

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSE NAVARRO MARTINEZ,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

Case No. 2:26-cv-00032-JNW

RESPONDENT'S NOTICE OF
SUPPLEMENTAL AUTHORITY

Pursuant to Local Civil Rule 7(n), Respondent's hereby bring to the Court's attention relevant supplemental authority which was issued after the briefing was complete on Petitioner's habeas petition. On February 6, 2026, the Fifth Circuit issued a decision in *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026), which agrees with the government's position that noncitizens who are present in the United States who have not been admitted, including noncitizens that have lived in the United States for years after unlawfully entry, are applicants for admission that are subject to mandatory detention pursuant to 8 U.S.C. § 1225(b)(2)(A) pending their removal proceedings. The Fifth Circuit reversed the district courts' orders to provide petitioners with bond hearings or release them, and remanded the cases for further proceedings.

1 DATED this 9th day of February, 2026.

2 Respectfully submitted,

3 s/ Michelle R. Lambert

4 MICHELLE R. LAMBERT, NYS #4666657

5 Assistant United States Attorney

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7 Western District of Washington

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13 *Attorneys for Respondent*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the Western District of Washington and of such age and discretion as to be competent to serve papers;

I further certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following CM/ECF participant(s):

- 0 -

I further certify that on this date, I arranged for service of the foregoing on the following non-CM/ECF participant, via Certified Mail, return receipt requested, postage prepaid, addressed as follows:

Jose Navarro Martinez, *Pro Se* Petitioner
A#
Northwest Detention Center
1623 E. J Street, Suite 5
Tacoma, WA 98421-1615

DATED this 9th day of February, 2026..

s/ Stephanie Huerta-Ramirez

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