez*, 872 F.3d at 996 (“The public interest benefits from an  
18 injunction that ensures that individuals are not deprived of their liberty and held in immigration  
19 detention because of bonds established by a likely unconstitutional process.”); cf. *Preminger v.*  
20 *Principi*, 422 F.3d 815, 826 (9th Cir. 2005) (“Generally, public interest concerns are implicated  
21 when a constitutional right has been violated, because all citizens have a stake in upholding the  
22 Constitution.”).

23 Therefore, the public interest overwhelmingly favors entering a temporary restraining  
24 order and preliminary injunction.

### 25 **III. CONCLUSION**

26 For all the above reasons, this Court should find that the Petitioner warrants a temporary  
27 restraining order and a preliminary injunction ordering that Respondents (1) release him from his  
28 unlawful custody; (2) refrain from re-arresting him unless and until he is afforded a hearing

1 before a neutral adjudicator on whether a change in custody is justified by clear and convincing  
2 evidence that he is a danger to the community or a flight risk; and (3) refrain from sending him  
3 to any place outside of the United States.

4 Dated: December 29, 2025

Respectfully submitted,

5  
6 /s/ Bianca L. Torres

Bianca L. Torres  
Attorney for Petitioner-Plaintiff

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28