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UNITED STATES DISTRICT COURT
OF THE DISTRICT OF COLORADO

BAH, DJOBO

Petitioner

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security,

TOO LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement,

ARTHUR WILSON, in his official capacity as ICE Field Officer Director,

JOHNNY CHOATE, in his official capacity as the warden of the Aurora Immigration Detention Facility,

PAMALA BONDI, in her official capacity as the United States Attorney General,

The Executive Office for Immigration Review,

United States Immigration and Customs Enforcement,

The Board of Immigration Appeals,

Respondents

Case No. 1:26-cv-39

VERIFIED AMENDED PETITION FOR HABEAS CORPUS

IMMIGRATION HABEAS CASE

INTRODUCTION

DJOBO BAH (Petitioner), by and through his undersigned counsel, hereby files this petition for a writ of habeas corpus. Upon information and belief, Petitioner entered the United States on or about June 12, 2024, without parole or inspection. (Exhibit 1). Petitioner is a native of Mali. (Exhibit 1). Petitioner was apprehended by the Department of Homeland Security (DHS) on or about June 19, 2025. It does not appear that Petitioner has any notable criminal history.

Petitioner was denied a bond redetermination on July 28, 2025 (exhibit 3). Pursuant to the holding in *Matter of Yajure Hurtado*, 29 I&N Dec. 216, 228 (BIA 2025), the Immigration Judge denied the bond request concluding that the Immigration Court lacked jurisdiction. The decision in *Matter of Yajure Hurtado* dictates that U.S.C. § 1225(b)(2)(A) bars individuals who entered without inspection from receiving a bond redetermination from an immigration judge, thereby depriving the Immigration Court of relevant jurisdiction for bond determination. *Id.* at 229.

Under 8 U.S.C. § 1226(a), aliens who have been apprehended withing the United States and placed in removal proceedings – other than arriving aliens – are generally eligible for a bond redetermination before an immigration judge. This statutory framework authorizes immigration officers to initially arrest and detain such individuals pending a determination in the relevant removal proceedings, but also providing and permitting release or bond or conditional parole based on a discretionary custody determination. This also circumvents prolonged detention as a result of nonexistent relief for individuals like Petitioner. The provisions of 8 U.S.C. § 1226(a) apply to noncitizens who have been living within the United States, including those who entered without

inspection or overstayed a lawful admission, and were designed with the intention of providing a neutral review of custody decisions. During this process, the individual may request a bond hearing before an immigration judge who is tasked with evaluating relevant factors such as flight risk and danger to the community. Where the immigration judge ascertains that the relevant bond redetermination factors have been satisfactorily proven, the judge may subsequently set bond or impose conditions of supervision. However, at-issue, is the bond redetermination mechanism does not extend to arriving aliens, who remain subject to a separate parole framework under 8 U.S.C. § 1182(d)(5). This distinct and separate classification underscores detention and release provisions that are otherwise applicable to different categories of noncitizens.

In *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), the Department of Justice has articulated its position that certain individuals who entered the United States without inspection (EWI) may be classified as "arriving aliens" for custody determination purposes, despite their physical presence in the interior of such. In the decision, the Board affirmed the same – holding that the regulatory definition of an arriving alien includes noncitizens encountered, in the United States, after having crossed the border without lawful admission. In its holding, the Board reasoned that individuals who have crossed the border without lawful admission have not been formally admitted and therefore remain applicants for admission under 8 U.S.C. § 1225. The problematic nature of the ruling allows DHS to process these individuals under the same detention framework applicable to arriving aliens, thereby remitting them to a category of individuals traditionally ineligible for bond redetermination by an immigration judge. As a result, individuals who EWI may be – and are – treated as subject to the mandatory and perpetual detention and parole-only release scheme, rather than the more favorable but simultaneously discretionary bond

review available to most non-arriving respondents. Importantly, this reading highlights the DOJ's increasingly expansive view of the arriving-alien classification and its problematic and disproportionate impact on custody jurisdiction in the confines of removal proceedings.

The Board of Immigration Appeals' classification of individuals who entered without inspection as "arriving aliens" is erroneous in its expansive and unlawful application to individuals like Petitioner, who are otherwise eligible for bond redetermination under the plain text of the Immigration and Nationality Act (INA), as well as the existent structure of the custody regulations. The INA makes a point to expressly distinguish between "arriving aliens" – defined as those individuals who present themselves at a port of entry – and "applicants for admission" under 8 U.S.C. § 1225(a)(1) – who are individuals apprehended only *after* entering the United States. Noncitizens apprehended within the interior of the United States and placed in removal proceedings -like petitioner- are governed under the detention authority articulated in 8 U.S.C. § 1226(a). The INA made certain to draw the distinction, perhaps in anticipation that DHS might seek a more expansive and overbroad application of bond ineligibility to otherwise eligible applicants under the code. In further assertion of its plain text, the INA regulations reinforce the critical distinction by clearly defining an "arriving alien" as "one who is coming to the United States" at a port of entry, but not someone already present within the interior – regardless of lawfulness at the point therein. The statutory and regulatory purpose of 8 U.S.C. § 1226(a) provides a bond relief mechanism for individuals apprehended within the country; the BIA's decision in *Matter of Yajure Hurtado* subsequently seeks to collapse the relevant statutory and regulatory distinctions and thereby deprive otherwise eligible individuals of their entitled relief. While the collapse and nullification of decades of

regulatory practice is problematic, the BIA's holding creates a mechanism to collapse non-arriving-alien custody jurisdictions, thereby rendering bond redetermination an effectively meaningless gesture only situated to produce prolonged detention and mitigated relief. While the Bond's holding certainly cannot be rectified with existing statutory text, regulatory definitions, or the broader Congressional scheme, perhaps that is void of the point. Perhaps the point is to void decades of an existing regulatory scheme to reinforce the prolonged detention of individuals like Petitioner.

The "Bond Eligible Class" certified in *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. Nov. 25, 2025) (Class certification order), 2025 WL 3288403, includes all noncitizens who entered the United States without EWI, who were not apprehended at the time of entry, and who are not subject to mandatory detention under 8 U.S.C. § 1226(c), 1225(b)(1), or 1231. Based on Petitioner's status, he is a member of the foregoing "Bond Eligible Class" certified in *Maldonado Bautista*, as petitioner meets each of the relevant criteria therein certified. A denial of Petitioner's bond application would highlight a futile attempt at exercising the relief articulated in the INA by Petitioner. More importantly, however, it highlights the Department of Justice's unlawful exercise of conflicting BIA holdings, and a subsequent commitment by the Department of Justice to hollow decades of statutory and regulatory framework, while simultaneously ignoring the *Maldonado Bautista* decision by systematically denying bond to the Bond Eligible Class. Perhaps most significantly is the Department of Justice's ongoing refusal to comply with the class-wide order, in connection with its perpetual disregard of the INA, which constitutes unlawful detention in violation of 8 U.S.C. § 1226(a) and the Due Process Clause of the United States Constitution.

Pursuant to *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 144 S. Ct. 2244 (2024), the United States Supreme Court held that federal courts must "exercise independent judgment" when interpreting statutes and may no longer defer to an agency's reasonable interpretation simply reliant on the ambiguity of a specific statute. This ruling establishes that courts reviewing agency interpretations must apply independent judgement, when evaluating interpretations issued by the BIA, including in cases such as Matter *of Yajure Hurtado* and *Matter of Q. Li,* 29 I. & N. Dec. 66 (B.I.A. 2025) without affording automatic deference based on statutory ambiguity alone. Accordingly, the Court must determine whether those interpretations are consisted with an expansion of "arriving alien" status as measured against the INA's plain language or structure using traditional tools of statutory construction.

JURISDICTION AND VENUE

This court has jurisdiction over the present action pursuant to 28 U.S.C. § 1331, general federal question jurisdiction; the Due Process Clause of the United States Constitution and the Immigration Naturalization Act (INA). This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., and All Writs Act, 28 U.S.C. § 1651.

Federal district courts have jurisdiction to hear habeas claims by noncitizens challenging the lawfulness or constitutionality of conduct perpetuated by DHS and DOJ. Federal courts are not stripped of jurisdiction under 8 U.S.C. § 1252; *see Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

Venue is proper pursuant to 28 U.S.C. § 1391(e) because Respondents are agencies of the United States or officers or employees thereof acting in their official capacity or under color of legal authority. Petitioner is also in the custody of the Aurora Detention

Center, which is in the jurisdiction of the Colorado District Court and there is no real property involved in this action.

There is no requirement for exhaustion of administrative remedies in the present case as neither the habeas statute, 8 U.S.C. § 2241, nor the relevant sections of the INA require petitioners to exhaust administrative remedies prior to filing petitions for habeas corpus – particularly those situated on unlawful and prolonged detention.

REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243

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

Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention - particularly detention that is prolonged and absent avenues for relief. The Great Writ has been referred to as "perhaps the most important writ known to the constitutional law of England, affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Faye v. Noia*, 372 U.S. 391, 400 (1963).

Petitioner is "in custody" for applicability determination of 28 U.S.C. § 2241 because Petitioner is arrested and detained by Respondents.

PARTIES

PETITIONER

Petitioner, DJOBO BAH, is a native and citizen of Mali who is currently in the custody of the Department of Homeland Security in Aurora, Colorado.

RESPONDENTS

Respondent Kristi Noem ("Secretary Noem") is the Secretary of the Department of Homeland Security, the parent agency of Immigration and Customs Enforcement, which is currently engaging in the prolonged and unlawful detention of the Petitioner. Respondent Kristi Noem is sued in her official capacity as an agent of the United States Government.

Respondent Todd Lyons is the acting director of the United States Immigration and Customs Enforcement and has the authority over the actions of respondent Arthur Wilson, Johnny Choate, and ICE in general. Respondent Lyons is a legal custodian of Petitioner.

Respondent Arthur Wilson is the Field Office Director of Immigration and Customs Enforcement. He is in charge of the custody of all Immigration and Customs Enforcement detainees currently pending removal proceedings and determinations in the Colorado District Court. Respondent Arthur Wilson is sued in his official capacity as an agent of the United States Government.

Respondent Pamela Bondi is the Attorney General of the United States and, as such, has authority over the Department of Justice and is entrusted with the pivotal task of faithfully administering the immigration laws of the United States. Pamela Bondi is sued in her official capacity as an agent of the United States.

Respondent Executive Office for Immigration Review is the federal agency responsible for custody redeterminations relating to non-citizens charged with being removable from the United States.

Respondent Johnny Choate is the warden of the Aurora Detention Center and thus has custody over the Petitioner. Respondent Johnny Choate is sued in his official capacity as an agent of the United States.

Respondent United States Immigration and Customs Enforcement is the federal agency responsible for custody decisions relating to non-citizens charged with being removable from the United States – including the arrest, detention, and custody status of non-citizens.

Respondent The Board of Immigration Appeals is the federal agency responsible for appeals of custody redeterminations relating to non-citizens charged with being removable from the United States. Particularly, the same Board who issued the pertinent at-issue rulings in *Q Li* and *Matter of Yajure Hurtado*.

PROCEDURAL AND FACTUAL BACKGROUND

Upon information and belief, Petitioner entered the United States on June 12, 2024, when he was fleeing persecution in Mali (Exhibit 2). Petitioner departed Mali, he crossed Mauritania, Morocco, Spain, Colombia, El Salvador, Nicaragua, Honduras, Guatemala, and Mexico. Petitioner entered the United States on June 12, 2024 (Exhibit 2).

In May of 2024, Mr. BAH fled Mali; he crossed Mauritania, Morocco, Spain, Colombia, El Salvador, Nicaragua, Honduras, Guatemala, and Mexico before reaching the U.S. border. (Exhibit 2). Petitioner does not appear to have any relevant criminal history.

Petitioner is a member of the Fulani ethnic group. Petitioner speaks Pulaar and does not speak English. Petitioner has no formal education and cannot read or write. Petitioner has worked his entire life as a farmer. Petitioner was subjected to repeated physical violence in Mali. Petitioner was subjected to sexual assault while transiting through Mexico. On July 28, 2025, Petitioner filed a request for a bond redetermination. The Immigration Judge denied the bond request for lack of jurisdiction pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). On November 3, 2025, an Immigration

Judge granted Petitioner asylum (Exhibit 4). On December 2, 2025, the Department of Homeland Security appealed the Immigration Judge's decision.

LEGAL FRAMEWORK

I. Petitioner's Detention Pursuant to 8 U.S.C. § 1225 or § 1226

8 U.S.C. § 1225(a) provides that "[a]n alien present in the United States who has not been admitted or who arrives in the United States . . . shall be deemed for the purposes of this chapter an applicant for admission." 8 U.S.C. § 1225(a)(1). Applicants for admission are divided into two categories: those covered by § 1225(b)(1) and those covered by § 1225(b)(2). *See Jennings v. Rodriquez*, 538 U.S. 281, 287 (2018). Noncitizens detained under 1225(b)(2) must remain in custody for the duration of their removal proceedings, while those detained under 1226(a) are entitled to a bond hearing before an IJ at any time before the entry of a final removal order. *See eg. Rodriquez v. Bostock*, 779 F. Supp. 3d 1239, 1247 (W.D. Wash. 2025).

Mr. Bah's presence in the United States since June 12, 2024, indicates that his status is that of an alien present in the United States.[2] In *Jennings*, the Court explained that § 1225(b) governs "aliens seeking admission into the country" whereas § 1226(a) governs "aliens already in the country" who are subject to removal proceedings. 538 U.S. at 289. For those who have already entered into the interior of the United States, "the Court has recognized additional rights and privileges not extended to those in the former category who are merely 'on the threshold of initial entry.'" *Leng May Ma v. Barber*, 357 U.S. 185, 187 (1958) (citation omitted). Congress did not intend § 1225(b)(2) to apply to persons like Mr. Bah who were detained after being present in the United States, who has not committed any crimes, and who has attended every required meeting with immigration

officials. Mr. Bah is not subject to mandatory detention and cannot be denied a bond redetermination hearing for lack of jurisdiction under *Matter of Yajure Hurtado*.

II. Petitioner's Detention Violates the Due Process Clause

The Fifth Amendment to the United States Constitution provides that "[n]o person shall . . . be deprived of life, liberty, or property, without due process of law." U.S. Const. amend. V. To determine whether civil detention violates a detainee's Fifth Amendment procedural due process rights, courts apply the familiar three-part test articulated in *Mathews v. Eldridge*, 424 U.S. 319 (1976). *Matthews* requires courts to weigh three factors: (1) "The private interest that will be affected by the official action"; (2) "The risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards"; and, (3) "the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail." *Id.* at 335-36.

A. Petitioner Has a Legitimate Private Interest in Remaining Free from Physical Detention

"The interest in being free form physical detention" is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004). Petitioner, Djobo Bah, asserts that the government has violated his due process rights by subjecting him to continued civil detention following the Immigration Judge's grant of asylum. Releasing Mr. Bah does not preclude the government from moving forward with appellate review of the Immigration Judge's asylum decision. Moreover, his liberty interest is not diminished during the pendency of DHS's appeal, such that continued detention under 8 U.S.C. § 1226(a) without individualized custody review violates due process.

B. There is a Significant Risk of Erroneous Deprivation of Petitioner's Due Process Rights

Mr. Bah has not received the basic amount of process due to him regarding his detention status. As discussed above, although DHS may continue to detain noncitizens in removal proceedings while an appeal of an Immigration Judge's asylum grant is pending, no provision of the Immigration and Nationality Act authorizes continued detention without access to an individualized custody determination by an Immigration Judge. Mr. Bah sought a bond hearing on July 28, 2025, prior to any merit's determination of his asylum claim, which was denied solely for lack of jurisdiction under *Matter of Yajure Hurtado*. The second *Mathews* factor weighs heavily in his favor as he is presently and erroneously detained without an individualized custody determination or procedural safeguards, without for a bond hearing.

C. The Government Must Show a Compelling Interest in Detaining Petitioner Without Holding a Bond Hearing

Undoubtedly, the current administration, Congress, and public opinion consider immigration enforcement to be a vital public interest. However, it is also in the public interest that the due process rights of individuals subject to this enforcement are adequately protected by an individualized determination of an immigration judge as to whether said individuals are to be incarcerated for the entirety of the pendency of DHS's appeal of an asylum grant. Releasing Mr. Bah on bond, pursuant to an Immigration Judge's recommendation, does not preclude the government from moving forward with appellate review of the Immigration Judge's decision. Moreover, if appropriate, the judge may deny bond in a hearing.

All three *Mathews* factors weigh in Mr. Bah's favor. A finding of lack of jurisdiction for a bond redetermination under *Matter of Yajure Hurtado* is a violation of his due process rights under the Fifth Amendment.

III. Administrative Exhaustion Is Satisfied, and Alternatively, Further Exhaustion Would Be Futile

The exhaustion of available administrative remedies is a prerequisite for § 2241 habeas relief, although the Tenth Circuit recognizes that the statute itself does not expressly contain such a requirement. *Garza v. Davis*, 596 F.3d 1198, 1203 (10th Cir. 2010) (citing *Williams v. O'Brien*, 792 F.2d 986, 987 (10th Cir. 1986) (per curiam)). A narrow exception to the exhaustion requirement applies if a petitioner can demonstrate that exhaustion would be futile. *Id.* (citing *Fazzi v. Ne. Ohio Corr. Ctr.*, 473 F.3d 229, 235-36 (6th Cir. 2006); *Fairchild v. Workman*, 579 F.3d 1134, 1155 (10th Cir. 2009)). Futility in administrative remedy may found where, "the administrative body is shown to be biased or has otherwise predetermined the issue before it." *McCarthy v. Madigan*, 503 U.S. 140, 148 (1992); *see also Gibson v. Berryhill*, 411 U.S. at 575, n. 14 (1973).

As stated above, Petitioner requested a bond hearing on July 28, 2025. The Immigration Judge denied the bond request for lack of Jurisdiction under binding Board of Immigration Appeals precedent, specifically *Matter of Yajure Hurtado*. Accordingly, any further administrative exhaustion would be futile because the Board of Immigration Appeals has already resolved the jurisdictional issue in *Matter of Yajure Hurtado* and has made clear that immigration judges lack authority to consider bond in such circumstances.

CAUSES OF ACTION

FIRST CAUSE OF ACTION: Violation of Fifth Amendment Right to Due Process

Petitioner incorporates and references the above allegations herein.

The Due Process Clause of the Fifth Amendment to the United States Constitution prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V. Due Process protects "all 'persons' within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas*, 533 U.S. at 693. These protections extend to Petitioner, particularly in light of the prolonged unlawful detention being perpetuated by the Department of Justice and Department of Homeland Security- very agents of the federal government the Fifth Amendment seeks to protect against.

Here, the Petitioner is being deprived of due process under the Fifth Amendment to the United States Constitution because the Immigration Judge denied Petitioner's bond request on July 28, 2025, concluding that the court lacked jurisdiction under *Matter of Yajure Hurtado*, despite his placement in removal proceedings and the absence of any statutory bar to custody review. DHS and the DOJ have continued to detain Mr. Bah following the Immigration Judge's denial of bond jurisdiction, while simultaneously refusing to rectify the statutory and regulatory inconsistencies in their conduct. Under the INA, noncitizens in § 1226(a) proceedings are entitled to an individual bond determination before a neutral adjudicator, and the United States Supreme Court has further emphasized that civil immigration detention must include adequate procedural safeguards to satisfy the Fifth Amendment. Nevertheless, DHS has classified the Petitioner as an "arriving alien" under *Matter of Yajure Hurtado* and *Matter of Q. Li* solely because he entered without inspection and absent the very distinction the INA addresses in its plain text. The DOJ has further adopted the position that immigration judges thereby lack jurisdiction to review Petitioner's custody, depriving Petitioner from adequate protection and remedy under the INA and Fifth Amendment to the United States Constitution. As a result,

Petitioner is being held unlawfully, despite meeting the plain eligibility requirements under the INA for bond.

SECOND CAUSE OF ACTION: Violation of the Immigration and Nationality Act

Petitioner incorporates and references the above allegations herein.

The Immigration and Nationality Act (INA) sets forth specific circumstances under which the federal government may detain noncitizens. Under 8 U.S.C. § 1225(b)(1), arriving aliens may be detained pending a determination of admissibility. Under 8 U.S.C. § 1226(a), the Attorney General may take into custody aliens who are already in removal proceedings. Furthermore, 8 U.S.C. § 1226(c) mandates detention for certain criminal aliens during removal proceedings (none of which are applicable to Petitioner, as there is no evident criminal history for Petitioner). Once an alien is no longer subject to expedited removal, has completed credible fear proceedings, or does not fall within one of these statutory categories, the INA does not provide any authority to substantiate continued or prolonged detention. *Zadvydas v. Davis*, 533 U.S. 678, 682 (2001); *Jennings v. Rodriguez*, 583 U.S. 281, 298 (2018).

At issue is the impermissible expansion of "arriving alien" in *Matter of Yajure Hurtado* beyond the limits established by Congress. The very impermissibility underlying the definition expansion cannot subsequently and simultaneously serve as a basis to deny Petitioner a bond hearing, or bond altogether. The INA intentionally and expressly distinguishes between individuals seeking admission at the border ("arriving aliens") and those apprehended inside the United States ("applicants for admission"), assigning the former to the § 1225(b) detention framework and the latter to the discretionary custody-and-bond provisions of § 1226(a). The INA's specification and distinction reflects a specific intent by the INA to ensure that noncitizens are properly classified, providing

avenues for relief where such are warranted, and thereby preventing unlawful deprivation of relief. Instead, the federal government seeks to collapse this framework by unliterally maintaining and treating entry-without-inspection ("EWI") as functionally equivalent to presenting at a port of entry- two mechanisms which are separate and distinct from the other. *Hurtado* rewrites the statutory scheme, thereby nullifying Congress's deliberate decision to afford bond eligibility to non-arriving respondents- like Petitioner. It is evident that agency interpretations which explicitly and inexplicably contradict clear statutory text are thereby rendered invalid, and therefore DHS and the DOJ cannot rely on *Hurtado*'s baseless inconsistency to unilaterally deprive Petitioner of custody review. Accordingly, Petitioner must be classified and placed within the statutory framework that governs his actual circumstances- § 1226(a)- and afforded an individualized bond hearing before a neutral adjudicator, as the INA requires.

Because the Petitioner does not fall within any statutory class that would substantiate a basis for mandatory detention under the INA, his continued confinement is ultra vires, and he should be released immediately.

RESERVATION OF RIGHTS

Petitioner reserves the right to add additional allegations of agency error and related causes of action upon receiving the certified administrative record.

PRAYER FOR RELIEF

WHEREFORE, Petitioner requests that this Court grant the following relief:

A. Assume jurisdiction over the matter.

B. Declare Petitioner's detention without a possibility of bond unlawful pursuant to the Due Process clause of the Fifth Amendment of the United States Constitution, and the Immigration and Nationality Act.

C. Order Petitioner's immediate release on bond.

D. Award Petitioner costs of suit and attorney's fees under the Equal Access to Justice Act, 42 U.S.C. § 1988 and any other applicable law.

E. Enter all necessary relief, injunctions, and orders as justice and equity as appropriate to remedy the harms to Petitioner.

F. Grant such further relief as this Court deems just and proper.

DATED this 14th day of January 2026.

Respectfully submitted,

/s/Wei Ting Hsing

Counsel for Petitioner

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

I am submitting this verification on behalf of Petitioner because I am one of Petitioner's attorneys. I have discussed with Petitioner's family the events described in this Petition. 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 this 14th day of January 2026.

Respectfully Submitted,

/s/Wei Ting Hsing