

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

R.R.C., *et al.*,

Petitioners,

v.

Warden, Stewart Detention Center, et al.,

Respondents.

Civil Action No.: 4:25-CV-525 (CDL)

4:25-cv-527 (CDL)

4:26-cv-073 (CDL)

4:26-cv-076 (CDL)

4:26-cv-098 (CDL)

4:26-cv-163 (CDL)

4:26-cv-176 (CDL)

4:26-cv-226 (CDL)

4:26-cv-249 (CDL)

4:26-cv-266 (CDL)

4:26-cv-271 (CDL)

**PETITIONERS' MOTION FOR TARGETED AND EXPEDITED DISCOVERY
TO ACCOMPANY PETITIONERS' SUPPLEMENTAL BRIEF ON JURISDICTION,
BIAS, AND ENFORCEMENT OF CONDITIONAL HABEAS JUDGMENT**

Petitioners respectfully move for targeted, expedited discovery into the Executive Office of Immigration Review (EOIR) and the Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE) practices relevant to enforcement of this Court’s conditional habeas writ. This motion is supported by empirical data, documented patterns of bias and futility, and evidence of systemic defects in bond-hearing practices. *See* contemporaneously filed Petitioners’ Supplemental Brief. The discovery sought is narrowly tailored to factual issues of structural bias, futility of administrative remedies, and compliance with the Court’s order. Respondents have indicated that they oppose this discovery request.

I. LEGAL STANDARD AND POSTURE

Petitioners seek expedited, narrowly tailored discovery into EOIR and ICE practices to further develop the record on bias, futility, and compliance, in the event the Court is unwilling to order immediate release or a burden-shifted bond hearing on the existing record. Habeas Rule 6 permits discovery upon a showing of “good cause,” which requires the petitioner to present specific allegations that give reason to believe that, if the facts are fully developed, the petitioner may be able to demonstrate entitlement to relief.

Recent litigation stemming from unlawful detention at the Stewart Detention Center confirms that this Court has discretion to authorize targeted habeas discovery where, as here, threshold jurisdictional and custody questions cannot be fairly resolved on a one-sided record. In *E.D. .C. v. Warden, Stewart Detention Center*, 789 F. Supp. 3d 1234 (M.D. Ga. 2025), the Court granted expedited jurisdictional discovery and deferred ruling on the government’s motion to dismiss, applying *Bracy v. Gramley*, 520 U.S. 899, 904 (1997) and Federal Rule of Civil Procedure 26(b)(1) to allow non-privileged, proportional discovery into non-public detention arrangements and custodial practices.

Discovery in habeas proceedings must be limited and tailored to the specific allegations at issue. As the Supreme Court has emphasized, “a habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course.” *Bracy v. Gramley*, 520 U.S. 899, 904 (1997). Rather, under Habeas Rule 6, “good cause is shown if the petitioner makes a specific allegation that shows reason to believe that the petitioner may be able to demonstrate that he is entitled to relief.” *uesinberry v. Taylor*, 162 F.3d 273, 279 (4th Cir. 1998); accord *Arthur v. Allen*, 459 F.3d 1310, 1310 (11th Cir. 2006); see also *Claytor v. Masters*, 2015 WL 7301075, at *7 (S.D.W. Va. Oct. 7, 2015), R&R adopted, 2015 WL 7302765 (S.D.W. Va. Nov. 18, 2015).

Here, Petitioners have already made a detailed factual proffer—through data, declarations, and documentary evidence—showing systemic bias in EOIR and BIA adjudication of custody matters, near-categorical denial patterns at Stewart and Folkston immigration courts, and the absence of individualized, policy-compliant custody determinations by ICE. The information necessary to test and corroborate these showings lies largely within the exclusive control of EOIR and ICE. Good cause therefore exists for limited discovery targeted to those institutional practices and records.

II. FACTUAL BASIS FOR DISCOVERY GOOD-CAUSE SHOWING

A. EOIR Structural Changes and Policy Directives

Over the past year, DOJ and EOIR leadership have removed or forced out approximately twenty percent of the immigration-judge corps, disproportionately targeting judges with higher grant rates or perceived as granting too many forms of relief. Former IJs have described explicit pressure to “facilitate deportation” rather than act as neutral adjudicators, a pervasive climate in which grants of relief may trigger scrutiny or termination, and internal warnings that judges perceived as “favoring” noncitizens should consider “alternate career paths.” As mentioned in

Petitioners' Motions to Enforce, about 20% of immigration judges nationwide were fired (over 130) without cause or explanation. The BIA composition has changed under current administration, down from 28 members to 15 total members, in a time where immigration case backlogs are in the millions and there are more detained noncitizens than any other time in history.

At the same time, EOIR leadership has issued directives undermining judicial independence and instructing IJs to disregard federal district-court rulings protecting bond-hearing rights. Most notably, in response to the final declaratory judgment and class-wide relief in *Maldonado Bautista*, EOIR circulated guidance telling IJs that the decision was “not a nationwide injunction” and that existing BIA precedent remained controlling, effectively instructing adjudicators to continue treating Bond Eligible Class members as § 1225(b) detainees notwithstanding the district court's declaration that § 1226(a) governs and its vacatur of the contrary DHS policy. Other internal communications warn judges not to be “adjudicatory outliers” and encourage pretermission of asylum applications without full evidentiary hearings.

B. Statistical Evidence of Bias in Bond Outcomes

Empirical data drawn from EOIR's own custody-appeal decisions show that between March 2025 and February 2026, the BIA decided 43 relevant bond appeals and did not grant relief to a noncitizen even in a single case yielding a 100% denial rate of bond appeals. In other published appeals, the BIA decided 99% of cases in favor of the government, with only one case out of 80 that was decided in favor of the noncitizen, yielding an approximate one-percent success rate for noncitizens. *See* Petitioners' Supplemental Brief on Jurisdiction, Bias and Enforcement of Conditional Habeas Judgment contemporaneously filed herein, including all exhibits (BIA appeals, Sheikh Declaration, GAIN spreadsheet, etc.). The reconstituted BIA has likewise issued an overwhelmingly pro-government body of precedents: as of late January 2026, it had issued

approximately 80 published decisions, 79 of which (approximately 99%) favored the government, a stark increase from the prior administration’s roughly 60% pro-government rate. The rate of precedential decisions has also dramatically increased, as between 2017 and 2024, the BIA issued only 13-27 precedential decisions each year.¹ However, in 2025, the Board published 68 precedential cases, setting a record for the number of cases published in a single year.² These figures demonstrate both institutional bias and practical futility in BIA custody review.

C. Stewart Folkston (Atlanta Court) Bond-Hearing Practices

Court-watch data from the Georgia Asylum & Immigration Network (GAIN), as summarized in sworn declarations and contemporaneous spreadsheets, document a pattern of near-categorical bond denials by Stewart and Folkston IJs beginning in late January 2026. In that period, IJs—particularly Judges Brown and Harness—denied bond in nearly every case in which they reached the merits, typically invoking “flight risk” and, increasingly, “speculative” or “very speculative” relief as the rationale for denial, even where respondents had long residence, U.S.-citizen family members, steady employment, and a record of compliance with ICE supervision. *See* Exhibits 5, 6, 7 to Petitioners’ Supplemental Brief on Jurisdiction, Bias and Enforcement of Conditional Habeas Judgment; *see also* Exhibit 8 to Supplemental Brief.

These data align with the conduct at issue in Petitioners’ own hearings, where the IJ denied bond based on “speculative relief” and “flight risk” without taking testimony, without reviewing or engaging the evidentiary submissions, and without conducting an individualized assessment under *Matter of Guerra* or DOJ/EOIR policy. The pattern supports Petitioners’ contention that

<https://www.cliniclegal.org/resources/precedent-or-policy-quiet-transformation-board-immigration-appeals> (last accessed March 2, 2026)

² *Supra* n.1;

current bond practices at Stewart and Folkston are perfunctory, outcome-driven, and inconsistent with due process and binding precedent.

D. ICE Policy and Practice FOIA and Public-Data Limits

ICE's Detention and Removal Operations Policy and Procedures Manual (DROPPM), including its Custody Management guidance (p. 203), requires officers to make individualized custody determinations considering, among other factors, criminal history, failure-to-appear history, equities and community ties, eligibility for and likelihood of relief, and health. The policy contemplates a structured, factor-based review and classification into priority levels, and recognizes that not every person taken into custody must be held in traditional detention; alternatives to detention are expressly contemplated for low-risk individuals.

In practice, however, ICE has not performed such DROPPM-compliant, individualized reviews before detaining Petitioners under § 1226(a), and there is no evidence that any risk-classification tools or DROPPM criteria were used in their cases. Petitioners were detained under mandatory provisions or categorical practices and then funneled into bond procedures that treated detention as presumptively warranted, without any prior factor-based custody determination.

Critically, the data and internal guidance necessary to verify these practices are not publicly available. FOIA requests for IJ-level bond data, internal EOIR emails, and ICE risk-classification records are often delayed for many months and frequently yield incomplete responses. The most relevant information—including bond-outcome databases, internal directives, training materials, and case-specific risk-tool outputs—resides exclusively within EOIR and ICE systems, beyond Petitioners' reach absent discovery.

While there are several FOIA litigation cases against agencies such as USCIS, such as *Nightingale v. USCIS*, 507 F. Supp. 3d 1193 (N.D. Cal. 2020), *Nightingale* does not resolve Petitioners' situation. Although the *Nightingale* injunction has pushed USCIS toward more timely adjudication of A-File FOIA requests, it does not compel production of the internal EOIR/ICE communications, bond-outcome databases, or training materials at issue here, and requestors continue to report qualitative deficiencies and incomplete productions, confirming that FOIA is not an adequate mechanism to obtain the discovery sought in this motion.

This information asymmetry is outcome-determinative: without access to the internal guidance, bond-outcome data, and risk-assessment records that only EOIR and ICE control, Petitioners cannot meaningfully test Respondents' assertions, demonstrate systemic bias and futility, or carry their burden to prove ongoing non-compliance with this Court's conditional writ. Limited discovery is therefore necessary to avoid a one-sided record in which Respondents alone control what the Court can see. Petitioners know the IJ failed to provide a fair, unbiased hearing that comports with due process and binding BIA precedent, but absent this discovery they cannot fully answer the Court's questions or substantiate those defects under the Federal Rules of Evidence.

E. Recent Stewart Habeas Litigation Confirms the Appropriateness of Targeted Discovery

Recent authority from this Court confirms both its power and its discretion to order targeted discovery in habeas cases raising complex jurisdictional and custody questions. In *E.D. .C. v. Warden, Stewart Detention Center*, 789 F. Supp. 3d 1234 (M.D. Ga. 2025), a Stewart detainee filed a § 2241 habeas petition upon being transferred to El Salvador, and the government moved to dismiss on INA-jurisdiction and custody grounds while opposing discovery. The case was assigned to Judge Land, but Magistrate Judge Helmick granted the petitioner's motion for expedited

discovery and deferred any recommendation on the motion to dismiss until discovery was complete, expressly holding that “jurisdictional discovery is necessary and appropriate” and that the court would decide jurisdiction only after that record was developed. *Id.* at 1238–39.

Relying on *Bracy v. Gramley*, 520 U.S. 899 (1997), Rule 6(a) of the Rules Governing § 2254 Cases, and Rule 26(b)(1), the court reiterated that although habeas petitioners are not entitled to discovery “as a matter of ordinary course,” good-cause discovery is available and its “scope and extent” are committed to the district court’s discretion. *E.D. .C.*, 789 F. Supp. 3d at 1245. Applying Rule 26(b)(1)’s relevance and proportionality factors—including the importance of the issues at stake, the parties’ relative access to information, and whether the burden of the requested discovery outweighed its likely benefit—the court allowed discovery into precisely the kinds of institutional and records-based questions at issue here, such as:

documents directly related to the terms of an inter-governmental detention arrangement and to the legal basis, location, conditions, anticipated length, and custodial status of the petitioner’s confinement;

communications between U.S. officials and foreign officials concerning the petitioner’s detention; and

Rule 30(b)(6) testimony from DHS and State Department designees on policies and practices governing the petitioner’s transfer and confinement, i.e., **non-public institutional records analogous in kind to Petitioners’ EOIR ICE categories**. *Id.* at 1245–47.

The court rejected the government’s request to stay discovery pending resolution of a related class action that did not seek habeas release, emphasizing that the habeas petition presented a narrower but more urgent liberty question and that delaying discovery would only prolong

unlawful detention. *Id.* at 1243–44. The Court held that “jurisdictional discovery is necessary and appropriate,” and **deferred ruling on the government’s motion to dismiss until discovery was complete.**

E.D. .C. thus confirms four points directly applicable here: (1) this Court may order discovery in § 2241 immigration-detention cases notwithstanding INA jurisdictional objections, where discovery bears on threshold issues such as custody and the availability of meaningful relief; (2) Rule 6 “good cause” is satisfied where, as here, the petitioner has made specific allegations and the critical information lies within the government’s exclusive control; (3) Rule 26(b)(1) proportionality supports targeted requests into non-public government records and institutional practices that go to jurisdiction, custody, and the feasibility of habeas relief; and (4) the Court may, in its discretion, defer ruling on jurisdictional or exhaustion defenses until after such discovery is completed, rather than accepting the government’s assertions on an incomplete, one-sided record. The discovery Petitioners seek here—limited to EOIR/ICE communications, bond-outcome data, training materials, and DROPPM/risk-tool implementation—is at least as focused and proportional as the requests approved in *E.D. .C.*, and is likewise necessary to resolve jurisdictional and enforcement issues that cannot be decided fairly without access to the government-controlled information at issue.

III. SPECIFIC, NARROWLY TAILORED DISCOVERY REQUESTS FROM EOIR

Petitioners seek the following categories of discovery, subject to reasonable temporal and subject-matter limits the Court may impose. Much of what Petitioners seek consists of documents and data Respondents will necessarily have to collect and review in order to respond to the Motion to Enforce and to this Court’s questions regarding bias, futility, and compliance. Targeted

production of those same materials therefore imposes little incremental burden and simply ensures that the evidentiary record is not curated exclusively by Respondents.

1. Written Communications

Emails, memoranda, and other communications (internal or external) from December 2025 throughout February 2026 to or among Immigration Judges, Assistant Chief Immigration Judges, and anyone else in EOIR leadership or any EOIR officials (including but not limited to the EOIR Director, Deputy Director, Chief Immigration Judge, Assistant Chief Immigration Judges, court administrators, and any other supervisory personnel) concerning:

- jurisdiction to conduct bond hearings for individuals DHS claims are detained under 8 U.S.C. § 1225 but are not arriving aliens seeking admission and should be classified as eligible for a discretionary custody determination under 8 U.S.C. § 1226(a).
- jurisdiction to conduct bond hearings or bond redetermination hearings after district court orders
- *Maldonado Bautista*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3713987 (C.D. Cal. Dec. 18, 2025) and the Bond Eligible Class;
- the *Rios Vega* or similar case enforcement decision and any related contempt warnings; “adjudicatory outliers,” performance metrics, or discipline linked to bond-grant or asylum-grant rates or specific adjudication outcomes; and
- bond and flight-risk guidance, including but not limited to the use of “flight risk” or “speculative relief” as a ground to deny bond.

These materials are directly relevant to whether EOIR has instructed IJs to disregard federal-court bond rulings, to prioritize enforcement outcomes over neutral adjudication, and to adopt categorical approaches to bond that conflict with due process and binding BIA precedent.

2. Oral Telephone Communications Regarding Bond Denials and Expedited

Individual Merits Hearings

Produce all documents and electronically stored information (“ESI”) that reflect, summarize, memorialize, refer to, or evidence any oral, telephonic, video-conference, or in-person communications between or among EOIR officials (including but not limited to the EOIR Director, Deputy Director, Chief Immigration Judge, Assistant Chief Immigration Judges, court administrators, and any other supervisory personnel) and any Immigration Judge assigned to hear detained matters at Stewart Detention Center or Atlanta Immigration Court (for Folkston ICE Processing Center), from December 2025 to the present, concerning:

Instructions, guidance, suggestions, expectations, “talking points,” or feedback regarding:

- a. denying bond or minimizing bond grants based on “flight risk”;
- b. denying bond by characterizing relief from removal (including but not limited to asylum, withholding, CAT, or cancellation of removal) as “speculative,” “very speculative,” or otherwise using the perceived likelihood of relief as a basis to deny bond;
- c. how to conduct or decide bond hearings, including any changes from previous guidance;
- d. whether any changes from previous bond practice was recommended, including all details of any such recommendation(s) or change(s); and
- e. All orders, directives, guidance, or instructions—formal or informal, and whether communicated orally or in writing—that encourage, request, or require Immigration Judges to schedule individual merits hearings within any specified time period for detained noncitizens generally and/or following the denial of bond.

Instructions, guidance, suggestions, expectations, “talking points,” or feedback regarding expediting individual (merits) hearings for detained respondents (including setting such hearings within approximately two weeks of a bond hearing or initial master calendar) or otherwise prioritizing detained merits dockets in a manner that affects the timing, availability, or substance of bond hearings.

Any communications in which EOIR officials discussed, suggested, or directed that sensitive guidance on the topics in subparts (1)–(2) be conveyed by telephone, video, or other verbal means rather than by email or written memorandum, including any references to avoiding creation of written records or avoiding disclosure under FOIA or discovery.

This Request includes, without limitation:

- call logs, phone records, or other records of telephonic or video-conference communications;
- calendar entries, meeting invitations, agendas, minutes, chat logs, or notes reflecting the occurrence or substance of such communications;
- all information and substance of such calls and what was communicated to immigration judges during these calls;
 - handwritten or typed notes taken by any participant;
 - summaries, recaps, or “takeaways” circulated after any such call or meeting;
- and
 - any audio or video recordings or transcripts of such communications.

• **Bond-Outcome Data by IJ at Stewart and Folkston (Atlanta Court sitting at Folkston)**

Aggregate data reporting, by individual IJ and by month, the number of bond hearings held, grants and denials (Separating into a different stacks, bonds that were denied for lack or jurisdiction

(e.g., *Yajure Hurtado*) or bonds denied under other grounds such as criminal aliens subject to mandatory detention under INA § 236(c), 8 U.S.C. § 1226(c) or noncitizens subject to final orders of removal), bond amounts set, and grants of release on non-monetary conditions for detainees at Stewart Detention Center and Folkston ICE Processing Center, for a defined period **from January 2025 through March 2026**, surrounding the Court’s conditional writ and the structural changes described above.

This information is necessary to substantiate the empirical pattern of near-categorical denials, to correlate specific IJs’ practices with the systemic bias alleged, and to test the government’s contention that administrative remedies remain meaningful and non-futile.

4. Training Materials and Bench books

All training materials, bench books, PowerPoints, or written guidance provided to IJs since January 2025 until the present time concerning:

- § 1226(a) bond standards and the application of *Matter of Guerra*, *Matter of Andrade*, *Matter of R-A-V-P-*, and *Matter of Iurii Dobrotvorskii*;
- the concept of “speculative” relief in bond or continuance contexts; and
- expectations regarding “efficiency,” prepermission of applications, or treatment of respondents with pending applications for relief.

These materials will clarify whether IJs are being trained or instructed to apply categorical rules—such as treating pending relief as inherently “speculative” or presuming flight risk from the existence of removal proceedings—rather than conducting the individualized assessments that due process and binding precedent require.

Binding BIA custody precedent—*Matter of Guerra*, *Matter of Andrade*, *Matter of R-A-V-P-*, *Matter of J-A-F-S-*, and *Matter of Iurii Dobrotvorskii*—treats “likelihood of relief” as,

at most, one factor that generally increases an applicant's incentive to appear, and reserves the label "speculative" for bare, unsubstantiated assertions of future eligibility. Under 8 C.F.R. § 1003.1(g)(1), IJs must follow those decisions in bond matters. Discovery into EOIR training, bench books, and internal guidance on "speculative relief" is therefore directly relevant to whether IJs at Stewart and Folkston are being instructed to apply a categorical "speculative relief" rationale that conflicts with governing BIA law.

C. Depositions (Rule 30(b)(6) or Comparable Mechanisms) EOIR Designee

A deposition of an EOIR-designated witness under Rule 30(b)(6) (or equivalent mechanism) on topics including:

- EOIR's policies and communications regarding *Maldonado Bautista*, the Bond Eligible Class, and the effect of that judgment on bond eligibility;
- directives, performance metrics, or disciplinary practices relating to bond-grant rates, discretionary benefit grant rates, or perceived "adjudicatory outliers"; and
- the development and dissemination of bond-hearing guidance, including any instructions concerning use of "speculative relief" rationales.

These limited depositions are warranted by the documented evidence of institutional pressure on adjudicators, suspected deviation from written policies, and the centrality of these institutional practices to the issues of bias, futility, and compliance with this Court's habeas order.

IV. SPECIFIC, NARROWLY TAILORED DISCOVERY REQUESTS FROM DHS

To confirm that ICE never gave Petitioners or similarly-situated non-citizen any custody determination and that ICE is violating its own regulations, DROPPM and binding BIA precedent and to confirm that DHS is categorically objecting to bond in nearly every single case involving a noncitizen, Petitioners wish the Court to order the following limited discovery from ICE/DHS:

1. Policy Documents and Implementation Guidance

ICE policy documents, memoranda, and implementation guidance (whether written, oral or other communication) concerning DROPPM Custody Management p. 203-205 and any risk-classification tools or scoring systems used in making initial and subsequent custody determinations for noncitizens detained at Stewart and Folkston that was in effect from January 2025-March 2026.

Any guidance, memo, criteria, policy, written or verbal to ICE officers on detention instructions or authority of noncitizens under 8 U.S.C. § 1225(b) or § 1226(a) from January 2025-March 2026;

Any guidance, memo, criteria, policy, written or verbal to ICE officers on detention instructions or authority of detentions of noncitizens without a warrant under 8 U.S.C. § 1226(a) from January 2025-March 2026;

Any guidance, memo, criteria, policy, written or verbal to ICE officers on detention of noncitizens who appear for reporting under any Alternative to Detention (ATD) program, including, but not limited to, ATD, ISAP (Intensive Supervision Appearance Program);

Any revisions to the DROPPM since January 2025 until March 2026.

These materials are necessary to determine what standards ICE purports to apply in practice, and whether its detention decisions in Petitioners' cases comport with its own stated policies

requiring individualized, factor-based analysis. Respondents likewise must evaluate how DROPPM and any risk-classification tools have been applied in these cases in order to defend their detention decisions; producing those same materials to Petitioners is therefore not unduly burdensome.

2. Risk-Assessment Usage in Petitioners' Cases

Records reflecting whether any risk-classification tools, checklists, or DROPPM-based custody reviews were applied in Petitioners' cases, including any risk scores, narrative justifications, or supervisory approvals associated with the decision to detain or continue detention between January 2025-March 2026.

Any guidance, memo, criteria, policy, written or verbal to ICE attorneys appearing in immigration court instructing them to object to bond (January 2025-March 2026).

This discovery will clarify whether Petitioners' detention decisions were evidence-based and policy-compliant or instead arbitrary and detached from the factors ICE itself claims to consider.

C. Depositions (Rule 0(b)(6) or Comparable Mechanisms) ICE Designee

A deposition of an ICE-designated witness on topics including:

- implementation of DROPPM Custody Management p. 203-205 in interior-arrest and custody-review decisions;
- Apprehension of noncitizens coming to report to ICE on ATD/ISAP;
- use of risk-classification tools or scoring systems in determining detention, bond, and alternatives to detention at Stewart and Folkston; and
- ICE's practices and criteria for classifying noncitizens as detained under § 1225(b) versus § 1226(a) in circumstances analogous to Petitioners'.

These limited depositions are warranted by the documented evidence of institutional pressure on adjudicators, suspected deviation from written policies, and the centrality of these institutional practices to the issues of bias, futility, and compliance with this Court's habeas order.

V. NECESSITY AND TARGETED SCOPE

The requested discovery is carefully circumscribed to what is necessary for this Court to evaluate structural bias, the futility of BIA review, and Respondents' compliance with the Court's conditional writ. It does not seek to re-litigate the underlying removal proceedings or to conduct an open-ended inquiry into immigration-court merits adjudication. Instead, it focuses on discrete categories of information uniquely within EOIR's control: internal directives, training materials, outcome data, policy implementation records, and limited institutional testimony needed to interpret those materials. This discovery is necessary to show how the current system is structurally biased and as such, has resulted in Petitioners' continued detention due non-compliance with this Court's order to hold a bond hearing under § 1226(a).

Should the Court decline to order immediate release or to require a new, burden-shifted § 1226(a) bond hearing on the present record, Petitioners respectfully submit that targeted, time-limited discovery along the lines outlined above is essential to meaningful judicial review of structural bias, futility, and compliance, and to the Court's ability to fashion appropriate enforcement relief consistent with its habeas authority.

VI. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that, if the Court declines on the current record to order immediate release or a burden-shifted § 1226(a) bond hearing, it grant this Motion for Targeted and Expedited Discovery, order Respondents to produce the requested documents, data, and Rule 30(b)(6) testimony on an expedited schedule, and defer ruling on Respondents' jurisdictional and merits defenses until completion of such discovery, together with such other relief as the Court deems just and proper.

Respectfully submitted this 3rd Day of March, 2026.

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CERTIFICATE OF SERVICE

I certify that on March 3, 2026, I electronically filed the foregoing Document with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to Respondents' attorney(s) of record.

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