

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No.:**

**ADAN SANCHEZ-MORALEZ,**

Petitioner,

v.

**FIELD OFFICE DIRECTOR,**

Miami Field Office,

U.S. Immigration and Customs Enforcement;

**KRISTI NOEM**, in her official capacity as the  
Secretary of the Department of Homeland  
Security (DHS),

Respondents.

**VERIFIED PETITION FOR WRIT OF HABEAS CORPUS & COMPLAINT FOR  
INJUNCTIVE AND DECLARATORY RELIEF**

The petitioner, Adan Sanchez-Moralez, submits this Verified Petition for Writ of Habeas Corpus & Complaint for Injunctive and Declaratory Relief, by and through undersigned counsel, and alleges as follows:

**INTRODUCTION**

1. The petitioner is a Mexican national who has resided in the United States for twenty years. **Appx, pp. 1-3.**
2. The petitioner entered the United States without inspection in 2006 and has resided here since that time.

3. He is currently under civil immigration custody by the respondents at the Krome North Service Processing Center (Krome) in Miami, Florida.<sup>1</sup> **Appx, p. 4.**

4. On May 22, 2017, the petitioner filed a Form I-140, Immigrant Petition for Alien Worker which was later denied. **Appx, p. 5-6.**

5. Following the denial notice, the petitioner was issued a Notice to Appear (NTA) on August 6, 2020, which initiated removal proceedings. **Appx, pp. 7-9.**

6. On November 19, 2025, the petitioner was detained by Miami-Dade police officers following a traffic stop.

7. At the time of his detention, the petitioner was pending a merit hearing before the Miami Immigration Court on his properly filed application for Asylum, Withholding of Removal, and protection under the Convention Against Torture. **Appx, p. 10.**

8. The petitioner was later transferred to Immigration and Customs Enforcement (ICE) custody.

9. On January 6, 2026, the Immigration Judge denied the petitioner's request for custody redetermination citing lack of jurisdiction under *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025) which held that applicants for admissions are subject to mandatory detention for the remainder of their removal proceedings under 8 U.S.C. § 1225(b)(2)(A) (2018). **Appx, p. 11-12.**

10. The petitioner remains in civil immigration detention at Krome without eligibility for a custody redetermination, bond hearing.

11. The reliance of the Department of Homeland Security (DHS) on *Matter of Hurtado*—rejecting the argument that a noncitizen who entered the United States without

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<sup>1</sup> Petitioner name is listed on the ICE Detainee locator page as Adan Sanchez-Perez, **Appx, p. 4**, pursuant to alias in his case. **Appx, p. 7-9.**

inspection and has resided here for years is not seeking admission under § 1225(b)(2)(A)—is misplaced and does not align with the circumstances surrounding the petitioner’s recent detention.

12. Rather, the petitioner’s immigration custody is governed by § 1226(a), and he is entitled by agency rules and regulations to a bond hearing.

13. Notwithstanding the recent orders in *Bautista v. Santacruz*, — F. Supp. 3d —, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3713987 (C.D. Cal. Dec. 18, 2025) (amended order consolidating the Court’s orders on motion for partial summary judgement, class certification, and application for reconsideration or clarification), and *Bautista v. Santacruz*, — F.R.D. —, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403, at 9 (C.D. Cal. Nov. 25, 2025) (“Accordingly, Petitioners satisfy Rule 23(b)(2). When considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.”), the Department of Justice is taking the position that immigration judges must still follow the BIA’s precedent in *Matter of Yajure Hurtado*.

14. First, the petitioner brings an action for injunctive relief under the Administrative Procedure Act, 5 U.S.C. § 701, et seq., against the respondents to enforce the *Bautista* court’s class wide declaratory relief order in the petitioner’s favor.

15. Second, the petitioner brings a non-core habeas petition for injunctive relief ordering that he be afforded a bond hearing in accordance with 8 U.S.C. § 1226 and its implementing regulations and case law.

### **JURISDICTION**

16. The Court has jurisdiction over this case and may grant relief pursuant to 28 U. S. C. § 2241, et seq., (habeas corpus) and pursuant to Art. I § 9, cl. 2 of the U.S. Constitution (the Suspension Clause).


17. The Court also has jurisdiction over this case under 28 U.S.C. § 1331 (federal question), and may grant relief pursuant to the Administrative Procedure Act (APA), 5 U.S.C. §§ 701, et seq., the All-Writs Act, 28 U.S.C. § 1651, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201–02.

18. Federal district courts have jurisdiction to hear habeas claims by non-citizens challenging the lawfulness of their detention. *See, e.g., Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

### VENUE

19. Venue is proper in the Southern District of Florida under 28 U.S.C. §§ 1391(e)(1)(B) and (C) because “a substantial part of the events or omissions giving rise to the claim occurred,” and because the plaintiff resides in this district.

### PARTIES

20. The petitioner, Adan Sanchez Morales, is a Mexican citizen and national, who resides in Miami, Florida. His alien registration number (“A no.”) is A  Appx, p. 7-9.

21. The respondent, **Field Office Director**, Miami Field Office, U.S. Immigration and Customs Enforcement is sued in his or her official capacity. In this capacity, the Field Office Director has jurisdiction over the detention facility in which the petitioner is held, is authorized to release the petitioner, and is a legal custodian of the petitioner.

22. The respondent, **Kristi Noem**, is sued in her official capacity as the United States Secretary of the Department of Homeland Security (DHS). In this capacity, she has supervisory authority over all operations of the Department of Homeland Security (DHS) and its component agencies. 6 U.S.C. § 112, 8 U.S.C. § 1101(a)(1). This includes authority over: United States

Customs and Border Protection (CBP), United States Border Patrol (USBP), U. S. Citizenship and Immigration Services (USCIS), and U. S. Immigration and Customs Enforcement (ICE).

### **EXHAUSTION OF REMEDIES**

23. For the plaintiff's APA claim under Count I, there are no administrative remedies available that the plaintiff is required to exhaust under *Darby v. Cisneros*, 509 U. S. 137 (1993).

24. As for the plaintiff's Count II habeas claim, there are no administrative remedies that he must pursue under the futility rule. *Boffill v. Field Off. Dir.*, No. 25-CV-25179-BECERRA, 2025 WL 3246868, at 4–5 (S.D. Fla. Nov. 20, 2025) (collecting cases).

25. In this case, exhaustion serves no purpose because the conclusion of the administrative process can be readily presumed and would not provide for an adequate remedy given the Board of Immigration Appeal's (BIA) recent decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Because the BIA has already predetermined the issue, requiring the petitioner to make an administrative request for a bond hearing would be futile. *Ortiz v. Noem*, No. 3:25-CV-1386-MMH-MCR, 2025 WL 3653217, at 3 (M.D. Fla. Dec. 17, 2025).

26. Generally, "exhaustion is not required where no genuine opportunity for adequate relief exists . . . or an administrative appeal would be futile[.]" *Linfors v. United States*, 673 F.2s 33, 334 (CA11 1982). Accordingly, the petitioner urgently seeks and is entitled to habeas relief because he has no meaningful opportunity to challenge the constitutionality of his detention through any available administrative process. *Boumediene v. Bush*, 553 U.S. 723, 783 (2008).

### **LEGAL FRAMEWORK FOR ENTRY AND DETENTION**

27. Section 1229a of Title 8 of the U.S. Code (Section 240 of the INA) describes the primary process through which the government seek to remove non-citizens from the United

States. It specifies that “[u]nless otherwise specified in this chapter, a proceeding under this section shall be the sole and exclusive procedure for determining whether an alien may be . . . removed from the United States.” 8 U.S.C. § 1229a(a)(3).

28. To initiate removal proceedings against a non-citizen under Section 1229a, the Government must issue the non-citizen a Notice to Appear (NTA). 8 U.S.C. § 1229(a)(1). Most non-citizens go through removal proceedings from outside detention. But ICE is increasingly detaining non-citizens during their removal proceedings.

29. Section 1226 of Title 8 of the U.S. Code (Section 236 of the INA) is the default provision that governs the arrest and detention of non-citizens pending removal proceedings. It states that “on a warrant issued by the Attorney General,<sup>2</sup> a[] [non-citizen] may be arrested and detained pending a decision on whether the [non-citizen] is to be removed from the United States” 8 U.S.C. § 1226(a). Non-citizens arrested upon a warrant and in ongoing removal proceedings are eligible to seek bond from an IJ. *Id.* § 1226(a)(2) (emphasis added).

30. A **separate** provision governs the detention of people who seek admission to the United States **at the border**. It states that “in the case of a [non-citizen] who is an applicant for admission, if the examining immigration officer determines that a [non-citizen] seeking admission is not clearly and beyond a doubt entitled to be admitted, the non-citizen shall be detained for a proceeding under section 1229a of this title.” 8 U.S.C. § 1225(b)(2)(A). IJs do not have jurisdiction to grant bond for such “applicant[s] for admission,” though DHS retains the discretion to release

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<sup>2</sup> In 2003, the Immigration and Naturalization Service (INS) within the Department of Justice (DOJ) became what is now ICE, which is housed within DHS. Therefore, some statutory references to the “Attorney General,” like this one, now refer to the Secretary of DHS.

such non-citizens on a specific type of parole “for urgent humanitarian reasons or significant public benefit.” 8 U.S.C. § 1182(d)(5)(A).

### FACTUAL ALLEGATIONS

31. In 2006, the petitioner entered the United States without inspection or parole. **Appx, pp. 7-9.**

32. On May 22, 2017, the petitioner applied for a Form I-140, Immigrant Petition for Alien Worker. **Appx, p. 5-6.**

33. The United States Citizenship and Immigration Services (USCIS) denied the petition on November 6, 2018. **Appx, pp. 5-6.**

34. On August 6, 2020, the petitioner was issued an NTA which charged him as an alien present in the United States without admission or parole who was subject to removal under section 212(a)(6)(A)(i) of the Immigration and Nationality Act. **Appx. 7-9.**

35. The petitioner submitted his application for asylum, withholding of removal, and protection under the regulations implementing the Convention Against Torture (CAT)<sup>3</sup> before the Miami Immigration Court. **Appx, p. 10.**

36. On November 19, 2025, the petitioner was arrested by Miami-Dade police officers following a traffic stop. He was subsequently transferred to ICE custody. **Appx, p. 4.**

37. On January 6, 2026, the Immigration Judge denied the petitioner’s request for custody redetermination citing to lack of jurisdiction under *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). **Appx, pp. 11-12.**

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<sup>3</sup> The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, S. Treaty Doc. No. 100-20, 1465 U.N.T.S. 85 (entered into force for United States on Nov. 20, 1994).

38. The petitioner remains in ICE custody at Krome without a meaningful opportunity to contest his detention.

39. On November 20, 2025, the District Court for the Central District of California entered a partial summary judgment order granting, *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861, at 11 (C.D. Cal. Nov. 20, 2025), declaratory relief that the government's policies relating to denying bond hearings is unlawful, *id.*, at 2, but denying entry of final judgment "[b]ecause Petitioners have filed a pending motion for class certification," *id.*, at 11.

40. Five days later, the District Court for the Central District of California certified the following class:

**Bond Eligible Class:** All noncitizens in the United States without lawful status who (1) have entered or will enter the United States without inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the Department of Homeland Security makes an initial custody determination.

*Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403, at 9 (C.D. Cal. Nov. 25, 2025).

41. Further, the Court extended its partial summary judgment order in favor of the entire class. *Bautista*, 2025 WL 3288403, at \*9 ("When considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.").

42. On December 4, 2025, the plaintiffs-petitioners in the *Bautista* case filed an application for reconsideration and clarification "to address the government's ongoing refusal to comply with this Court's orders and provide class members with bond hearings," and requesting, among other things, entry of a final judgment. Ex Parte Application for Reconsideration and Clarification (D.E. 87), *Maldonado Bautista v. Noem*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.

Dec. 4, 2025).

43. The next day, the Court entered an order requiring the government to respond by 12 pm on December 10, 2025. (In Chambers) Order (D.E. 89), *Maldonado Bautista v. Noem*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. Dec. 5, 2025).

44. On December 18, 2025, the Court entered an order consolidating the Court's orders on motion for partial summary judgment, class certification, and application for clarification. *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3713987, at 32 (C.D. Cal. Dec. 18, 2025), judgment entered sub nom. *Maldonado Bautista v. Noem*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3678485 (C.D. Cal. Dec. 18, 2025) (certifying the class, finding the DHS policy unlawful, and vacating its policy as contrary to law).

45. The plaintiff is undoubtedly a member of the class certified by the *Bautista* court.

46. Notwithstanding the *Bautista* case, immigration judges across the country are taking the position that the *Bautista* orders do not alter the binding nature of *Matter of Yajure Hurtado* upon them. **Appx, pp. 13-22.**

47. Additionally, the Department of Justice has taken a similar position in habeas litigation. **Appx. pp. 23-33.**

48. Thus, the petitioner brings an action for injunctive relief under the Administrative Procedure Act, 5 U.S.C. § 701, et seq., against the respondents to enforce the *Bautista* court's class wide declaratory relief order in the petitioner's favor.

49. The petitioner also brings a non-core habeas petition for injunctive relief ordering that he be afforded a bond hearing in accordance with 8 U.S.C. § 1226 and its implementing regulations and case law.

#### **ALLEGATIONS OF LEGAL ERROR**

50. As several Judges in this District have already held, the petitioner and persons like him are not subject to mandatory detention under 8 U. S. C. § 1225(b)(2), and thus have a right to pursue the custody review processes afforded by § 1226 and its implementing regulations and case law. E. g., Order (D.E. 6) at 7, *Franco v. Att’y Gen.*, No. 25-25466-CV-WILLIAMS (S.D. Fla. Dec. 1, 2025) (“The IJ and Respondents’ interpretation of the INA ‘directly contravenes the statute, disregards decades of settled precedent,’ and is erroneous.”) (citations omitted); *id.*, at 11 n. 4 (noting “the continued onslaught of litigation being generated by Respondents’ widespread illegal detention practices”); *id.*, at 7–12 (collecting cases across the country); *Fernandez v. Ripa*, Order (D.E. 17) at 10–16, 1:25-cv-24981-LEIBOWITZ (S.D. Fla. Nov. 25, 2025); *Ardon-Quiroz v. Assistant Field Off. Dir.*, No. 25-CV-25290-BECERRA, 2025 WL 3451645, at 5–7 (S.D. Fla. Dec. 1, 2025); *Boffill v. Field Off. Dir.*, No. 25-CV-25179-BECERRA, 2025 WL 3246868, at 5–7 (S.D. Fla. Nov. 20, 2025); *Puga v. Assistant Field Off. Dir., Krome N. Serv. Processing Ctr.*, No. 25-24535-CIV-ALTONAGA, 2025 WL 2938369, at 3–5 (S.D. Fla. Oct. 15, 2025); *Merino v. Ripa*, No. 25-23845-CIV-MARTINEZ, 2025 WL 2941609, at 3 (S.D. Fla. Oct. 15, 2025); see also *id.*, at 4 (ruling that automatic stay regulations violate procedural due process).

51. It cannot be said that someone who is present in the United States who has not been admitted, § 1225(a)(1), but is not in the process of “arriv[ing] in the United States,” cannot be said to be actually “apply[ing] for” § 1101(a)(4), “admission,” § 1101(a)(13)(A), because they are no longer in a position or state where they can seek “lawful entry . . . into the United States after inspection and authorization by an Immigration Officer,” § 1101(a)(13)(A); *State v. Meadows*, 88 F. 4th 1331, 1339 (CA11 2023).

52. The fact that the petitioner is a class member in the *Bautista* case does not preclude him from seeking individualized injunctive relief via the APA or habeas.

53. First, class wide injunctive relief was prohibited by 8 U. S. C. § 1252(f) in the *Bautista* case, which is why the Court's order there was declaratory in nature. *Bautista*, 2025 WL 3288403, at 7–8.

54. Thus, individualized injunctive relief (via the APA or habeas) by class members is not barred by claim preclusion because such relief was not and is not being sought by the class representatives in the *Bautista* case. *Hiser v. Franklin*, 94 F. 3d 1287, 1291 (CA9 1996) (“Hiser’s claims for damages and individual injunctive relief are clearly not barred by res judicata because they could *not* have been brought in the *Cleary* litigation.”); see also *Fortner v. Thomas*, 983 F. 2d 1024, 1031 (CA11 1993) (“It is clear that a prisoner’s claim for monetary damages or other particularized relief is not barred if the class representative sought only declaratory and injunctive relief, even if the prisoner is a member of a pending class action.”) (citations and footnote omitted); *Spears v. Johnson*, 859 F. 2d 853, 855 (CA11 1988), opinion vacated in part on reconsideration, 876 F.2d 1485 (CA11 1989) (“Because Spears **seeks relief different from that requested by the class representatives** in *Newman*, we may conclude from our decisions in *Herron*, *Jordan* and *Bogard* that Spears’ petition should not have been dismissed.”) (emphasis added); *Herron v. Beck*, 693 F. 2d 125, 127 (CA11 1982) (“First, although the class action in *Brown v. Beck v. Evans*, *supra*, did involve various conditions in the same jail, the class representatives sought only declaratory and injunctive relief, not damages. Thus, the appellant’s claim for damages would not be barred by the class action.”) (citations omitted).

55. Second, the Department of Justice and immigration judges are uniformly taking the position, across the country, that *Bautista* class members are not entitled to bond hearings notwithstanding the District Court’s orders in that case, hence the need for this Court’s intervention. **Appx, pp. 13-33.**

56. Third, the party who would be precluded by the *Bautista* Court's order would be the government under the doctrine of issue preclusion, specifically, with regard to the statutory issue of whether 8 U. S. C § 1225(b)(2)(A) or § 1226 applies to a person like the petitioner here. See *Parklane Hosiery Co. v. Shore*, 439 U. S. 322, 331–33 (1979) (allowing use of non-mutual offensive collateral estoppel by plaintiffs in subsequent litigation).<sup>4</sup>

57. Fourth, in this Circuit, non-final orders in a case, such as partial summary judgment orders, that were fully and fairly litigated, as occurred in the *Bautista* case, are entitled to issue preclusion. *Christo v. Padgett*, 223 F. 3d 1324, 1339 (CA11 2000) (“It is widely recognized that the finality requirement is less stringent for issue preclusion than for claim preclusion.”); *id.*, at 1338–40 (applying issue preclusion to findings in an order on a motion to dismiss that was not a final judgment); *Dana v. E.S. Originals, Inc.*, 342 F. 3d 1320, 1325 (Fed. Cir. 2003) (“The *Christo* case makes clear (as does our decision in *RF Delaware*) that the Eleventh Circuit follows the more flexible approach employed by the Restatement of Judgments, which gives collateral estoppel effect to orders that do not constitute final, appealable judgments if they are ‘sufficiently firm to be accorded conclusive effect.’”) (quoting *Christo*, 223 F. 3d, at 1339 n. 47); *id.*, at 1324 (“With regard to whether the party to be estopped had a full and fair opportunity to litigate and whether the partial summary judgment orders were sufficiently final to be accorded preclusive effect, this case is closer to *Christo* than to *RF Delaware*.”).

58. Last, individualized lawsuits can be brought by members of a class to obtain relief on claims which are based on issues that were previously decided in the class litigation. E. g.,

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<sup>4</sup> But seeing that the petitioner is a *Bautista* class member, his argument for offensive collateral estoppel would be a mutual one, not non-mutual.

*Brown v. R.J. Reynolds Tobacco Co.*, 611 F. 3d 1324, 1326–29 (11th Cir. 2010) (describing *Engle* litigation).

## CLAIMS FOR RELIEF

### COUNT I:

#### **Injunction to Enforce Class Wide Declaratory Relief**

59. The allegations in paragraphs 1-58 are realleged and incorporated herein.

60. Notwithstanding that the plaintiff is a *Bautista* class member, and that he is a beneficiary of the declaratory relief ordered in that case, the respondents will not afford him a bond hearing in accordance with 8 U. S. C. § 1226(a) and its implementing regulations and case law.

61. The actions of the respondents are part of a nationwide pattern and practice of the Immigration Courts under the purview of the Department of Justice’s Executive Office of Immigration Review.

62. The plaintiff has “suffer[ed] legal wrong,” and has been “adversely affected” and “aggrieved” by these actions of the respondents. 5 U. S. C. § 702.

63. The actions of the respondents are “arbitrary, capricious, an abuse of discretion, [and] otherwise not in accordance with law,” and are “without observance of procedure required by law.” 5 U.S.C. § 706(2)(A) & (D).

64. As such, the plaintiff is entitled to injunctive relief, § 703, to immediately enforce the declaratory relief afforded to him by the *Bautista* court.

### COUNT II:

#### **Civil Immigration Detention in Violation of Statute**

65. The allegations in paragraphs 1-58 are realleged and incorporated herein.

66. No immigration statute aside from 8 U. S. C. § 1226(a) authorizes the plaintiff’s ongoing and continued civil immigration detention.

67. And yet, the government continues to hold him in detention denying his rights as guaranteed by him under § 1226(a) and its implementing regulations and case law.

68. The decision of *Matter of Yajure Hurtado*, 25 I&N Dec. 216 (BIA 2025), is unlawful, and the government's reliance upon it to deprive the plaintiff of a hearing under 8 U.S.C. § 1226(a) is also unlawful.

69. Therefore, the plaintiff is entitled to a writ of habeas corpus ordering that he be immediately given a custody redetermination hearing before an immigration judge in accordance with 8 U.S.C. § 1226(a) and its implementing regulations and case law.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that this Honorable Court grant the following relief:

- (a) Assume jurisdiction over this matter;
- (b) Set this matter for expedited consideration pursuant to 28 U.S.C. § 1657;
- (c) Order the defendants to show cause why all the relief requested by the plaintiff should not be granted within three days, and allowing the plaintiff three days to file a traverse, and, if necessary, set a hearing on this matter within five days of the submission of the return, pursuant to 28 U. S. C. § 2243;
- (d) Order the defendants to refrain from transferring the petitioner out of the jurisdiction of this Court during the pendency of this proceeding and while the plaintiff remains in the defendants' custody;
- (e) Grant the plaintiff an injunction compelling the defendants to comply with the class wide declaratory relief ordered by the District Court in *Bautista v. Santacruz*, — F. Supp. 3d —, No. 5:25-CV-01873-SSS-BFM, 2025 WL 37138987 (C.D. Cal. Dec. 18, 2025).
- (f) Grant the plaintiff a writ of habeas corpus ordering that he be immediately given a

custody redetermination hearing before an immigration judge in accordance with 8 U.S.C. § 1226(a) and its implementing regulations and case law;

(g) Award plaintiff attorneys' fees and costs under the Equal Access to Justice Act (EAJA), as amended, 5 U.S.C. § 2412, and on any other basis justified under law; and

(h) Grant any other and further relief that the Court deems just and proper.

Dated: January 13, 2026

Respectfully submitted,

**s/ Anthony Richard Dominguez**

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**s/Maitte Barrientos**

Fla. Bar No. 1010180

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**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 Petitioner's attorney. I have discussed with the Petitioner the events described in this Petition. Based on those discussions, I hereby verify that the statements made in this Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: January 13, 2026

Respectfully submitted,

**s/ Anthony Richard Dominguez**

Fla Bar No. 1002234