UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

CRISTIAN ANDRES CHICA *Petitioner,* v. **KRISTI NOEM,** Secretary of the U.S. Department of Homeland Security, in her official capacity; **U.S. DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI** Attorney General of the United States, in her official capacity; **TODD M. LYONS**, Acting Director, U.S. Immigration and Customs Enforcement, in his official capacity**; DAVID O'NEILL,** Director of the Philadelphia Field Office of the U.S. Immigration and Customs Enforcement, in His official capacity; and **JAMAL L. JAMISON**, Warden of the Federal Detention Center in Philadelphia, in His Official Capacity *Respondents*.	Case No. 2:26-cv-00247 **ORAL ARGUMENT REQUESTED**

PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241

EMERGENCY FILING TO PRESERVE JURISDICTION

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

Petitioner Cristian Andres Chica, A#[redacted] respectfully petitions this Honorable Court for a writ of *habeas corpus* to remedy Petitioner's unlawful detention by Respondents, as follows:

I. INTRODUCTION

1. This Petition challenges Petitioner's unlawful civil detention by Immigration and Customs Enforcement ("ICE") following years of full compliance with his conditional parole into the United States pursuant to INA § 236(a).
2. Petitioner Cristian Andres Chica, A#[redacted] is a citizen of Colombia who entered the United States at or near Eagle Pass, Texas, on or about October 23, 2022, and was charged for entering without inspection ("EWI") under INA § 212 (a)(6)(A)(i). **See Exhibit A.** Petitioner remained in DHS custody for approximately two (2) days, and was thereafter paroled into the United States under DHS's discretionary parole authority under 8 U.S.C. § 1226(a), INA § 236(a), release on recognizance. ***Id.*** Regardless of the manner of entry, DHS's discretionary decision to grant conditional parole under 8 U.S.C. § 1226(a) terminated any mandatory detention authority under 8 U.S.C. § 1225(b). See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6–7 (E.D. Pa. Nov. 14, 2025).
3. Following his conditional parole into the United States , Petitioner sought additional immigration relief by filing an Application for Asylum, Withholding of Removal, and protections under the Convention Against Torture ("CAT") with U.S. Citizenship and

Immigration Services ("USCIS") in 2023, underscoring DHS's recognition that Petitioner was properly present in the United States following his release and eligible to pursue relief through established statutory processes. **See Exhibit B.** His I-589 Application is now pending before the Immigration Court.

4. Following his release, Petitioner relocated to Philadelphia, Pennsylvania, where he fully complied with all ICE reporting requirements, maintained steady employment for over two years, paid annual taxes, and provided financial support to his cousin and her U.S.-citizen daughter, helping pay rent and househouse expenses.

5. Despite this long record of compliance, ICE abruptly detained Petitioner after he appeared voluntarily for a scheduled ICE check-in on January 13, 2026, without prior notice, without identifying any lawful statutory basis for detention, and without providing a bond hearing. ICE's actions violate the Immigration and Nationality Act and the Fifth Amendment's Due Process Clause. See *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

6. Once DHS paroles a noncitizen into the United States, whether through conditional parole or humanitarian parole, any subsequent detention authority, if it exists, arises under 8 U.S.C. § 1226(a) and requires an individualized bond hearing. *Rios Porras*, slip op. at 4–5; *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *2–3 (E.D. Pa. Nov. 18, 2025).

7. Because DHS previously exercised its parole authority over Petitioner by releasing him on self-recognizance in 2022, its present detention of Petitioner is governed by 8 U.S.C. § 1226(a). As such, any subsequent detention must proceed under that statute and requires access to an individualized, non-illusory review of his ongoing detention. ICE's attempt to detain Petitioner without such process is unlawful.

II. PARTIES

8. Petitioner Cristian Andres Chica is a noncitizen currently detained by Respondents in the Eastern District of Pennsylvania.

9. Respondent Jamal L. Jamison is named in his official capacity as the Warden of the Federal Detention Center–Philadelphia ("FDC Philadelphia"), located in Philadelphia, Pennsylvania. Respondent Jamison has immediate physical custody of Petitioner pursuant to a contract with ICE to detain noncitizens and is a proper respondent to this habeas petition. See *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004).

10. Respondent David O'Neill is named in his official capacity as the Philadelphia Field Office Director for ICE Enforcement and Removal Operations ("ERO"). In this capacity, Respondent O'Neill is responsible for the administration and management of ICE detention and enforcement operations within the Eastern District of Pennsylvania and exercises legal control over Petitioner's custody.

11. Respondent Todd M. Lyons is named in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement. In this capacity, Respondent Lyons is responsible for the administration and enforcement of federal immigration laws, including detention determinations, and is a legal custodian of Petitioner. Respondent Lyons's office is located at 500 12th Street, S.W., Washington, D.C. 20536.

12. Respondent Department of Homeland Security ("DHS") is the federal agency responsible for implementing and enforcing the Immigration and Nationality Act ("INA"), including the detention, parole, and removal of noncitizens. DHS exercises ultimate authority over ICE and Petitioner's detention.

13. Respondent Kristi Noem is named in her official capacity as the Secretary of the U.S. Department of Homeland Security ("DHS"). DHS oversees ICE, which is responsible for administering and enforcing the immigration laws and for Petitioner's detention. Secretary Noem is the ultimate legal custodian of Petitioner. Her office is located at the U.S. Department of Homeland Security, Washington, D.C. 20528.
14. Respondent Pamela Bondi is named in her official capacity as Attorney General of the United States and senior official of the U.S. Department of Justice. In that capacity, she has the authority to adjudicate removal cases and oversees the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the Board of Immigration of Appeals (BIA).

III. JURISDICTION AND VENUE

15. This action arises under the Fifth and Fourteenth Amendments to the U.S. Constitution.
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17. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 2241, Art. I § 9, cl. 2 of the United States Constitution, 28 U.S.C. § 1331, and 28 U.S.C. § 1361. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.
18. The United States has waived sovereign immunity for this action for declaratory and injunctive relief against one of its agencies and that agency's officers are sued in their official capacities. *See* 5 U.S.C. § 702.
19. Venue is proper in this District because the Petitioner is detained in this district. 28 U.S.C. § 1391; *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004).

IV. STATEMENT OF FACTS

20. Petitioner Christian Andres Chica, A# [redacted] is a noncitizen from Colombia, who is in ICE custody and is currently detained at FDC in Philadelphia, Pennsylvania.

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22. Petitioner entered the United States at or near Eagle Pass, Texas, on or about October 23, 2022, and was served with an NTA charging him as removable under INA § 212(a)(6)(A)(i).

23. Petitioner was detained for approximately two days following his apprehension near the border and was subsequently released on recognizance pursuant to INA § 236(a), 8 U.S.C. § 1226(a). ***Id***. *at* **Exhibit A**.

24. DHS served Petitioner with a Notice to Appear dated October 24, 2022, instructing him to appear before the Immigration Court on October 31, 2023, for a Master Calendar Hearing.

25. After his release, Petitioner relocated to Philadelphia, where he fully complied with all ICE supervision requirements, including attending all regular ICE check-ins.

26. For the past two years, Petitioner has maintained steady employment and has provided support to his cousin and her U.S.-citizen daughter, including assisting with rent and housing expenses.

27. In 2023, Petitioner timely filed an affirmative application for asylum with U.S. Citizenship and Immigration Services ("USCIS"). ***Id.*** at **Exhibit B.** His application is now pending before the Immigration Court.

28. After years of adherence to immigration conditions and establishing a presence in the community, Petitioner was abruptly detained after appearing voluntarily for a regularly-scheduled ICE check-in on January 13, 2026, without prior notice, without a bond hearing, and without any contemporaneous explanation of the statutory basis for this action.

29. ICE did not identify any statutory authority for detaining Petitioner and did not provide him with an individualized custody determination.

30. To the extent ICE is asserting detention authority under 8 U.S.C. § 1225(b), as it has repeatedly done in materially identical cases throughout this District, such detention is unlawful because DHS already exercised parole authority under INA § 236(a)**.**

31. Because Petitioner is being detained without clear statutory authorization and in violation of the Fifth Amendment's Due Process Clause, Petitioner requests that this Court issue the writ of *habeas corpus* and order Petitioner's immediate release, or at minimum, an individualized bond hearing under 8 U.S.C. § 1226(a).

V. EXHAUSTION OF ADMINISTRATIVE REMEDIES

32. There is no statutory requirement of exhaustion of administrative remedies where a noncitizen challenges the lawfulness of his detention. *Arango Marquez v. I.N.S.*, 346 F.3d 892, 897 (9th Cir. 2003). Any requirement of administrative exhaustion is therefore purely discretionary. *See Santos v. Lowe*, No. 1:18-cv-1553, 2020 WL 4530728, at *2 (M.D. Pa. Aug. 2020) ("[T]he exhaustion requirement imposed by courts relating to habeas corpus petitions filed by immigration detainees is a prudential benchmark which is not compelled by statute.").

33. There is no statutory requirement of exhaustion of administrative remedies where a noncitizen challenges the lawfulness of his detention. *Arango Marquez v. I.N.S.*, 346 F.3d 892, 897 (9th Cir. 2003). Any requirement of administrative exhaustion is therefore purely discretionary. *See Santos v. Lowe*, No. 1:18-cv-1553, 2020 WL 4530728, at *2 (M.D. Pa. Aug. 2020) ("[T]he exhaustion requirement imposed by courts relating to habeas corpus petitions filed by immigration detainees is a prudential benchmark which is not compelled by statute.").

34. In making that decision, the Court should consider the urgency of the need for immediate review. "Where a person is detained by executive order . . . the need for collateral review is most pressing. . . . In this context the need for habeas corpus is more urgent." *Boumediene v. Bush*, 553 U.S. 723, 783 (2008) (waiving administrative exhaustion for executive detainees).

35. Moreover, the exhaustion "doctrine is not without exception." *Ashley v. Ridge*, 288 F. Supp. 2d 662, 666. (D.N.J. 2003). "Courts have found that the exhaustion of administrative remedies may not be required when available remedies provide no opportunity for adequate relief, an administrative appeal would be futile, or if the plaintiff has raised a substantial constitutional question." *Id*. at 666-67.

36. Administrative relief would be futile in this matter, as recent decisions by the Board of Immigration Appeals ("BIA") have rendered bond hearings through the Immigration Courts illusory. The BIA has maintained its position that an Immigration Judge lacks jurisdiction to conduct a bond hearing or provide any relief, rendering administrative exhaustion futile.

37. Finally, the Immigration Court and/or BIA do not have jurisdiction to fully adjudicate Petitioner's present claim. The Third Circuit has held that the BIA does not have jurisdiction to adjudicate Constitutional issues. *Qatanani v. Att'y Gen. of the U.S.*, 144 F.4th 485, 500 (3d Cir. 2025); *see also Ashley*, 288 F. Supp. 2d at 667 (citation omitted). Here, Petitioner raises a Constitutional due process issue, making his claim ripe for adjudication by this Court, rather than the Immigration Court. Therefore, any administrative proceedings would be futile. *Qatanani*, 144 F.4th at 500.

VI. LEGAL FRAMEWORK

A. Release on Recognizance or Conditional Supervision Under INA § 236(a)

38. Separate from humanitarian parole under § 212(d)(5), the INA authorizes DHS to release a noncitizen from custody under the discretionary detention framework of INA § 236(a), 8 U.S.C. § 1226(a), pending a decision on removal. Section 1226(a) expressly permits DHS to release a noncitizen on bond, conditional parole, or recognizance after an individualized custody determination. 8 U.S.C. § 1226(a)(2); *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018).

39. When DHS releases a noncitizen under § 1226(a), it necessarily determines that mandatory detention is not required and that the individual may safely reside in the community subject to supervision. That discretionary release places the individual squarely within the § 1226(a) detention framework and forecloses later reliance on § 1225(b). *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *5–8 (E.D. Pa. Nov. 18, 2025).

40. Courts have repeatedly held that DHS may not "toggle" between detention statutes based on enforcement preference after it has elected to release a noncitizen into the interior

under § 1226(a). *Kashranov*, 2025 WL 3188399, at *6. Once DHS releases a noncitizen on recognizance or conditional supervision, any subsequent detention must proceed under § 1226(a) and must include access to an individualized bond hearing before an immigration judge. *Id.*; *Anirudh v. McShane*, No. 25-6458, 2025 WL 3527528, at *4 (E.D. Pa. Dec. 9, 2025).

B. Noncitizens Who Entered Without Inspection (EWI) and Were Released Into the Interior

41. The Government frequently asserts that noncitizens who entered without inspection ("EWI") are categorically subject to mandatory detention under 8 U.S.C. § 1225(b) based solely on the manner of their entry. Courts have repeatedly rejected that position. Entry without inspection, standing alone, does not permanently subject a noncitizen to mandatory detention under § 1225(b).

42. As courts in the Eastern District have emphasized, the legally operative event for determining detention authority is not the manner of initial entry, but DHS's affirmative decision to release the individual into the United States. See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025). Once DHS releases an EWI noncitizen into the interior—whether under supervision, on recognizance, or after service of a Notice to Appear—the individual is no longer "seeking admission" within the meaning of § 1225(b), and detention authority, if any, must arise under 8 U.S.C. § 1226(a).

43. In *Maldonado Bautista v. Santacruz*, the United States District Court for the Central District of California squarely rejected DHS's position that noncitizens who entered without inspection remain categorically subject to mandatory detention under § 1225(b)

after release into the United States. The court held that noncitizens already present in the United States who entered without inspection and were not apprehended upon arrival are detained—if at all—under 8 U.S.C. § 1226(a) and are therefore entitled to individualized bond hearings. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 12–16 (C.D. Cal. Nov. 20, 2025), final judgment entered, slip op. at 10–11 (C.D. Cal. Dec. 18, 2025).

44. The court further certified a nationwide Bond-Eligible Class consisting of:

> 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. *Maldonado Bautista*, No. 5:25-cv-01873-SSS-BFM, slip op. at 2, 15 (C.D. Cal. Nov. 25, 2025), clarified and incorporated into final judgment, slip op. at 2 (C.D. Cal. Dec. 18, 2025).

Importantly, in entering final judgment, the court expressly clarified that the Board of Immigration Appeals' decision in *Matter of Yahure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025), "cannot be squared" with its statutory analysis and that *Yahure Hurtado* is "no longer controlling," as "the legal conclusion underlying the decision is no longer tenable." *Maldonado Bautista*, No. 5:25-cv-01873-SSS-BFM, slip op. at 6 (C.D. Cal. Dec. 18, 2025). The court emphasized that detention authority must be determined by DHS's custodial decisions—specifically, whether DHS elected to release the noncitizen into the interior—and not by the manner of entry alone. *Id.* at 6–8.

45. Accordingly, even where DHS argues that a noncitizen's EWI status places them outside the scope of § 1226(a), *Maldonado Bautista* confirms that such individuals are

bond-eligible once released and that *Yahure Hurtado* cannot be relied upon to deny access to a bond hearing.

46. Accepting the Government's contrary theory—that all EWI noncitizens remain permanently subject to § 1225(b)—would effectively eliminate § 1226(a) for a broad class of individuals Congress plainly intended to place within the discretionary detention regime. Courts have rejected that interpretation as inconsistent with the INA's text, structure, and statutory design. See *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *9 (E.D. Pa. Nov. 18, 2025); *Kashranov*, 2025 WL 3188399, at *10.

47. Accordingly, once an EWI noncitizen has been released into the United States, any subsequent detention authority arises—if at all—under 8 U.S.C. § 1226(a), which requires individualized consideration and access to a bond hearing.

C. The INA Establishes Two Distinct and Mutually Exclusive Detention Regimes

48. The statutory structure of the Immigration and Nationality Act ("INA") establishes two distinct and mutually exclusive detention regimes governing noncitizens during removal proceedings. Mandatory detention under 8 U.S.C. § 1225(b) applies to noncitizens who are "*seeking admission*" at or near the border and remain in the inspection process. By contrast, 8 U.S.C. § 1226 governs discretionary detention of noncitizens who are *already present in the United States* pending a decision on removal. *See Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018) (distinguishing § 1225(b), which applies to noncitizens "seeking admission," from § 1226, which governs noncitizens "already in the country").

49. Courts have consistently recognized that these provisions "can be reconciled only if they apply to different classes of aliens." *Romero v. Hyde*, No. 25-11631, 2025 WL 2403827, at *11 (D. Mass. Aug. 19, 2025) (quoting *Matter of M-S-*, 27 I. & N. Dec. 509, 516 (A.G. 2019)); see also *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *5

(E.D. Pa. Nov. 18, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025).

50. A noncitizen may not be simultaneously subject to both detention schemes. Once the Department of Homeland Security ("DHS") affirmatively releases a noncitizen into the United States—whether through humanitarian parole under INA §212(d) or, release on recognizance under INA §236(a), 8 U.S.C. § 1226(a)—the individual is no longer subject to the mandatory detention framework of INA §235(b), 8 U.S.C. § 1225(b). At that point, any subsequent detention authority arises, if at all, under § 1226, which provides for discretionary detention and access to an individualized bond hearing. *See Rios Porras v. O'Neill*, No. 25-6801, slip op. at 4–5 (E.D. Pa. Dec. 22, 2025).

51. As explained in the Argument section below, DHS's attempt to reclassify a noncitizen as subject to mandatory detention under § 1225(b) after an affirmative release into the interior finds no support in the INA's text or structure and has been uniformly rejected by courts.

D. 8 U.S.C. § 1225(b) Does Not Apply After Conditional Parole

52. Section 1225(b) applies only to individuals who are seeking admission and have not been admitted or paroled. 8 U.S.C. § 1225(b).

53. Once DHS paroles a noncitizen into the United States, § 1225(b) no longer governs detention authority. DHS may not later treat the same individual as an "arriving alien" subject to mandatory detention. *Rios Porras*, slip op. at 4–5.

54. Courts in this District have repeatedly rejected the Government's attempt to re-invoke § 1225(b) after parole. *See, e.g., Kashranov v. Jamison*, 2025 WL 3188399, at *5–6 (E.D.

Pa. Nov. 14, 2025); *Ndiaye v. Jamison*, 2025 WL 3229307, at *3–4 (E.D. Pa. Nov. 19, 2025).

VII. ARGUMENT

A. PETITIONER'S DETENTION VIOLATES THE IMMIGRATION AND NATIONALITY ACT

55. DHS's detention of Petitioner under 8 U.S.C. § 1225(b) is unlawful because DHS already exercised its conditional parole authority under INA § 236(a), thereby removing Petitioner from the statutory class governed by § 1225(b).

56. Section 1225(b) authorizes mandatory detention only for noncitizens who are seeking admission and who have not been admitted or paroled into the United States. 8 U.S.C. § 1225(b).

57. As the Eastern District of Pennsylvania recently explained in a materially similar case, DHS "cannot parole an individual into the United States and later claim that the same individual is 'present without admission or parole.'" *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 4 (E.D. Pa. Dec. 22, 2025). In *Rios Porras*, DHS apprehended the petitioner at the border, released him on parole, and then detained him years later at his home while asserting mandatory detention authority under § 1225(b). The court squarely rejected that theory, holding that parole is the legally operative act for detention purposes. *Id.* at 3–5.

58. Once parole is granted, whether conditional or humanitarian, detention authority,if any, arises under 8 U.S.C. § 1226(a), which governs the discretionary detention of noncitizens pending a decision on removal and requires an individualized bond hearing. *Id.*; *Demirel v. Fed. Det. Ctr. Phila.*, 2025 WL 3218243, at *2–3 (E.D. Pa. Nov. 18, 2025). Section

1226(a) does not authorize categorical or mandatory detention; rather, it permits release on bond or conditional parole after individualized consideration. 8 U.S.C. § 1226(a)(2).

59. Though the grant of parole does not change Petitioner's entry status for the purposes of determining removability, DHS's exercise of parole authority for Petitioner makes any subsequent detention subject to 8 U.S.C. § 1226(a)(2), rather than 8 U.S.C. § 1225(b).

60. Under U.S.C. § 1226(a), a noncitizen is eligible for custody redetermination unless there is evidence of their involvement with foreign terrorist groups or they present a danger to public safety and/or national security. 8 U.S.C. § 1227(a)(4)(A).

61. Because Petitioner does not fall within one of the categories enumerated in § 1227(a)(4)(A) and his current detention is governed by § 1226(a)(2), he is entitled to an individualized custody determination.

62. Here, DHS has provided Petitioner with no bond hearing at all, despite having paroled him into the United States under INA § 236(a). Detention without a bond hearing under these circumstances exceeds DHS's statutory authority and violates the plain language of the INA. See *Rios Porras*, slip op. at 4–5; *Demirel*, 2025 WL 3218243, at *3.

63. Regardless of the manner of entry, DHS's discretionary decision to grant parole, whether through INA § 236(a) or INA § 212(d), terminated any detention authority under 8 U.S.C. § 1225(b). See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6–7 (E.D. Pa. Nov. 14, 2025).

B. INITIAL BORDER APPREHENSION IS LEGALLY IRRELEVANT

64. The Government frequently argues that initial apprehension at or near the border permanently subjects a noncitizen to mandatory detention under § 1225(b), even after DHS has exercised parole authority. Courts have uniformly rejected that argument.

65. As multiple courts in this District have explained, initial apprehension is not the legally operative event for detention purposes. Rather, the operative event is DHS's affirmative decision to parole the individual into the United States. *Rios Porras*, slip op. at 3–4. Once DHS chooses parole, it cannot later erase the legal consequences of that decision by invoking a statute that applies only to individuals who have not been admitted or paroled. *Id.*

66. The Eastern District has repeatedly emphasized that DHS may not "toggle" between detention statutes based on enforcement preference. See *Kashranov v. Jamison*, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025) ("The government's attempt to resurrect § 1225(b) after parole finds no support in the statutory text."). In *Kashranov*, as here, DHS argued that the petitioner's original border encounter justified continued mandatory detention notwithstanding parole. The court rejected that position, holding that once parole is granted, § 1225(b) no longer applies "regardless of where or how the individual was first encountered." *Id.*

67. Accordingly, the fact that Petitioner was initially apprehended at the border on October 23, 2022 is legally irrelevant. DHS's own discretionary act of parole governs the applicable detention framework, and that framework does not permit mandatory detention without a bond hearing.

C. PETITIONER'S CONTINUED DETENTION VIOLATES THE FIFTH AMENDMENT

i. Procedural Due Process

68. The Fifth Amendment's Due Process Clause protects all "persons" within the United States—including noncitizens—from deprivation of liberty without due process of law. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *Mathews v. Diaz*, 426 U.S. 67, 77 (1976). Freedom from physical restraint "lies at the heart of the liberty that the Due Process Clause protects." *Zadvydas*, 533 U.S. at 690.

69. At minimum, procedural due process requires notice and an opportunity to be heard at a meaningful time and in a meaningful manner before liberty is restrained. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). In the immigration detention context, that principle is typically satisfied through an individualized bond hearing where the government must justify continued detention.

70. Petitioner received no such process. After being paroled into the United States and complying with all requirements for years, he was detained at an ICE check-in without notice, without explanation, and without any hearing. DHS provided no individualized determination that detention was necessary and no opportunity for Petitioner to contest his confinement.

71. Courts in this District have found materially similar conduct to be procedurally unconstitutional. See *Rios Porras*, slip op. at 4–5 (finding detention without a bond hearing after parole violated due process). The absence of any hearing or individualized assessment creates a substantial risk of erroneous deprivation of liberty and fails even the most basic procedural requirements of the Fifth Amendment.

ii. Substantive Due Process

72. Substantive due process imposes an independent constraint on civil detention. Even where procedures are provided, detention must bear a reasonable relation to a legitimate governmental purpose and may not be arbitrary or punitive. *Zadvydas*, 533 U.S. at 690; *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

73. In the immigration context, the Supreme Court has recognized only two legitimate purposes for civil detention: preventing flight and protecting the community. *Zadvydas*, 533 U.S. at 690; *Demore v. Kim*, 538 U.S. 510, 528 (2003). Detention that does not reasonably further either purpose violates substantive due process.

74. Petitioner's detention serves neither. DHS itself determined that Petitioner was suitable for parole, and permitted him to live in the community for years. Petitioner complied fully by maintaining a stable address, being gainfully employed, paying taxes, and building community ties—conduct that demonstrates compliance, not flight risk. *See* **Exhibit C-D**. There has been no individualized finding, or even allegation, that Petitioner poses a danger to the community.

75. Detention imposed under these circumstances is arbitrary. As the Supreme Court has cautioned, justification based on flight risk "is weak or nonexistent where removal seems a remote possibility." *Zadvydas*, 533 U.S. at 690. Moreover, detention imposed without statutory authorization is itself substantively unconstitutional. *Clark v. Martinez*, 543 U.S. 371, 386–87 (2005) (holding that detention beyond statutory limits violates due process).

76. Because DHS lacks statutory authority to detain a paroled individual without a bond hearing, Petitioner's continued confinement is not merely excessive—it is unlawful and unconstitutional.

D. IN THE ALTERNATIVE, PETITIONER IS ENTITLED TO A BOND HEARING UNDER *MALDONADO BAUTISTA*

77. Even if this Court were to conclude that Petitioner is detained under 8 U.S.C. § 1225(b), which he is not, his continued detention without a bond hearing is independently unlawful under *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.).

78. On November 20, 2025, the United States District Court for the Central District of California granted partial summary judgment holding that noncitizens detained under circumstances identical to Petitioner's are properly detained under 8 U.S.C. § 1226(a) and therefore may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025). On November 25, 2025, the court certified a nationwide Bond Eligible Class and expressly extended that declaratory judgment to all class members. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025).

79. Critically, on December 18, 2025, the court entered final judgment after finding that immigration courts and the Department of Homeland Security were continuing to deny bond hearings and disregard the Court's declaratory relief. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 8–11 (C.D. Cal. Dec. 18, 2025) (entering final judgment pursuant to Fed. R. Civ. P. 54(b) based on evidence of agency noncompliance). The court expressly recognized that immigration judges had been

instructed to continue following *Matter of Yajure Hurtado* despite the Court's ruling, and that such noncompliance created exigent circumstances and ongoing irreparable harm to detained class members. *Id.* at 8–9.

80. The *Maldonado Bautista* declaratory judgment, now a final judgment**,** holds that application of mandatory detention under § 1225(b)(2) to Bond Eligible Class members violates the Immigration and Nationality Act, and that such individuals are detained under § 1226(a) as a matter of law. *Maldonado Bautista*, 2025 WL 3289861, at *11. That judgment has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).

81. Courts in the Eastern District of Pennsylvania have repeatedly relied on *Maldonado Bautista* in ordering release or bond hearings for similarly situated petitioners. See, e.g., *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *5 (E.D. Pa. Nov. 18, 2025); *Anirudh v. McShane*, No. 25-6458, 2025 WL 3527528 (E.D. Pa. Dec. 9, 2025); *Ndiaye v. Jamison*, No. 25-6007, 2025 WL 3229307 (E.D. Pa. Nov. 19, 2025).

82. Accordingly, even under Respondents' erroneous theory of detention, Petitioner is entitled to immediate release, or at minimum, an individualized bond hearing under 8 U.S.C. § 1226(a) within seven days.

83. Where detention exceeds statutory or constitutional limits, habeas relief is appropriate. *Zadvydas*, 533 U.S. at 699–701.

84. Courts in this District regularly order immediate release or bond hearings in similar cases. *Rios Porras*, slip op. at 5; *Ndiaye*, 2025 WL 3229307, at *4.

VIII. CLAIMS FOR RELIEF

A. FIRST CLAIM FOR RELIEF

a. Violation of the Immigration and Nationality Act Unlawful Detention and Denial of Bond Hearing 8 U.S.C. §§ 1225(b), 1226(a)

85. Petitioner re-alleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

86. The mandatory detention provision at 8 U.S.C. § 1225(b) applies only to noncitizens who are seeking admission and who have not been admitted or paroled. It does not apply once the Department of Homeland Security ("DHS") has affirmatively exercised its discretionary authority to parole a noncitizen into the United States pursuant to INA § 212(d)(5) or INA §236(a).

87. Petitioner was apprehended by the Department of Homeland Security ("DHS") after entering the United States on or about October 23, 2022. Petitioner remained in DHS custody for two (2) days, and was thereafter paroled into the United States under DHS's discretionary parole authority. ***Id***. Regardless of the manner of entry, DHS's discretionary decision to grant parole terminated any detention authority under 8 U.S.C. § 1225(b). See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6–7 (E.D. Pa. Nov. 14, 2025).

88. Following his parole pursuant to INA § 236(a), Petitioner sought additional immigration relief by filing an Application for Asylum and Withholding of Removal with U.S. Citizenship and Immigration Services ("USCIS"), underscoring DHS's recognition that

Petitioner was properly present in the United States following his release and eligible to pursue relief through established statutory processes.

89. Once DHS paroles a noncitizen into the United States, any subsequent detention authority—if it exists at all—arises under 8 U.S.C. § 1226(a) and requires an individualized bond hearing. *Rios Porras*, slip op. at 4–5; *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *2–3 (E.D. Pa. Nov. 18, 2025).

90. Nonetheless, Respondents have detained Petitioner without providing a bond hearing and without identifying any lawful statutory basis for detention. Respondents' application of § 1225(b) to Petitioner is contrary to the plain language of the INA and violates 8 U.S.C. § 1226(a).

B. SECOND CLAIM FOR RELIEF

a. Violation of the Immigration and Nationality Act Alternative Claim Under *Maldonado Bautista* 8 U.S.C. § 1226(a)

91. Petitioner re-alleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

92. In the alternative, even if this Court were to conclude that Respondents are detaining Petitioner under 8 U.S.C. § 1225(b)—which they may not—Petitioner's continued detention without a bond hearing is unlawful under *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.).

93. In *Maldonado Bautista*, the district court granted partial summary judgment holding that similarly situated noncitizens are detained under § 1226(a) and may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista v.*

Santacruz, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025).

94. The court subsequently certified a nationwide Bond Eligible Class and extended declaratory relief to all class members. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025).

95. On December 18, 2025, the court entered final judgment after finding that immigration courts and DHS were continuing to deny bond hearings and disregard the court's declaratory relief. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 8–11 (C.D. Cal. Dec. 18, 2025). The court expressly recognized that such noncompliance created exigent circumstances and ongoing irreparable harm to detained noncitizens.

96. The declaratory judgment in *Maldonado Bautista*—now reduced to final judgment—has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a). Respondents' continued detention of Petitioner without a bond hearing therefore violates the INA.

C. THIRD CLAIM FOR RELIEF

a. Violation of the Administrative Procedure Act Arbitrary, Capricious, and Contrary to Law Agency Action 5 U.S.C. § 706(2)

97. Petitioner re-alleges and incorporates by reference all preceding paragraphs.

98. The Administrative Procedure Act ("APA") requires courts to hold unlawful and set aside agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

99. Respondents' detention of Petitioner under § 1225(b), despite DHS's prior grant of parole and binding federal court decisions holding such detention unlawful, is contrary to the

INA and reflects an unexplained and unjustified departure from settled law and practice. See *Rios Porras*, slip op. at 3–5; *Demirel*, 2025 WL 3218243, at *5.

100. Respondents have failed to articulate a reasoned explanation for treating Petitioner as subject to mandatory detention, have relied on factors Congress did not intend them to consider, and have disregarded binding judicial authority. Their actions are therefore arbitrary, capricious, and not in accordance with law in violation of the APA.

D. FOURTH CLAIM FOR RELIEF

a. Violation of the Fifth Amendment Due Process Clause Procedural and Substantive Due Process

101. Petitioner re-alleges and incorporates by reference all preceding paragraphs.

102. The Fifth Amendment's Due Process Clause protects all "persons" within the United States from deprivation of liberty without due process of law. U.S. Const. amend. V; *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

103. Procedural due process requires, at minimum, notice and an opportunity to be heard at a meaningful time and in a meaningful manner. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). Petitioner was detained without notice, without a hearing, and without any individualized determination, rendering his detention procedurally unconstitutional.

104. Substantive due process further requires that civil immigration detention bear a reasonable relation to a legitimate governmental purpose and may not be arbitrary or punitive. *Zadvydas*, 533 U.S. at 690; *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

105. Petitioner poses no flight risk and no danger to the community. DHS paroled him into the United States, permitted him to reside in the community for years, and detained him without notice. Detention imposed without statutory authorization and without any

individualized justification violates substantive due process. *Clark v. Martinez*, 543 U.S. 371, 386–87 (2005).

IX. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1) Grants the Petition for Writ of Habeas Corpus;
2) Orders Petitioner's immediate release from ICE custody;
3) In the alternative, holds a bond hearing at which the government must establish by clear and convincing evidence that Petitioner presents a risk of flight or danger,
4) Awards Petitioner his costs and reasonable attorney fees in this action as provided for by the Equal Access to Justice Act, as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other basis justified under law; and
5) Grants such further relief as the Court deems just and proper.

Respectfully submitted,

Dated: January 15, 2026

VASSOR LAW, LLC.

/s/ Dean Vassor

Dean Vassor, Esq.
Attorney for Petitioner
Vassor Law, LLC
6622 Castor Avenue
Philadelphia, PA, 19149
Dean@vassorlawfirm.com
215-437-0546

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 one of Petitioner's attorneys, and I have discussed the claims with Petitioner's legal team. Based on those discussions, 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.

Respectfully submitted,

Dated: January 15, 2026

VASSOR LAW, LLC.

_/s/ *Dean Vassor*

Dean Vassor, Esq.
Attorney for Petitioner
Vassor Law, LLC
6622 Castor Avenue
Philadelphia, PA, 19149
Dean@vassorlawfirm.com
215-437-0546

10/2024

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Habeas Petition For Cristian Andres Chica

RELATED CASE IF ANY: Case Number: 2:26-cv-00247 Judge: _____

1. Does this case involve property included in an earlier numbered suit? Yes ☐
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes ☐
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes ☐
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes ☐
5. Is this case related to an earlier numbered suit even though none of the above categories apply? If yes, attach an explanation. Yes ☐

I certify that, to the best of my knowledge and belief, the within case ☐ **is** / ☑ **is not** related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts)
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Wage and Hour Class Action/Collective Action
- ☐ 6. Patent
- ☐ 7. Copyright/Trademark
- ☐ 8. Employment
- ☐ 9. Labor-Management Relations
- ☐ 10. Civil Rights
- ☑ 11. Habeas Corpus
- ☐ 12. Securities Cases
- ☐ 13. Social Security Review Cases
- ☐ 14. Qui Tam Cases
- ☐ 15. Cases Seeking Systemic Relief ***see certification below***
- ☐ 16. All Other Federal Question Cases. *(Please specify)*: _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury *(Please specify)*: _____
- ☐ 7. Products Liability
- ☐ 8. All Other Diversity Cases: *(Please specify)* _____

I certify that, to the best of my knowledge and belief, that the remedy sought in this case ☐ **does** / ☑ **does not** have implications beyond the parties before the court and ☐ **does** / ☑ **does not** seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

☑ Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of $150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

☐ None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.

JS 44 (Rev. 08/18)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

CRISTIAN ANDRES CHICA

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Vassor Law Firm; 6622 Castor Avenue, Philadelphia, PA 19149; 2154370546

DEFENDANTS

KRISTI NOEM, Secretary of DHS, in her official capacity, DHS, **PAMELA BONDI**, Attorney General, in her official capacity, **TODD M. LYONS**, Acting Director, ICE, in his official capacity, **DAVID O'NEILL**, Director of the Philadelphia Field Office of ICE, in his official capacity, and **JAMAL L. JAMESON**, Warden of the Federal Detention Center in Philadelphia, in his official capacity,

County of Residence of First Listed Defendant Washington, D.C.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☒ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☒ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER 2:26-cv-00247

DATE 01/15/2026

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

DEPARTMENT OF HOMELAND SECURITY

NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [redacted] FINS: [redacted] File No: [redacted]

DOB: [redacted] Event No: [redacted]

In the Matter of:

Respondent: CRISTIAN ANDRES CHICA currently residing at:

[redacted]

(Number, street, city, state and ZIP code) (Area code and phone number)

☐ You are an arriving alien.

☒ You are an alien present in the United States who has not been admitted or paroled.

☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of COLOMBIA and a citizen of COLOMBIA ;
3. You arrived in the United States at or near EAGLE PASS, TX , on or about October 23, 2022 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

900 Market Street Suite 504 Philadelphia PA US 19107

(Complete Address of Immigration Court, including Room Number, if any)

on October 31, 2023 *(Date)* at 01:00 PM *(Time)* to show why you should not be removed from the United States based on the charge(s) set forth above.

JEREMY SCHROLL Acting/Patrol Agent in Charge

(Signature and Title of Issuing Officer) (Sign in ink)

Date: October 24, 2022 Eagle Pass, Texas

(City and State)

U.S. Immigration and Customs Enforcement

ORDER OF RELEASE ON RECOGNIZANCE

CDB 10/26

File No.: [redacted]

Name: CHICA, CRISTIAN

Date: Oct 25, 2022

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- [x] You must report for any hearing or interview as directed by Immigration and Customs Enforcement or the Executive Office for Immigration Review.
- [x] You must surrender for removal from the United States if so ordered.
- [x] You must report in (writing) (person) to Duty officer at Philadelphia Field Office on November 30, 2022, 09:: as directed.

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- [x] You must not change your place of residence without first securing written permission from the officer listed above.
- [x] You must not violate any local, State or Federal laws or ordinances.
- [x] You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- [x] Other: *Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.*

  If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.
- [x] See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by Immigration and Customs Enforcement.

K. CORTEZ, Supervisory Detention and Deportation Officer

(Name and Title of ICE Official)

Alien's Acknowledgement of Conditions of Release under an Order of Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the SPANISH language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

RS

(Signature of ICE Official Serving Order)

(Signature of Alien)

Oct 25, 2022

Date

I hereby cancel this order of release because:

- [ ] The alien failed to comply with the conditions of release.
- [ ] The alien was taken into custody for removal.

(Signature of ICE Official Cancelling Order)

Date

U.S. Immigration and Customs Enforcement

ORDER OF RELEASE ON RECOGNIZANCE (ADDENDUM)

Name: CHICA, CRISTIAN

File No.: [redacted]

Date: Oct 25, 2022

- [x] That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- [ ] That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- [ ] That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- [ ] That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- [x] That you do not commit any crimes while on this Order of Release on Recognizance.
- [x] That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- [ ] That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- [x] That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- [x] That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- [x] Any violation of the above conditions will result in revocation of your employment authorization document.
- [x] Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- [ ] Other:

X _____
(Signature of Alien)

ICE Form I-220A (10/20)

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

ASC Appointment Notice	APPLICATION/PETITION/REQUEST NUMBER [redacted]		NOTICE DATE 07/28/2023
CASE TYPE 1589 - APPLICATION FOR ASYLUM AND FOR WITHHOLDING OF REMOVAL	ACCOUNT NUMBER	USCIS A# [redacted]	CODE 3

CRISTIAN ANDRES CHICA
[redacted]

PLEASE READ THIS ENTIRE NOTICE CAREFULLY. To process your application, petition, or request, the U.S. Citizenship & Immigration Services (USCIS) must collect your biometrics. Please appear at the below Application Support Center (ASC) at the date and time specified.

WARNING: Unless USCIS excuses you based on good cause, failure to appear at this biometrics appointment will result in an applicant-caused delay that will impact your eligibility for employment authorization based on your pending asylum application. If you fail to appear at this appointment as scheduled, USCIS may: (1) dismiss your asylum application, if you are in lawful immigration status or paroled; or (2) refer your application to an immigration judge, if you are not in lawful immigration status or paroled. If you fail to appear at this appointment as scheduled, and you are currently in removal proceedings, an immigration judge may deem your asylum application abandoned.

APPLICATION SUPPORT CENTER
USCIS PHILADELPHIA
10300 Drummond Road Suite 100
Philadelphia PA 19154

DATE AND TIME OF APPOINTMENT
08/17/2023
03:00PM

WHEN YOU APPEAR AT THE ASC FOR BIOMETRICS SUBMISSION, YOU MUST BRING:

1. **THIS APPOINTMENT NOTICE,** and
2. **PHOTO IDENTIFICATION** (e.g. passport, valid driver's license, national ID, military ID, State-issued photo ID, or USCIS-issued photo ID). If you do not have photo identification, please expect a delay.

Only those necessary to assist with transportation or completion of the biometrics worksheet should accompany you to your ASC appointment. If you have open wounds, bandages, or casts when you appear for biometrics submission, USCIS may reschedule your ASC appointment if we determine your injuries may interfere with your biometrics submission. Please do not visit a USCIS office if you are sick or feel symptoms of being sick. Follow the instructions on this notice to reschedule your appointment.

You may bring cell phones or electronic devices, but they must be turned off during biometrics collection. No one may photograph or record at an ASC.

For more information regarding your ASC appointment, visit https://www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment. If you have questions regarding this notice, please call the USCIS Contact Center at 1-800-375-5283 (TTY 800-767-1833).

NOTE: If an ASC closes due to inclement weather or unforeseen circumstances, USCIS will automatically reschedule your ASC appointment for the next available date and time. For the latest information on the status of an office, visit https://www.uscis.gov/about-us/uscis-office-closings. Please check this page on the day of your ASC appointment. If USCIS reschedules your ASC appointment, you will receive a new ASC appointment notice.

You must update your address within 10 days if you move. For instructions, visit https://www.uscis.gov/addresschange. If you are in removal proceedings, you must also notify the Executive Office for Immigration Review (EOIR or Immigration Court) within five working days of any change of address or telephone number by filing a completed Form EOIR-33, Alien's Change of Address/Phone Number Form/Immigration Court. For instructions, visit https://www.justice.gov/eoir/form-eoir-33-eoir-immigration-court-listing.

WARNING: Failure to update your mailing address with USCIS, and, if applicable, EOIR may result in dismissal of your asylum application, referral of your asylum application to an immigration judge, or if you are already in removal proceedings, an entry of a removal order in your absence if you fail to appear at a hearing before an immigration judge.

USCIS may use your biometrics to check the criminal history records of the FBI, for identity verification, to determine eligibility, to create immigration documents (e.g., Green Card, Employment Authorization Document, etc.), or any purpose authorized by the Immigration and Nationality Act. You may obtain a copy of your own FBI record using the procedures outlined within Title 28 C.F.R., Section 16.32. For information, please visit: https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks. For Privacy Act information, please visit https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/compact-council/privacy-act-statement

REQUESTS TO RESCHEDULE/SPECIAL HANDLING

If you are unable to attend your scheduled ASC appointment, you may request that USCIS reschedule your appointment. **Your request to reschedule must: 1) be made before the date and time of the original appointment and 2) establish good cause for rescheduling.** If you fail to make a request before your scheduled appointment or fail to establish good cause, USCIS may not reschedule your ASC appointment. To request a reschedule, please visit https://my.uscis.gov/accounts/biometrics/overview. You may also call the USCIS Contact Center at 1-800-375-5283 (TTY 800-767-1833).

If you have a serious ongoing medical condition and you cannot leave your home/hospital, you may request a mobile biometrics/homebound appointment by following the instructions on the back in the Notice for People with Disabilities or by visiting uscis.gov/accommodations.

BIOMETRICS PROCESSING STAMP
ASC SITE CODE _____
BIOMETRICS QA REVIEW BY: _____
_____ ON _____
TENPRINTS QA REVIEW BY: _____
_____ ON _____

APPLICATION NUMBER I589- ZDF2362390920

For questions about this notice call 1-800-375-5283. For questions about your application, contact the Asylum Office or Immigration Court with jurisdiction over your case.

REMOVE SIDE EDGES FIRST
SLIDE FINGER BETWEEN FRONT & MIDDLE PANEL TO OPEN

Instructions for Recipient

Do you have to file? Refer to the Form 1040 instructions to determine if you are required to file a tax return. Even if you don't have to file a tax return, you may be eligible for a refund if box 2 shows an amount or if you are eligible for any credit.

Earned income credit (EIC). You may be able to take the EIC for 2024 if your adjusted gross income (AGI) is less than a certain amount. The amount of the credit is based on income and family size. Workers without children could qualify for a smaller credit. You and any qualifying children must have valid social security numbers (SSNs). You can't take the EIC if your investment income is more than the specified amount for 2024 or if income is earned for services provided while you were imprisoned in a penal institution for 2024. For 2024 income limits and more information, visit www.irs.gov/EITC. See also Pub. 596. **Any EIC that is more than your tax liability is refunded to you, but only if you file a tax return. Employee's social security number (SSN).** For your protection, this form may show only the last four digits of your SSN. However, your employer has reported your complete SSN to the IRS and Social Security Administration (SSA).

Clergy and religious workers. If you are subject to social security and Medicare taxes, see Pub. 517.

Corrections. If your name, SSN, or address is incorrect, correct Copies B, C, and 2 and ask your employer to correct your employment record. Ask the employer to file Form W-2c, Corrected Wage and Tax Statement, with the SSA to correct any name, SSN, or money amount error reported to the SSA on Form W-2. Do not correct your copies of Form W-2c from your employer for all corrections made, you may file them with your tax return. If your name and SSN are correct but aren't the same as shown on your social security card, you should ask for a new card that displays your correct name at any SSA office or by calling 800-772-1213. You may also visit the SSA website at www.ssa.gov.

Cost of employer-sponsored health coverage (if such cost is provided by the employer). The reported amount in box 12 using code DD of the cost of employer-sponsored health coverage is for your information only. **The amount reported with code DD is not taxable.**

Credit for excess taxes. If you had more than one employer in 2024 and more than $10,453.20 in social security wages, Tier 1 railroad retirement (RRTA) compensation, or Form 8027, Box 8 allocated tips were withheld, you may be eligible for a credit for the excess. See the Form 1040 instructions.

Box 1. Enter this amount on the wages line of your tax return.

Box 2. Enter this amount on the federal income tax withheld line of your tax return.

Box 5. You may be required to report this amount on Form 8959. See the Form 1040 instructions to determine if you are required to complete Form 8959.

Box 6. This amount includes the 1.45% Medicare tax withheld on all Medicare wages and tips shown in box 5, as well as the 0.9% Additional Medicare Tax on any of these Medicare wages and tips exceeding $200,000.

Box 8. This amount is not included in box 1, 3, 5, or 7. For information on how to report tips on your tax return, see the Form 1040 instructions.

You must file Form 4137 with your income tax return to report uncollected allocated tip amount unless you can prove with adequate records that you received a smaller amount. If yes, have records that show the actual amount of tips you received. Report that amount even if it is more or less than the allocated tips. Use Form 4137 to figure the social security and Medicare tax owed on tips you did report to your employer. Enter this amount on the wages line of your tax return. By filing Form 4137, your social security tips will be credited to your social security record for use in future years' benefits.

Box 10. This amount includes the total dependent care benefits that your employer paid to you or incurred on your behalf (including amounts from a section 125 (cafeteria) plan). Any amount over your employer's plan limit is also included in box 1. See Form 2441.

Box 11. This amount is (a) reported in box 1 if it is a distribution made to you from a nonqualified deferred compensation or a nongovernmental section 457(b) plan, or (b) included in box 3 and/or 5 if it is a prior year deferral under a nonqualified or section 457(b) plan that became taxable for social security and Medicare tax this year because there is no longer a substantial risk of forfeiture of your right to the deferred amount. You should keep a record of your deferrals and earnings. If you made no deferrals in any calendar year, if you made deferrals and earnings in a calendar year and you received a distribution from the same calendar year, and you are at least age 62 by the end of the calendar year, your employer should file Form SSA-131, Employer Report of Special Wage Payments, with the Social Security Administration and give you a copy.

Box 12. The following lists explains the codes shown in box 12. You may need this information to complete your tax return. Elective deferrals (codes D, E, F, and S) and designated Roth contributions (codes AA, BB, and EE) under all plans are generally limited to a total of $23,000 ($30,000 if you are age 50 or older).

Instructions for Recipient

(continued from back of Copy B)

Box 12 (continued)

However, if you were at least age 50 in 2024, your employer may have allowed an additional deferral of up to $7,500 ($3,500 for a section 401(k)(11) and 401(p) SIMPLE plan). The additional deferral amount is not subject to the overall limit on elective deferrals. For codes D, E, F, and G, the limit on elective deferrals may be higher for the last 3 years before you reach normal retirement age. Contact your plan administrator for more information. Amounts in excess of the overall elective deferral limit must be included in income. See the Form 1040 instructions.

Note: If a year follows a code D through H, S, Y, AA, BB, or EE, you made a make-up pension contribution for a prior year(s) when you were a military reserve. To figure what, if any, amount is subject to excess deferrals, consider these amounts for the year shown and the current year. If no year is shown, the contributions are for the current year.

A – Uncollected social security or RRTA tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

B – Uncollected Medicare tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

C – Taxable cost of group-term life insurance over $50,000 (included in box 1). (Up to six uniform payments may be shown.)

D – Elective deferrals to a section 401(k) cash or deferred arrangement. Also includes deferrals under a SIMPLE retirement account that is part of a section 401(k) arrangement.

E – Elective deferrals under a section 403(b) salary reduction agreement.

F – Elective deferrals under a section 408(k)(6) salary reduction SEP.

G – Elective deferrals and employer contributions (including nonelective deferrals) to a section 457(b) deferred compensation plan.

H – Elective deferrals to a section 501(c)(18)(D) tax-exempt organization plan. See the Form 1040 instructions for how to report.

J – Nontaxable sick pay (information only, not included in box 1, 3, or 5).

K – 20% excise tax on excess golden parachute payments. See the Form 1040 instructions.

L – Substantiated employee business expense reimbursements (nontaxable).

M – Uncollected social security or RRTA tax on taxable cost of group-term life insurance over $50,000 (former employees only). See the Form 1040 instructions.

N – Uncollected Medicare tax on taxable cost of group-term life insurance over $50,000 (former employees only). See the Form 1040 instructions.

R – Employer contributions to your Archer MSA. Report on Form 8853.

S – Employee salary reduction contributions under a section 408(p) SIMPLE plan (not included in box 1).

T – Adoption benefits (not included in box 1). Complete Form 8839 to figure any taxable and nontaxable amount.

V – Income from exercise of nonstatutory stock option(s) included in boxes 1, 3 (up to social security wage base), and 5. See Pub. 525 for reporting requirements.

W – Employer contributions (including amounts the employee elected to contribute) to a section 125 (cafeteria) plan) to your health savings account. Report on Form 8889.

Y – Deferrals under a section 409A nonqualified deferred compensation plan.

Z – Income under a nonqualified deferred compensation plan that fails to satisfy section 409A. This amount is also included in box 1. It is subject to an additional 20% tax plus interest. See the Form 1040 instructions.

AA – Designated Roth contributions under a section 401(k) plan.

BB – Designated Roth contributions under a section 403(b) plan.

DD – Cost of employer-sponsored health coverage. The amount reported with code DD is not taxable.

EE – Designated Roth contributions under a governmental section 457(b) plan. This amount does not apply to contributions under a tax-exempt organization section 457(b) plan.

FF – Permitted benefits under a qualified small employer health reimbursement arrangement. **GG** – Income from qualified equity grants under section 83(i). **HH** – Aggregate deferrals under section 83(i) elections as of the close of the calendar year.

II – Medical savings account payments or distributions. Report income under Notice 2004-50.

Box 13. If the "Retirement plan" box is checked, special limits may apply to the amount of traditional IRA contributions you may deduct. See Pub. 590-A. Contributions to Individual Retirement Arrangements (IRAs).

Box 14. Enter any other information you have to report. Information such as state disability insurance taxes withheld, union dues, uniform payments, health insurance premiums, included nontaxable income, educational assistance payments, expenses of the employee's employer-provided vehicle, Railroad employee's employer-provided [illegible]

Instructions for Employee

Box 1. Enter this amount on the wages line of your tax return.

Box 2. Enter this amount on the federal income tax withheld line of your tax return.

Box 5. You may be required to report this amount on Form 8959. See the Form 1040 instructions to determine if you are required to complete Form 8959.

Box 6. This amount includes the 1.45% Medicare tax withheld on all Medicare wages and tips shown in box 5, as well as the 0.9% Additional Medicare Tax on any of those Medicare wages and tips above $200,000.

Box 8. This amount is **not** included in box 1, 3, 5, or 7. For information on how to report tips on your tax return, see the Form 1040 instructions. You must file Form 4137 with your income tax return to report at least the allocated tip amount unless you can prove with adequate records that you received a smaller amount. If you have records that show the actual amount of tips you received, report that amount even if it is more or less than the allocated tips. Use Form 4137 to figure the social security and Medicare tax owed on tips you didn't report to your employer. Enter this amount on the wages line of your tax return. By filing Form 4137, your social security tips will be credited to your social security record (used to figure your benefits).

Box 10. This amount includes the total dependent care benefits that your employer paid to you or incurred on your behalf (including amounts from a section 125 (cafeteria) plan). Any amount over your employer's plan limit is also included in box 1. See Form 2441.

Box 11. This amount is (a) reported in box 1 if it is a distribution made to you from a nonqualified deferred compensation or nongovernmental section 457(b) plan, or (b) included in box 3 and/or box 5 if it is a prior year deferral under a nonqualified or section 457(b) plan that became taxable for social security and Medicare taxes this year because there is no longer a substantial risk of forfeiture of your right to the deferred amount. This box shouldn't be used if you had a deferral and a distribution in the same calendar year. If you made a deferral and received a distribution in the same calendar year, and you are or will be age 62 by the end of the calendar year, your employer should file Form SSA-131, Employer Report of Special Wage Payments, with the Social Security Administration and give you a copy.

Box 12. The following list explains the codes shown in box 12. You [illegible]

[illegible] code W are limited to $23,000. Deferrals under code H are limited to $7,000. However, if you were at least age 50 in 2024, your employer may have allowed an additional deferral of up to $7,500 ($3,500 for section 401(k)(11) and 408(p) SIMPLE plans). This additional deferral amount is not subject to the overall limit on elective deferrals. For code G, the limit on elective deferrals may be higher for the last 3 years before you reach retirement age. Contact your plan administrator for more information. Amounts in excess of the overall elective deferral limit must be included in income. See the Form 1040 instructions.

Note: If a year follows code D through H, S, Y, AA, BB, or EE, you made a make-up pension contribution for a prior year(s) when you were in military service. To figure whether you made excess deferrals, consider these amounts for the year shown, not the current year. If no year is shown, the contributions are for the current year.

A—Uncollected social security or RRTA tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

B—Uncollected Medicare tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

C—Taxable cost of group-term life insurance over $50,000 (included in boxes 1, 3 (up to the social security wage base), and 5)

D—Elective deferrals to a section 401(k) cash or deferred arrangement. Also includes deferrals under a SIMPLE retirement account that is part of a section 401(k) arrangement.

E—Elective deferrals under a section 403(b) salary reduction agreement

F—Elective deferrals under a section 408(k)(6) salary reduction SEP

G—Elective deferrals and employer contributions (including nonelective deferrals) to a section 457(b) deferred compensation plan

H—Elective deferrals to a section 501(c)(18)(D) tax-exempt organization plan. See the Form 1040 instructions for how to deduct.

J—Nontaxable sick pay (information only, not included in box 1, 3, or 5)

K—20% excise tax on excess golden parachute payments. See the Form 1040 instructions

L—Substantiated employee business expense reimbursements (nontaxable)

M—Uncollected social security or RRTA tax on taxable cost of group-term life insurance over $50,000 (former employees only). See the Form 1040 instructions.

N—Uncollected Medicare tax on taxable cost of group-term life insurance [illegible]

S—Employee salary reduction contributions under a section 408(p) SIMPLE plan

T—Adoption benefits (not included in box 1). Complete Form 8839 to figure any taxable and nontaxable amounts.

V—Income from exercise of nonstatutory stock option(s) (included in boxes 1, 3 (up to the social security wage base), and 5). See Pub. 525 for reporting requirements.

W—Employer contributions (including amounts the employee elected to contribute using a section 125 (cafeteria) plan) to your health savings account. Report on Form 8889.

Y—Deferrals under a section 409A nonqualified deferred compensation plan

Z—Income under a nonqualified deferred compensation plan that fails to satisfy section 409A. This amount is also included in box 1. It is subject to an additional 20% tax plus interest. See the Form 1040 instructions.

AA—Designated Roth contributions under a section 401(k) plan

BB—Designated Roth contributions under a section 403(b) plan

DD—Cost of employer-sponsored health coverage. **The amount reported with code DD is not taxable.**

EE—Designated Roth contributions under a governmental section 457(b) plan. This amount does not apply to contributions under a tax-exempt organization section 457(b) plan.

FF—Permitted benefits under a qualified small employer health reimbursement arrangement

GG—Income from qualified equity grants under section 83(i)

HH—Aggregate deferrals under section 83(i) elections as of the close of the calendar year

II—Medicaid waiver payments excluded from gross income under Notice 2014-7.

Box 13. If the "Retirement plan" box is checked, special limits may apply to the amount of traditional IRA contributions you may deduct. See Pub. 590-A.

Box 14. Employers may use this box to report information such as state [illegible] union dues, uniform payments, health insurance premiums deducted, nontaxable income, educational assistance payments, or a member of the clergy's parsonage allowance and utilities. Railroad employers use this box to report railroad retirement (RRTA) compensation, Tier 1 tax, Tier 2 tax, Medicare tax, and Additional Medicare Tax. Include tips reported by the employee to the employer in railroad [illegible]

[illegible] years after the due date

be imposed on you if this income is taxable and you fail to report it.

IMPORTANT NOTE:
In order to insure efficient processing, attach this W-2 to your tax return like this (following agency instructions):

TAX RETURN	
THIS FORM W-2	OTHER W-2'S

enacted after it was published, go to *www.irs.gov/FormW2*.

Notice to Employee

Do you have to file? Refer to the Form 1040 instructions to determine if you are required to file a tax return. Even if you don't have to file a tax return, you may be eligible for a refund if box 2 shows an amount or if you are eligible for any credit.

Earned income tax credit (EITC). You may be able to take the EITC for 2024 if your adjusted gross income (AGI) is less than a certain amount. The amount of the credit is based on income and family size. Workers without children could qualify for a smaller credit. You and any qualifying children must have valid social security numbers (SSNs). You can't take the EITC if your investment income is more than the specified amount for 2024 or if income is earned for services provided while you were an inmate at a penal institution. For 2024 income limits and more information, visit *www.irs.gov/EITC*. See also Pub. 596. **Any EITC that is more than your tax liability is refunded to you, but only if you file a tax return.**

Employee's social security number (SSN). For your protection, this form may show only the last four digits of your SSN. However, your employer has reported your complete SSN to the IRS and the Social Security Administration (SSA).

Clergy and religious workers. If you aren't subject to social security and Medicare taxes, see Pub. 517.

[illegible] sure to ask the employer to file Form W-2c, Corrected Wage and Tax Statement, with the SSA to correct any name, SSN, or money amount error reported to the SSA on Form W-2. Be sure to get your copies of Form W-2c from your employer for all corrections made so you may file them with your tax return. If your name and SSN are correct but aren't the same as shown on your social security card, you should ask for a new card that displays your correct name at any SSA office or by calling 800-772-1213. You may also visit the SSA website at *www.SSA.gov*.

Cost of employer-sponsored health coverage (if such cost is provided by the employer). The reporting in box 12, using code DD, of the cost of employer-sponsored health coverage is for your information only. **The amount reported with code DD is not taxable.**

Credit for excess taxes. If you had more than one employer in 2024 and more than $10,453.20 in social security and/or Tier 1 railroad retirement (RRTA) taxes were withheld, you may be able to claim a credit for the excess against your federal income tax. See the Form 1040 instructions. If you had more than one railroad employer and more than $6,129.90 in Tier 2 RRTA tax was withheld, you may be able to claim a refund on Form 843. See the Instructions for Form 843.

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

Receipt Number	USCIS Account Number	Case Type
[redacted]	[redacted]	I765 - APPLICATION FOR EMPLOYMENT AUTHORIZATION
Received Date 06/12/2025	Priority Date 06/12/2025	Applicant [redacted] ANDRES CHICA, CRISTIAN
Notice Date 11/07/2025	Page 1 of 1	

ANDRES CHICA, CRISTIAN
[redacted]

Notice Type: Approval Notice
Class: C08
Valid from 11/06/2025 to 11/05/2030

We have mailed an official notice about this case (and any relevant documentation) according to the mailing preferences you chose on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. **This is a courtesy copy, not the official notice.**

What the Official Notice Said

We have approved your application for employment authorization. We will send your Employment Authorization Document (EAD) (also known as an EAD card or Form I-766) to you separately. Your EAD card should be produced within one to two weeks. Your EAD card will be mailed via U.S. Postal Service (USPS) Priority Mail with Delivery Confirmation to the address you designated. The time frame in which you will receive your EAD card may vary, depending on USPS delivery times. Please allow a total of 30 days from approval before inquiring with USCIS. We encourage you to use Case Status Online https://egov.uscis.gov/ to find your USPS tracking number for EAD card delivery. If you have not received your EAD card within this time frame, please visit https://egov.uscis.gov/e-request/Intro.do for instructions on how to submit an inquiry.

Your EAD card is proof that you are allowed to work in the United States. Show the card to your employer to verify your authorization to work during the dates on the card. You cannot use this approval notice as proof of your employment authorization.

When you receive your EAD card, please check that all the information on the card is correct. If you need to change any information on the card, please mail all of the following to the office listed below:

- A letter explaining what information needs to be corrected,
- Your EAD card,
- A photocopy of this notice, and
- Evidence to show what the correct information should be. For example, if you need to correct your name, submit a copy of your birth certificate or official name change.

If You Have a Pending Form I-485

If you have a pending or approved Form I-140 and a pending Form I-485, you may request to change employers if your Form I-485 has been pending for at least 180 days. In order to do so, you need to submit documentation about your new job offer. For more information on how to request a change of employers and what information you must submit, please visit the USCIS website at www.uscis.gov.

If your EAD card expires before we make a final decision on your Form I-485, you may apply for a new EAD card.

THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA OR EVIDENCE OF EMPLOYMENT AUTHORIZATION.

NOTICE: Although this application or petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to https://www.uscis.gov/file-online.

SCOPS TEXAS FACILITY
U.S. CITIZENSHIP & IMMIGRATION SVC
6046 N BELT LINE RD.
IRVING TX 75038-0001

USCIS Contact Center: www.uscis.gov/contactcenter

If this is an interview or biometrics appointment notice, please see the back of this notice for important information.

CTDI

Celebrating over 45 years of Service Excellence

HUMAN RESOURCES

Cristian A. Chica
[redacted]

Subject: Congratulations on Being Selected for CTDI's ESL Program!

Dear Cristian,

Congratulations! CTDI is pleased to announce that you have been selected to participate in our new **English as a Second Language Program**! This is a fantastic opportunity for you to strengthen your language skills and CTDI is thrilled to support and invest in your personal and professional growth.

Every workday, you contribute to CTDI's performance, work environment, and culture at 1365. Through this program, CTDI wants to provide you with the necessary tools to enhance your communication skills, enabling you to engage more deeply in both our CTDI community as well as your broader community. We want to support your success in the workplace and beyond!

We have partnered with the **Chester County OIC** a local organization with extensive experience in ESL and other adult learning programs. CTDI's ESL Program will run for 10 weeks, **with classes held onsite at 1365, twice a week from 3:00 pm to 4:00 pm, every Tuesday and Thursday from April 8, 2025 through June 5, 2025**. Since your current shift ends at 3:30 pm, CTDI will be allowing you to dedicate the final 30 minutes of your work shift to ESL instruction, along with another 30 minutes of your time from 3:30 to 4:00 pm.

To acknowledge your understanding of CTDI's expectations and confirm your participation and commitment to the program, please review the attached acknowledgment document. Please sign and return it to Human Resources (Nicole Thomas) no later than Friday, April 28th, including if you are unable to participate in the program at this time.

Once again, congratulations on this exciting opportunity! At CTDI, we believe that investing in our employees is part of our competitive advantage, and hope this experience will have a positive impact on both your professional and personal life.

Best regards,

Yeechun Su
Vice-President, Human Resources

ESL @ CTDI

I, Christian Andres C. acknowledge receipt of the information regarding the ESL program and fully commit to participating in the program. By signing below, I confirm my commitment to the goals of the ESL program and my responsibility to actively engage in the learning process, including my ability to attend the below sessions.

Class Information

Duration: 10 weeks

Days of the Week: Tuesday's and Thursday's

Time: 3pm – 4pm ***the last 30 minutes of your work shift will be dedicated to the ESL program*

Start Date: Tuesday, April 8, 2025

Facilitator: Chester County OIC

Location: 1365 West Chester, Training Room

Schedule

Tuesday, April 8, 2025 *(First Class)*	3:00 – 4:00 pm	Tuesday, May 13, 2025	3:00 – 4:00 pm
Thursday, April 10, 2025	3:00 – 4:00 pm	Thursday, May 15, 2025	3:00 – 4:00 pm
Tuesday, April 15, 2025	3:00 – 4:00 pm	Tuesday, May 20, 2025	3:00 – 4:00 pm
Thursday, April 17, 2025	3:00 – 4:00 pm	Thursday, May 22, 2025	3:00 – 4:00 pm
Tuesday, April 22, 2025	3:00 – 4:00 pm	Tuesday, May 27, 2025	3:00 – 4:00 pm
Thursday, April 24, 2025	3:00 – 4:00 pm	Thursday, May 29, 2025	3:00 – 4:00 pm
Tuesday, April 29, 2025	3:00 – 4:00 pm	Tuesday, June 3, 2025	3:00 – 4:00 pm
Thursday, May 1, 2025	3:00 – 4:00 pm	Thursday, June 5, 2025	3:00 – 4:00 pm
Tuesday, May 6, 2025	3:00 – 4:00 pm	Tuesday, June 10, 2025	3:00 – 4:00 pm
Thursday, May 8, 2025	3:00 – 4:00 pm	Thursday, June 12, 2025	3:00 – 4:00 pm

Employee's Signature: Christian Andres C.

Date: 03-25-25

Celebrating over 45 years of Service Excellence

HUMAN RESOURCES

Cristian A. Chica
[redacted]

Asunto: Felicitaciones por haber sido seleccionado para el programa ESL del CTDI!

Estimado Cristian,

¡Felicidades! ¡CTDI se complace en anunciar que ha sido seleccionado para participar en nuestro nuevo **Programa de Inglés como Segundo Idioma (ESL)!** Esta es una fantástica oportunidad para que fortalezca sus habilidades lingüísticas y CTDI está encantado de apoyar e invertir en su crecimiento personal y profesional.

Cada día de trabajo, usted contribuye al rendimiento, el entorno de trabajo y la cultura de CTDI en 1365. A través de este programa, CTDI quiere proporcionarle las herramientas necesarias para mejorar sus habilidades de comunicación, lo que le permite participar más profundamente tanto en nuestra comunidad CTDI como en su comunidad en general. ¡Queremos apoyar su éxito en el lugar de trabajo y más allá!

Nos hemos asociado con el **OIC del condado de Chester**, una organización local con amplia experiencia en ESL y otros programas de aprendizaje para adultos. El Programa de ESL de CTDI tendrá una duración de 10 semanas, **con clases en el sitio a las 1365, dos veces por semana de 3:00 pm a 4:00 pm, todos los martes y Jueves, del 8 de abril de 2025 al 5 de junio de 2025**. Dado que su turno actual termina a las 3:30 pm, CTDI le permitirá dedicar los últimos 30 minutos de su turno de trabajo a la instrucción de ESL, junto con otros 30 minutos de su tiempo de 3:30 a 4:00 pm.

Por favor revise el documento de reconocimiento adjunto para reconocer su comprensión de las expectativas de CTDI y confirmar su participación y compromiso con el programa. Por favor firme y devuélvalo a Recursos Humanos (Nicole Thomas) a más tardar el viernes 28 de abril, incluso si no puede participar en el programa en este momento.

Una vez más, ¡felicidades por esta emocionante oportunidad! En CTDI, creemos que invertir en nuestros empleados es parte de nuestra ventaja competitiva, y esperamos que esta experiencia tenga un impacto positivo en su vida profesional y personal.

Saludo cordiales,

Yeechun Su
Vicepresidente de Recursos Humanos

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

CHRISTIAN ANDRES CHICA *Petitioner,* v. **KRISTI NOEM,** Secretary of the U.S. Department of Homeland Security, in her official capacity; **U.S. DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI** Attorney General of the United States, in her official capacity; **TODD M. LYONS**, Acting Director, U.S. Immigration and Customs Enforcement, in his official capacity**; DAVID O'NEILL,** Director of the Philadelphia Field Office of the U.S. Immigration and Customs Enforcement, in His official capacity; and **JAMAL L. JAMISON**, Warden of the Federal Detention Center in Philadelphia, in His Official Capacity *Respondents*.	Case No. 2:26-cv-00247 **ORAL ARGUMENT REQUESTED**

PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241

EMERGENCY FILING TO PRESERVE JURISDICTION

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

Petitioner Christian Andres Chica, A#[redacted] respectfully petitions this Honorable Court for a writ of *habeas corpus* to remedy Petitioner's unlawful detention by Respondents, as follows:

I. INTRODUCTION

1. This Petition challenges Petitioner's unlawful civil detention by Immigration and Customs Enforcement ("ICE") following years of full compliance with his conditional parole into the United States pursuant to INA § 236(a).
2. Petitioner Christian Andres Chica, A#[redacted] is a citizen of Colombia who entered the United States at or near Eagle Pass, Texas, on or about October 23, 2022, and was charged for entering without inspection ("EWI") under INA § 212 (a)(6)(A)(i). **See Exhibit A.** Petitioner remained in DHS custody for approximately two (2) days, and was thereafter paroled into the United States under DHS's discretionary parole authority under 8 U.S.C. § 1226(a), INA § 236(a), release on recognizance. ***Id.*** Regardless of the manner of entry, DHS's discretionary decision to grant conditional parole under 8 U.S.C. § 1226(a) terminated any mandatory detention authority under 8 U.S.C. § 1225(b). See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6–7 (E.D. Pa. Nov. 14, 2025).
3. Following his conditional parole into the United States , Petitioner sought additional immigration relief by filing an Application for Asylum, Withholding of Removal, and protections under the Convention Against Torture ("CAT") with U.S. Citizenship and

Immigration Services ("USCIS") in 2023, underscoring DHS's recognition that Petitioner was properly present in the United States following his release and eligible to pursue relief through established statutory processes. **See Exhibit B.** His I-589 Application is now pending before the Immigration Court.

4. Following his release, Petitioner relocated to Philadelphia, Pennsylvania, where he fully complied with all ICE reporting requirements, maintained steady employment for over two years, paid annual taxes, and provided financial support to his cousin and her U.S.-citizen daughter, helping pay rent and househouse expenses.

5. Despite this long record of compliance, ICE abruptly detained Petitioner after he appeared voluntarily for a scheduled ICE check-in on January 13, 2026, without prior notice, without identifying any lawful statutory basis for detention, and without providing a bond hearing. ICE's actions violate the Immigration and Nationality Act and the Fifth Amendment's Due Process Clause. See *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

6. Once DHS paroles a noncitizen into the United States, whether through conditional parole or humanitarian parole, any subsequent detention authority, if it exists, arises under 8 U.S.C. § 1226(a) and requires an individualized bond hearing. *Rios Porras*, slip op. at 4–5; *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *2–3 (E.D. Pa. Nov. 18, 2025).

7. Because DHS previously exercised its parole authority over Petitioner by releasing him on self-recognizance in 2022, its present detention of Petitioner is governed by 8 U.S.C. § 1226(a). As such, any subsequent detention must proceed under that statute and requires access to an individualized, non-illusory review of his ongoing detention. ICE's attempt to detain Petitioner without such process is unlawful.

II. PARTIES

8. Petitioner Christian Andres Chica is a noncitizen currently detained by Respondents in the Eastern District of Pennsylvania.

9. Respondent Jamal L. Jamison is named in his official capacity as the Warden of the Federal Detention Center–Philadelphia ("FDC Philadelphia"), located in Philadelphia, Pennsylvania. Respondent Jamison has immediate physical custody of Petitioner pursuant to a contract with ICE to detain noncitizens and is a proper respondent to this habeas petition. See *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004).

10. Respondent David O'Neill is named in his official capacity as the Philadelphia Field Office Director for ICE Enforcement and Removal Operations ("ERO"). In this capacity, Respondent O'Neill is responsible for the administration and management of ICE detention and enforcement operations within the Eastern District of Pennsylvania and exercises legal control over Petitioner's custody.

11. Respondent Todd M. Lyons is named in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement. In this capacity, Respondent Lyons is responsible for the administration and enforcement of federal immigration laws, including detention determinations, and is a legal custodian of Petitioner. Respondent Lyons's office is located at 500 12th Street, S.W., Washington, D.C. 20536.

12. Respondent Department of Homeland Security ("DHS") is the federal agency responsible for implementing and enforcing the Immigration and Nationality Act ("INA"), including the detention, parole, and removal of noncitizens. DHS exercises ultimate authority over ICE and Petitioner's detention.

13. Respondent Kristi Noem is named in her official capacity as the Secretary of the U.S. Department of Homeland Security ("DHS"). DHS oversees ICE, which is responsible for administering and enforcing the immigration laws and for Petitioner's detention. Secretary Noem is the ultimate legal custodian of Petitioner. Her office is located at the U.S. Department of Homeland Security, Washington, D.C. 20528.

14. Respondent Pamela Bondi is named in her official capacity as Attorney General of the United States and senior official of the U.S. Department of Justice. In that capacity, she has the authority to adjudicate removal cases and oversees the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the Board of Immigration of Appeals (BIA).

III. JURISDICTION AND VENUE

15. This action arises under the Fifth and Fourteenth Amendments to the U.S. Constitution.

16. This action arises under the Fifth and Fourteenth Amendments to the U.S. Constitution.

17. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 2241, Art. I § 9, cl. 2 of the United States Constitution, 28 U.S.C. § 1331, and 28 U.S.C. § 1361. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.

18. The United States has waived sovereign immunity for this action for declaratory and injunctive relief against one of its agencies and that agency's officers are sued in their official capacities. *See* 5 U.S.C. § 702.

19. Venue is proper in this District because the Petitioner is detained in this district. 28 U.S.C. § 1391; *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004).

IV. STATEMENT OF FACTS

20. Petitioner Christian Andres Chica, A [redacted] is a noncitizen from Colombia, who is in ICE custody and is currently detained at FDC in Philadelphia, Pennsylvania.

21. Petitioner Christian Andres Chica, A# [redacted] is a noncitizen from Colombia, who is in ICE custody and is currently detained at FDC in Philadelphia, Pennsylvania.

22. Petitioner entered the United States at or near Eagle Pass, Texas, on or about October 23, 2022, and was served with an NTA charging him as removable under INA § 212(a)(6)(A)(i).

23. Petitioner was detained for approximately two days following his apprehension near the border and was subsequently released on recognizance pursuant to INA § 236(a), 8 U.S.C. § 1226(a). ***Id***. *at* **Exhibit A**.

24. DHS served Petitioner with a Notice to Appear dated October 24, 2022, instructing him to appear before the Immigration Court on October 31, 2023, for a Master Calendar Hearing.

25. After his release, Petitioner relocated to Philadelphia, where he fully complied with all ICE supervision requirements, including attending all regular ICE check-ins.

26. For the past two years, Petitioner has maintained steady employment and has provided support to his cousin and her U.S.-citizen daughter, including assisting with rent and housing expenses.

27. In 2023, Petitioner timely filed an affirmative application for asylum with U.S. Citizenship and Immigration Services ("USCIS"). ***Id.*** at **Exhibit B.** His application is now pending before the Immigration Court.

28. After years of adherence to immigration conditions and establishing a presence in the community, Petitioner was abruptly detained after appearing voluntarily for a regularly-scheduled ICE check-in on January 13, 2026, without prior notice, without a bond hearing, and without any contemporaneous explanation of the statutory basis for this action.

29. ICE did not identify any statutory authority for detaining Petitioner and did not provide him with an individualized custody determination.

30. To the extent ICE is asserting detention authority under 8 U.S.C. § 1225(b), as it has repeatedly done in materially identical cases throughout this District, such detention is unlawful because DHS already exercised parole authority under INA § 236(a).

31. Because Petitioner is being detained without clear statutory authorization and in violation of the Fifth Amendment's Due Process Clause, Petitioner requests that this Court issue the writ of *habeas corpus* and order Petitioner's immediate release, or at minimum, an individualized bond hearing under 8 U.S.C. § 1226(a).

V. EXHAUSTION OF ADMINISTRATIVE REMEDIES

32. There is no statutory requirement of exhaustion of administrative remedies where a noncitizen challenges the lawfulness of his detention. *Arango Marquez v. I.N.S.*, 346 F.3d 892, 897 (9th Cir. 2003). Any requirement of administrative exhaustion is therefore purely discretionary. *See Santos v. Lowe*, No. 1:18-cv-1553, 2020 WL 4530728, at *2 (M.D. Pa. Aug. 2020) ("[T]he exhaustion requirement imposed by courts relating to habeas corpus petitions filed by immigration detainees is a prudential benchmark which is not compelled by statute.").

33. There is no statutory requirement of exhaustion of administrative remedies where a noncitizen challenges the lawfulness of his detention. *Arango Marquez v. I.N.S.*, 346 F.3d 892, 897 (9th Cir. 2003). Any requirement of administrative exhaustion is therefore purely discretionary. *See Santos v. Lowe*, No. 1:18-cv-1553, 2020 WL 4530728, at *2 (M.D. Pa. Aug. 2020) ("[T]he exhaustion requirement imposed by courts relating to habeas corpus petitions filed by immigration detainees is a prudential benchmark which is not compelled by statute.").

34. In making that decision, the Court should consider the urgency of the need for immediate review. "Where a person is detained by executive order . . . the need for collateral review is most pressing. . . . In this context the need for habeas corpus is more urgent." *Boumediene v. Bush*, 553 U.S. 723, 783 (2008) (waiving administrative exhaustion for executive detainees).

35. Moreover, the exhaustion "doctrine is not without exception." *Ashley v. Ridge*, 288 F. Supp. 2d 662, 666. (D.N.J. 2003). "Courts have found that the exhaustion of administrative remedies may not be required when available remedies provide no opportunity for adequate relief, an administrative appeal would be futile, or if the plaintiff has raised a substantial constitutional question." *Id*. at 666-67.

36. Administrative relief would be futile in this matter, as recent decisions by the Board of Immigration Appeals ("BIA") have rendered bond hearings through the Immigration Courts illusory. The BIA has maintained its position that an Immigration Judge lacks jurisdiction to conduct a bond hearing or provide any relief, rendering administrative exhaustion futile.

37. Finally, the Immigration Court and/or BIA do not have jurisdiction to fully adjudicate Petitioner's present claim. The Third Circuit has held that the BIA does not have jurisdiction to adjudicate Constitutional issues. *Qatanani v. Att'y Gen. of the U.S.*, 144 F.4th 485, 500 (3d Cir. 2025); *see also Ashley*, 288 F. Supp. 2d at 667 (citation omitted). Here, Petitioner raises a Constitutional due process issue, making his claim ripe for adjudication by this Court, rather than the Immigration Court. Therefore, any administrative proceedings would be futile. *Qatanani*, 144 F.4th at 500.

VI. LEGAL FRAMEWORK

A. Release on Recognizance or Conditional Supervision Under INA § 236(a)

38. Separate from humanitarian parole under § 212(d)(5), the INA authorizes DHS to release a noncitizen from custody under the discretionary detention framework of INA § 236(a), 8 U.S.C. § 1226(a), pending a decision on removal. Section 1226(a) expressly permits DHS to release a noncitizen on bond, conditional parole, or recognizance after an individualized custody determination. 8 U.S.C. § 1226(a)(2); *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018).

39. When DHS releases a noncitizen under § 1226(a), it necessarily determines that mandatory detention is not required and that the individual may safely reside in the community subject to supervision. That discretionary release places the individual squarely within the § 1226(a) detention framework and forecloses later reliance on § 1225(b). *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *5–8 (E.D. Pa. Nov. 18, 2025).

40. Courts have repeatedly held that DHS may not "toggle" between detention statutes based on enforcement preference after it has elected to release a noncitizen into the interior

under § 1226(a). *Kashranov*, 2025 WL 3188399, at *6. Once DHS releases a noncitizen on recognizance or conditional supervision, any subsequent detention must proceed under § 1226(a) and must include access to an individualized bond hearing before an immigration judge. *Id.*; *Anirudh v. McShane*, No. 25-6458, 2025 WL 3527528, at *4 (E.D. Pa. Dec. 9, 2025).

B. Noncitizens Who Entered Without Inspection (EWI) and Were Released Into the Interior

41. The Government frequently asserts that noncitizens who entered without inspection ("EWI") are categorically subject to mandatory detention under 8 U.S.C. § 1225(b) based solely on the manner of their entry. Courts have repeatedly rejected that position. Entry without inspection, standing alone, does not permanently subject a noncitizen to mandatory detention under § 1225(b).

42. As courts in the Eastern District have emphasized, the legally operative event for determining detention authority is not the manner of initial entry, but DHS's affirmative decision to release the individual into the United States. See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025). Once DHS releases an EWI noncitizen into the interior—whether under supervision, on recognizance, or after service of a Notice to Appear—the individual is no longer "seeking admission" within the meaning of § 1225(b), and detention authority, if any, must arise under 8 U.S.C. § 1226(a).

43. In *Maldonado Bautista v. Santacruz*, the United States District Court for the Central District of California squarely rejected DHS's position that noncitizens who entered without inspection remain categorically subject to mandatory detention under § 1225(b)

after release into the United States. The court held that noncitizens already present in the United States who entered without inspection and were not apprehended upon arrival are detained—if at all—under 8 U.S.C. § 1226(a) and are therefore entitled to individualized bond hearings. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 12–16 (C.D. Cal. Nov. 20, 2025), final judgment entered, slip op. at 10–11 (C.D. Cal. Dec. 18, 2025).

44. The court further certified a nationwide Bond-Eligible Class consisting of:

> 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. *Maldonado Bautista*, No. 5:25-cv-01873-SSS-BFM, slip op. at 2, 15 (C.D. Cal. Nov. 25, 2025), clarified and incorporated into final judgment, slip op. at 2 (C.D. Cal. Dec. 18, 2025).

Importantly, in entering final judgment, the court expressly clarified that the Board of Immigration Appeals' decision in *Matter of Yahure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025), "cannot be squared" with its statutory analysis and that *Yahure Hurtado* is "no longer controlling," as "the legal conclusion underlying the decision is no longer tenable." *Maldonado Bautista*, No. 5:25-cv-01873-SSS-BFM, slip op. at 6 (C.D. Cal. Dec. 18, 2025). The court emphasized that detention authority must be determined by DHS's custodial decisions—specifically, whether DHS elected to release the noncitizen into the interior—and not by the manner of entry alone. *Id.* at 6–8.

45. Accordingly, even where DHS argues that a noncitizen's EWI status places them outside the scope of § 1226(a), *Maldonado Bautista* confirms that such individuals are

bond-eligible once released and that *Yahure Hurtado* cannot be relied upon to deny access to a bond hearing.

46. Accepting the Government's contrary theory—that all EWI noncitizens remain permanently subject to § 1225(b)—would effectively eliminate § 1226(a) for a broad class of individuals Congress plainly intended to place within the discretionary detention regime. Courts have rejected that interpretation as inconsistent with the INA's text, structure, and statutory design. See *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *9 (E.D. Pa. Nov. 18, 2025); *Kashranov*, 2025 WL 3188399, at *10.

47. Accordingly, once an EWI noncitizen has been released into the United States, any subsequent detention authority arises—if at all—under 8 U.S.C. § 1226(a), which requires individualized consideration and access to a bond hearing.

C. The INA Establishes Two Distinct and Mutually Exclusive Detention Regimes

48. The statutory structure of the Immigration and Nationality Act ("INA") establishes two distinct and mutually exclusive detention regimes governing noncitizens during removal proceedings. Mandatory detention under 8 U.S.C. § 1225(b) applies to noncitizens who are "*seeking admission*" at or near the border and remain in the inspection process. By contrast, 8 U.S.C. § 1226 governs discretionary detention of noncitizens who are *already present in the United States* pending a decision on removal. *See Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018) (distinguishing § 1225(b), which applies to noncitizens "seeking admission," from § 1226, which governs noncitizens "already in the country").

49. Courts have consistently recognized that these provisions "can be reconciled only if they apply to different classes of aliens." *Romero v. Hyde*, No. 25-11631, 2025 WL 2403827, at *11 (D. Mass. Aug. 19, 2025) (quoting *Matter of M-S-*, 27 I. & N. Dec. 509, 516 (A.G. 2019)); see also *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *5

(E.D. Pa. Nov. 18, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025).

50. A noncitizen may not be simultaneously subject to both detention schemes. Once the Department of Homeland Security ("DHS") affirmatively releases a noncitizen into the United States—whether through humanitarian parole under INA §212(d) or, release on recognizance under INA §236(a), 8 U.S.C. § 1226(a)—the individual is no longer subject to the mandatory detention framework of INA §235(b), 8 U.S.C. § 1225(b). At that point, any subsequent detention authority arises, if at all, under § 1226, which provides for discretionary detention and access to an individualized bond hearing. *See Rios Porras v. O'Neill*, No. 25-6801, slip op. at 4–5 (E.D. Pa. Dec. 22, 2025).

51. As explained in the Argument section below, DHS's attempt to reclassify a noncitizen as subject to mandatory detention under § 1225(b) after an affirmative release into the interior finds no support in the INA's text or structure and has been uniformly rejected by courts.

D. 8 U.S.C. § 1225(b) Does Not Apply After Conditional Parole

52. Section 1225(b) applies only to individuals who are seeking admission and have not been admitted or paroled. 8 U.S.C. § 1225(b).

53. Once DHS paroles a noncitizen into the United States, § 1225(b) no longer governs detention authority. DHS may not later treat the same individual as an "arriving alien" subject to mandatory detention. *Rios Porras*, slip op. at 4–5.

54. Courts in this District have repeatedly rejected the Government's attempt to re-invoke § 1225(b) after parole. *See, e.g., Kashranov v. Jamison*, 2025 WL 3188399, at *5–6 (E.D.

Pa. Nov. 14, 2025); *Ndiaye v. Jamison*, 2025 WL 3229307, at *3–4 (E.D. Pa. Nov. 19, 2025).

VII. ARGUMENT

A. PETITIONER'S DETENTION VIOLATES THE IMMIGRATION AND NATIONALITY ACT

55. DHS's detention of Petitioner under 8 U.S.C. § 1225(b) is unlawful because DHS already exercised its conditional parole authority under INA § 236(a), thereby removing Petitioner from the statutory class governed by § 1225(b).

56. Section 1225(b) authorizes mandatory detention only for noncitizens who are seeking admission and who have not been admitted or paroled into the United States. 8 U.S.C. § 1225(b).

57. As the Eastern District of Pennsylvania recently explained in a materially similar case, DHS "cannot parole an individual into the United States and later claim that the same individual is 'present without admission or parole.'" *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 4 (E.D. Pa. Dec. 22, 2025). In *Rios Porras*, DHS apprehended the petitioner at the border, released him on parole, and then detained him years later at his home while asserting mandatory detention authority under § 1225(b). The court squarely rejected that theory, holding that parole is the legally operative act for detention purposes. *Id.* at 3–5.

58. Once parole is granted, whether conditional or humanitarian, detention authority,if any, arises under 8 U.S.C. § 1226(a), which governs the discretionary detention of noncitizens pending a decision on removal and requires an individualized bond hearing. *Id.*; *Demirel v. Fed. Det. Ctr. Phila.*, 2025 WL 3218243, at *2–3 (E.D. Pa. Nov. 18, 2025). Section

1226(a) does not authorize categorical or mandatory detention; rather, it permits release on bond or conditional parole after individualized consideration. 8 U.S.C. § 1226(a)(2).

59. Though the grant of parole does not change Petitioner's entry status for the purposes of determining removability, DHS's exercise of parole authority for Petitioner makes any subsequent detention subject to 8 U.S.C. § 1226(a)(2), rather than 8 U.S.C. § 1225(b).

60. Under U.S.C. § 1226(a), a noncitizen is eligible for custody redetermination unless there is evidence of their involvement with foreign terrorist groups or they present a danger to public safety and/or national security. 8 U.S.C. § 1227(a)(4)(A).

61. Because Petitioner does not fall within one of the categories enumerated in § 1227(a)(4)(A) and his current detention is governed by § 1226(a)(2), he is entitled to an individualized custody determination.

62. Here, DHS has provided Petitioner with no bond hearing at all, despite having paroled him into the United States under INA § 236(a). Detention without a bond hearing under these circumstances exceeds DHS's statutory authority and violates the plain language of the INA. See *Rios Porras*, slip op. at 4–5; *Demirel*, 2025 WL 3218243, at *3.

63. Regardless of the manner of entry, DHS's discretionary decision to grant parole, whether through INA § 236(a) or INA § 212(d), terminated any detention authority under 8 U.S.C. § 1225(b). See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6–7 (E.D. Pa. Nov. 14, 2025).

B. INITIAL BORDER APPREHENSION IS LEGALLY IRRELEVANT

64. The Government frequently argues that initial apprehension at or near the border permanently subjects a noncitizen to mandatory detention under § 1225(b), even after DHS has exercised parole authority. Courts have uniformly rejected that argument.

65. As multiple courts in this District have explained, initial apprehension is not the legally operative event for detention purposes. Rather, the operative event is DHS's affirmative decision to parole the individual into the United States. *Rios Porras*, slip op. at 3–4. Once DHS chooses parole, it cannot later erase the legal consequences of that decision by invoking a statute that applies only to individuals who have not been admitted or paroled. *Id.*

66. The Eastern District has repeatedly emphasized that DHS may not "toggle" between detention statutes based on enforcement preference. See *Kashranov v. Jamison*, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025) ("The government's attempt to resurrect § 1225(b) after parole finds no support in the statutory text."). In *Kashranov*, as here, DHS argued that the petitioner's original border encounter justified continued mandatory detention notwithstanding parole. The court rejected that position, holding that once parole is granted, § 1225(b) no longer applies "regardless of where or how the individual was first encountered." *Id.*

67. Accordingly, the fact that Petitioner was initially apprehended at the border on October 23, 2022 is legally irrelevant. DHS's own discretionary act of parole governs the applicable detention framework, and that framework does not permit mandatory detention without a bond hearing.

C. PETITIONER'S CONTINUED DETENTION VIOLATES THE FIFTH AMENDMENT

i. Procedural Due Process

68. The Fifth Amendment's Due Process Clause protects all "persons" within the United States—including noncitizens—from deprivation of liberty without due process of law. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *Mathews v. Diaz*, 426 U.S. 67, 77 (1976). Freedom from physical restraint "lies at the heart of the liberty that the Due Process Clause protects." *Zadvydas*, 533 U.S. at 690.

69. At minimum, procedural due process requires notice and an opportunity to be heard at a meaningful time and in a meaningful manner before liberty is restrained. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). In the immigration detention context, that principle is typically satisfied through an individualized bond hearing where the government must justify continued detention.

70. Petitioner received no such process. After being paroled into the United States and complying with all requirements for years, he was detained at an ICE check-in without notice, without explanation, and without any hearing. DHS provided no individualized determination that detention was necessary and no opportunity for Petitioner to contest his confinement.

71. Courts in this District have found materially similar conduct to be procedurally unconstitutional. See *Rios Porras*, slip op. at 4–5 (finding detention without a bond hearing after parole violated due process). The absence of any hearing or individualized assessment creates a substantial risk of erroneous deprivation of liberty and fails even the most basic procedural requirements of the Fifth Amendment.

ii. Substantive Due Process

72. Substantive due process imposes an independent constraint on civil detention. Even where procedures are provided, detention must bear a reasonable relation to a legitimate governmental purpose and may not be arbitrary or punitive. *Zadvydas*, 533 U.S. at 690; *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

73. In the immigration context, the Supreme Court has recognized only two legitimate purposes for civil detention: preventing flight and protecting the community. *Zadvydas*, 533 U.S. at 690; *Demore v. Kim*, 538 U.S. 510, 528 (2003). Detention that does not reasonably further either purpose violates substantive due process.

74. Petitioner's detention serves neither. DHS itself determined that Petitioner was suitable for parole, and permitted him to live in the community for years. Petitioner complied fully by maintaining a stable address, being gainfully employed, paying taxes, and building community ties—conduct that demonstrates compliance, not flight risk. *See* **Exhibit C-D**. There has been no individualized finding, or even allegation, that Petitioner poses a danger to the community.

75. Detention imposed under these circumstances is arbitrary. As the Supreme Court has cautioned, justification based on flight risk "is weak or nonexistent where removal seems a remote possibility." *Zadvydas*, 533 U.S. at 690. Moreover, detention imposed without statutory authorization is itself substantively unconstitutional. *Clark v. Martinez*, 543 U.S. 371, 386–87 (2005) (holding that detention beyond statutory limits violates due process).

76. Because DHS lacks statutory authority to detain a paroled individual without a bond hearing, Petitioner's continued confinement is not merely excessive—it is unlawful and unconstitutional.

D. IN THE ALTERNATIVE, PETITIONER IS ENTITLED TO A BOND HEARING UNDER *MALDONADO BAUTISTA*

77. Even if this Court were to conclude that Petitioner is detained under 8 U.S.C. § 1225(b), which he is not, his continued detention without a bond hearing is independently unlawful under *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.).

78. On November 20, 2025, the United States District Court for the Central District of California granted partial summary judgment holding that noncitizens detained under circumstances identical to Petitioner's are properly detained under 8 U.S.C. § 1226(a) and therefore may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025). On November 25, 2025, the court certified a nationwide Bond Eligible Class and expressly extended that declaratory judgment to all class members. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025).

79. Critically, on December 18, 2025, the court entered final judgment after finding that immigration courts and the Department of Homeland Security were continuing to deny bond hearings and disregard the Court's declaratory relief. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 8–11 (C.D. Cal. Dec. 18, 2025) (entering final judgment pursuant to Fed. R. Civ. P. 54(b) based on evidence of agency noncompliance). The court expressly recognized that immigration judges had been

instructed to continue following *Matter of Yajure Hurtado* despite the Court's ruling, and that such noncompliance created exigent circumstances and ongoing irreparable harm to detained class members. *Id.* at 8–9.

80. The *Maldonado Bautista* declaratory judgment, now a final judgment, holds that application of mandatory detention under § 1225(b)(2) to Bond Eligible Class members violates the Immigration and Nationality Act, and that such individuals are detained under § 1226(a) as a matter of law. *Maldonado Bautista*, 2025 WL 3289861, at *11. That judgment has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).

81. Courts in the Eastern District of Pennsylvania have repeatedly relied on *Maldonado Bautista* in ordering release or bond hearings for similarly situated petitioners. See, e.g., *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *5 (E.D. Pa. Nov. 18, 2025); *Anirudh v. McShane*, No. 25-6458, 2025 WL 3527528 (E.D. Pa. Dec. 9, 2025); *Ndiaye v. Jamison*, No. 25-6007, 2025 WL 3229307 (E.D. Pa. Nov. 19, 2025).

82. Accordingly, even under Respondents' erroneous theory of detention, Petitioner is entitled to immediate release, or at minimum, an individualized bond hearing under 8 U.S.C. § 1226(a) within seven days.

83. Where detention exceeds statutory or constitutional limits, habeas relief is appropriate. *Zadvydas*, 533 U.S. at 699–701.

84. Courts in this District regularly order immediate release or bond hearings in similar cases. *Rios Porras*, slip op. at 5; *Ndiaye*, 2025 WL 3229307, at *4.

VIII. CLAIMS FOR RELIEF

A. FIRST CLAIM FOR RELIEF

a. Violation of the Immigration and Nationality Act
Unlawful Detention and Denial of Bond Hearing
8 U.S.C. §§ 1225(b), 1226(a)

85. Petitioner re-alleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

86. The mandatory detention provision at 8 U.S.C. § 1225(b) applies only to noncitizens who are seeking admission and who have not been admitted or paroled. It does not apply once the Department of Homeland Security ("DHS") has affirmatively exercised its discretionary authority to parole a noncitizen into the United States pursuant to INA § 212(d)(5) or INA §236(a).

87. Petitioner was apprehended by the Department of Homeland Security ("DHS") after entering the United States on or about October 23, 2022. Petitioner remained in DHS custody for two (2) days, and was thereafter paroled into the United States under DHS's discretionary parole authority. ***Id***. Regardless of the manner of entry, DHS's discretionary decision to grant parole terminated any detention authority under 8 U.S.C. § 1225(b). See *Rios Porras v. O'Neill*, No. 25-6801, slip op. at 3–4 (E.D. Pa. Dec. 22, 2025); *Kashranov v. Jamison*, No. 25-5555, 2025 WL 3188399, at *6–7 (E.D. Pa. Nov. 14, 2025).

88. Following his parole pursuant to INA § 236(a), Petitioner sought additional immigration relief by filing an Application for Asylum and Withholding of Removal with U.S. Citizenship and Immigration Services ("USCIS"), underscoring DHS's recognition that

Petitioner was properly present in the United States following his release and eligible to pursue relief through established statutory processes.

89. Once DHS paroles a noncitizen into the United States, any subsequent detention authority—if it exists at all—arises under 8 U.S.C. § 1226(a) and requires an individualized bond hearing. *Rios Porras*, slip op. at 4–5; *Demirel v. Fed. Det. Ctr. Phila.*, No. 25-5488, 2025 WL 3218243, at *2–3 (E.D. Pa. Nov. 18, 2025).

90. Nonetheless, Respondents have detained Petitioner without providing a bond hearing and without identifying any lawful statutory basis for detention. Respondents' application of § 1225(b) to Petitioner is contrary to the plain language of the INA and violates 8 U.S.C. § 1226(a).

B. SECOND CLAIM FOR RELIEF

a. Violation of the Immigration and Nationality Act Alternative Claim Under *Maldonado Bautista* 8 U.S.C. § 1226(a)

91. Petitioner re-alleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

92. In the alternative, even if this Court were to conclude that Respondents are detaining Petitioner under 8 U.S.C. § 1225(b)—which they may not—Petitioner's continued detention without a bond hearing is unlawful under *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.).

93. In *Maldonado Bautista*, the district court granted partial summary judgment holding that similarly situated noncitizens are detained under § 1226(a) and may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista v.*

Santacruz, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025).

94. The court subsequently certified a nationwide Bond Eligible Class and extended declaratory relief to all class members. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025).

95. On December 18, 2025, the court entered final judgment after finding that immigration courts and DHS were continuing to deny bond hearings and disregard the court's declaratory relief. *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 8–11 (C.D. Cal. Dec. 18, 2025). The court expressly recognized that such noncompliance created exigent circumstances and ongoing irreparable harm to detained noncitizens.

96. The declaratory judgment in *Maldonado Bautista*—now reduced to final judgment—has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a). Respondents' continued detention of Petitioner without a bond hearing therefore violates the INA.

C. THIRD CLAIM FOR RELIEF

a. Violation of the Administrative Procedure Act Arbitrary, Capricious, and Contrary to Law Agency Action 5 U.S.C. § 706(2)

97. Petitioner re-alleges and incorporates by reference all preceding paragraphs.

98. The Administrative Procedure Act ("APA") requires courts to hold unlawful and set aside agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

99. Respondents' detention of Petitioner under § 1225(b), despite DHS's prior grant of parole and binding federal court decisions holding such detention unlawful, is contrary to the

INA and reflects an unexplained and unjustified departure from settled law and practice. See *Rios Porras*, slip op. at 3–5; *Demirel*, 2025 WL 3218243, at *5.

100. Respondents have failed to articulate a reasoned explanation for treating Petitioner as subject to mandatory detention, have relied on factors Congress did not intend them to consider, and have disregarded binding judicial authority. Their actions are therefore arbitrary, capricious, and not in accordance with law in violation of the APA.

D. FOURTH CLAIM FOR RELIEF

a. Violation of the Fifth Amendment Due Process Clause Procedural and Substantive Due Process

101. Petitioner re-alleges and incorporates by reference all preceding paragraphs.

102. The Fifth Amendment's Due Process Clause protects all "persons" within the United States from deprivation of liberty without due process of law. U.S. Const. amend. V; *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

103. Procedural due process requires, at minimum, notice and an opportunity to be heard at a meaningful time and in a meaningful manner. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). Petitioner was detained without notice, without a hearing, and without any individualized determination, rendering his detention procedurally unconstitutional.

104. Substantive due process further requires that civil immigration detention bear a reasonable relation to a legitimate governmental purpose and may not be arbitrary or punitive. *Zadvydas*, 533 U.S. at 690; *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

105. Petitioner poses no flight risk and no danger to the community. DHS paroled him into the United States, permitted him to reside in the community for years, and detained him without notice. Detention imposed without statutory authorization and without any

individualized justification violates substantive due process. *Clark v. Martinez*, 543 U.S. 371, 386–87 (2005).

IX. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1) Grants the Petition for Writ of Habeas Corpus;
2) Orders Petitioner's immediate release from ICE custody;
3) In the alternative, holds a bond hearing at which the government must establish by clear and convincing evidence that Petitioner presents a risk of flight or danger,
4) Awards Petitioner his costs and reasonable attorney fees in this action as provided for by the Equal Access to Justice Act, as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other basis justified under law; and
5) Grants such further relief as the Court deems just and proper.

Respectfully submitted,

Dated: January 15, 2026

VASSOR LAW, LLC.

/s/ Dean Vassor

Dean Vassor, Esq.
Attorney for Petitioner
Vassor Law, LLC
6622 Castor Avenue
Philadelphia, PA, 19149
Dean@vassorlawfirm.com
215-437-0546

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 one of Petitioner's attorneys, and I have discussed the claims with Petitioner's legal team. Based on those discussions, 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.

Respectfully submitted,

Dated: January 15, 2026

VASSOR LAW, LLC.

_/s/ *Dean Vassor*

Dean Vassor, Esq.
Attorney for Petitioner
Vassor Law, LLC
6622 Castor Avenue
Philadelphia, PA, 19149
Dean@vassorlawfirm.com
215-437-0546

10/2024

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Habeas Petition For Christian Andres Chica

RELATED CASE IF ANY: Case Number: 2:26-cv-00247 Judge: _____

1. Does this case involve property included in an earlier numbered suit? Yes ☐
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes ☐
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes ☐
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes ☐
5. Is this case related to an earlier numbered suit even though none of the above categories apply? If yes, attach an explanation. Yes ☐

I certify that, to the best of my knowledge and belief, the within case ☐ **is** / ☑ **is not** related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts)
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Wage and Hour Class Action/Collective Action
- ☐ 6. Patent
- ☐ 7. Copyright/Trademark
- ☐ 8. Employment
- ☐ 9. Labor-Management Relations
- ☐ 10. Civil Rights
- ☑ 11. Habeas Corpus
- ☐ 12. Securities Cases
- ☐ 13. Social Security Review Cases
- ☐ 14. Qui Tam Cases
- ☐ 15. Cases Seeking Systemic Relief ***see certification below***
- ☐ 16. All Other Federal Question Cases. *(Please specify)*: _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (*Please specify*): _____
- ☐ 7. Products Liability
- ☐ 8. All Other Diversity Cases: *(Please specify)* _____

I certify that, to the best of my knowledge and belief, that the remedy sought in this case ☐ **does** / ☑ **does not** have implications beyond the parties before the court and ☐ **does** / ☑ **does not** seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

☑ Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of $150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

☐ None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.

JS 44 (Rev. 08/18)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

CHRISTIAN ANDRES CHICA

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Vassor Law Firm; 6622 Castor Avenue, Philadelphia, PA 19149; 2154370546

DEFENDANTS

KRISTI NOEM, Secretary of DHS, in her official capacity; DHS; PAMELA BONDI, Attorney General, in her official capacity; TODD M. LYONS, Acting Director, ICE, in his official capacity; DAVID O'NEILL, Director of the Philadelphia Field Office of ICE, in his official capacity; and JAMAL L. JAMISON, Warden of the Federal Detention Center in Philadelphia, in his official capacity

County of Residence of First Listed Defendant Washington, D.C.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☒ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☒ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER 2:26-cv-00247

DATE 01/15/2026

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

DEPARTMENT OF HOMELAND SECURITY

NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [redacted] FINS #: [redacted] File No: [redacted]

DOB: [redacted] Event No: [redacted]

In the Matter of:

Respondent: CRISTIAN ANDRES CHICA currently residing at:

[redacted]

(Number, street, city, state and ZIP code) (Area code and phone number)

☐ You are an arriving alien.

☒ You are an alien present in the United States who has not been admitted or paroled.

☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of COLOMBIA and a citizen of COLOMBIA ;
3. You arrived in the United States at or near EAGLE PASS, TX , on or about October 23, 2022 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

900 Market Street Suite 504 Philadelphia PA US 19107

(Complete Address of Immigration Court, including Room Number, if any)

on October 31, 2023 *(Date)* at 01:00 PM *(Time)* to show why you should not be removed from the United States based on the charge(s) set forth above.

JEREMY SCHROLL Acting/Patrol Agent in Charge

(Signature and Title of Issuing Officer) (Sign in ink)

Date: October 24, 2022 Eagle Pass, Texas

(City and State)

U.S. Immigration and Customs Enforcement

ORDER OF RELEASE ON RECOGNIZANCE

CDB 10/26

File No.: [redacted]

Name: CHICA, CRISTIAN

Date: Oct 25, 2022

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- [x] You must report for any hearing or interview as directed by Immigration and Customs Enforcement or the Executive Office for Immigration Review.
- [x] You must surrender for removal from the United States if so ordered.
- [x] You must report in (writing) (person) to Duty officer at Philadelphia Field Office on November 30, 2022, 09:: as directed.

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- [x] You must not change your place of residence without first securing written permission from the officer listed above.
- [x] You must not violate any local, State or Federal laws or ordinances.
- [x] You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- [x] Other: *Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.*

  If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.
- [x] See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by Immigration and Customs Enforcement.

K. CORTEZ, Supervisory Detention and Deportation Officer
(Name and Title of ICE Official)

Alien's Acknowledgement of Conditions of Release under an Order of Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the SPANISH language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

RS
(Signature of ICE Official Serving Order)

(Signature of Alien)

Oct 25, 2022
Date

I hereby cancel this order of release because:

- [ ] The alien failed to comply with the conditions of release.
- [ ] The alien was taken into custody for removal.

(Signature of ICE Official Cancelling Order)

Date

U.S. Immigration and Customs Enforcement

ORDER OF RELEASE ON RECOGNIZANCE (ADDENDUM)

Name: CHICA, CRISTIAN

File No.: [redacted]

Date: Oct 25, 2022

- [x] That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- [ ] That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- [ ] That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- [ ] That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- [x] That you do not commit any crimes while on this Order of Release on Recognizance.
- [x] That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- [ ] That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- [x] That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- [x] That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- [x] Any violation of the above conditions will result in revocation of your employment authorization document.
- [x] Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- [ ] Other:

x _____
(Signature of Alien)

ICE Form I-220A (10/20)

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

ASC Appointment Notice	APPLICATION/PETITION/REQUEST NUMBER [redacted]		NOTICE DATE 07/28/2023
CASE TYPE I589 - APPLICATION FOR ASYLUM AND FOR WITHHOLDING OF REMOVAL	ACCOUNT NUMBER	USCIS A# [redacted]	CODE 3

CRISTIAN ANDRES CHICA
[redacted]

PLEASE READ THIS ENTIRE NOTICE CAREFULLY. To process your application, petition, or request, the U.S. Citizenship & Immigration Services (USCIS) must collect your biometrics. Please appear at the below Application Support Center (ASC) at the date and time specified.

WARNING: Unless USCIS excuses you based on good cause, failure to appear at this biometrics appointment will result in an applicant-caused delay that will impact your eligibility for employment authorization based on your pending asylum application. If you fail to appear at this appointment as scheduled, USCIS may: (1) dismiss your asylum application, if you are in lawful immigration status or paroled; or (2) refer your application to an immigration judge, if you are not in lawful immigration status or paroled. If you fail to appear at this appointment as scheduled, and you are currently in removal proceedings, an immigration judge may deem your asylum application abandoned.

APPLICATION SUPPORT CENTER	DATE AND TIME OF APPOINTMENT
USCIS PHILADELPHIA 10300 Drummond Road Suite 100 Philadelphia PA 19154	08/17/2023 03:00PM

WHEN YOU APPEAR AT THE ASC FOR BIOMETRICS SUBMISSION, YOU MUST BRING:

1. **THIS APPOINTMENT NOTICE,** and
2. **PHOTO IDENTIFICATION** (e.g. passport, valid driver's license, national ID, military ID, State-issued photo ID, or USCIS-issued photo ID). If you do not have photo identification, please expect a delay.

Only those necessary to assist with transportation or completion of the biometrics worksheet should accompany you to your ASC appointment. If you have open wounds, bandages, or casts when you appear for biometrics submission, USCIS may reschedule your ASC appointment if we determine your injuries may interfere with your biometrics submission. Please do not visit a USCIS office if you are sick or feel symptoms of being sick. Follow the instructions on this notice to reschedule your appointment.

You may bring cell phones or electronic devices, but they must be turned off during biometrics collection. No one may photograph or record at an ASC.

For more information regarding your ASC appointment, visit https://www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment. If you have questions regarding this notice, please call the USCIS Contact Center at 1-800-375-5283 (TTY 800-767-1833).

NOTE: If an ASC closes due to inclement weather or unforeseen circumstances, USCIS will automatically reschedule your ASC appointment for the next available date and time. For the latest information on the status of an office, visit https://www.uscis.gov/about-us/uscis-office-closings. Please check this page on the day of your ASC appointment. If USCIS reschedules your ASC appointment, you will receive a new ASC appointment notice.

You must update your address within 10 days if you move. For instructions, visit https://www.uscis.gov/addresschange. If you are in removal proceedings, you must also notify the Executive Office for Immigration Review (EOIR or Immigration Court) within five working days of any change of address or telephone number by filing a completed Form EOIR-33, Alien's Change of Address/Phone Number Form/Immigration Court. For instructions, visit https://www.justice.gov/eoir/form-eoir-33-eoir-immigration-court-listing.

WARNING: Failure to update your mailing address with USCIS, and, if applicable, EOIR may result in dismissal of your asylum application, referral of your asylum application to an immigration judge, or if you are already in removal proceedings, an entry of a removal order in your absence if you fail to appear at a hearing before an immigration judge.

USCIS may use your biometrics to check the criminal history records of the FBI, for identity verification, to determine eligibility, to create immigration documents (e.g., Green Card, Employment Authorization Document, etc.), or any purpose authorized by the Immigration and Nationality Act. You may obtain a copy of your own FBI record using the procedures outlined within Title 28 C.F.R., Section 16.32. For information, please visit: https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks. For Privacy Act information, please visit https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/compact-council/privacy-act-statement

REQUESTS TO RESCHEDULE/SPECIAL HANDLING

If you are unable to attend your scheduled ASC appointment, you may request that USCIS reschedule your appointment. **Your request to reschedule must: 1) be made before the date and time of the original appointment and 2) establish good cause for rescheduling.** If you fail to make a request before your scheduled appointment or fail to establish good cause, USCIS may not reschedule your ASC appointment. To request a reschedule, please visit https://my.uscis.gov/accounts/biometrics/overview. You may also call the USCIS Contact Center at 1-800-375-5283 (TTY 800-767-1833).

If you have a serious ongoing medical condition and you cannot leave your home/hospital, you may request a mobile biometrics/homebound appointment by following the instructions on the back in the Notice for People with Disabilities or by visiting uscis.gov/accommodations.

BIOMETRICS PROCESSING STAMP
ASC SITE CODE _____
BIOMETRICS QA REVIEW BY: _____
ON _____
TENPRINTS QA REVIEW BY: _____
ON _____

APPLICATION NUMBER I589- ZDF2362390920

For questions about this notice call 1-800-375-5283. For questions about your application, contact the Asylum Office or Immigration Court with jurisdiction over your case.

REMOVE SIDE EDGES FIRST
SLIDE FINGER BETWEEN FRONT & MIDDLE PANEL TO OPEN

Instructions for Recipient

Do you have to file? Refer to the Form 1040 instructions to determine if you are required to file a tax return. Even if you don't have to file a tax return, you may be eligible for a refund if box 2 shows an amount or if you are eligible for any credit.

Earned income credit (EIC). You may be able to take the EIC for 2024 if your adjusted gross income (AGI) is less than a certain amount. The amount of the credit depends on income and family size. Workers without children could qualify for a smaller credit. You and any qualifying children must have valid social security numbers (SSNs). You can't take the EIC if your investment income is more than the specified amount for 2024 or if income is earned for services provided while you were imprisoned in a penal institution for 2024. For income limits and more information visit www.irs.gov/EITC. See also Pub. 596. **Any EIC that is more than your tax liability is refunded to you, but only if you file a tax return. Employee's social security number (SSN).** For your protection, this form may show only the last four digits of your SSN. However, your employer has reported your complete SSN to the IRS and Social Security Administration (SSA).

Clergy and religious workers. If you are subject to social security and Medicare taxes, see Pub. 517.

Corrections. If your name, SSN, or address is incorrect, correct Copies B, C, and 2 and ask your employer to correct your employment record. Be sure to ask the employer to file Form W-2c, Corrected Wage and Tax Statement, with the SSA to correct any name, SSN, or money amount error reported to the SSA on Form W-2. Do not to destroy your copies of Form W-2. Keep your employer for all corrections made. You may file them with your tax return. If your name and SSN are correct but aren't the same as shown on your social security card, you should ask for a new card that displays your correct name at any SSA office or by calling 800-772-1213. You may also visit the SSA website at www.ssa.gov.

Cost of employer-sponsored health coverage (if such cost is provided by the employer). The reporting in box 12 using code DD of the cost of employer-sponsored health coverage is for your information only. **The amount reported with code DD is not taxable.**

Credit for excess taxes. If you had more than one employer in 2024 and more than $10,453.20 in social security wages. [illegible] were withheld, you may be eligible for a tax credit for the [illegible]

Box 1. Enter this amount on the wages line of your tax return.

Box 2. Enter this amount on the federal income tax withheld line of your tax return.

Box 5. You may be required to report this amount on Form 8959. See the Form 1040 instructions to determine if you are required to complete Form 8959.

Box 6. This amount includes the 1.45% Medicare tax withheld on all Medicare wages and tips shown in box 5 as well as the 0.9% Additional Medicare Tax on any of those Medicare wages and tips shown $200,000.

Box 8. This amount is not included in box 1, 3, 5, or 7. For information on how to report tips on your tax return, see the Form 1040 instructions.

You must file Form 4137 with your income tax return to report uncollected allocated tip amount unless you can prove with adequate records that you received a smaller amount. If you have records that show the actual amount of tips you received, report that amount even if it is more or less than the allocated tips. Use Form 4137 to figure the social security and Medicare tax owed on tips you did not report to your employer. Enter this amount on the wages line of your tax return. By filing Form 4137, your social security tips will be credited to your social security record for use in future years' benefits.

Box 10. This amount includes the total dependent care benefits that your employer paid to you or incurred on your behalf (including amounts from a section 125 (cafeteria) plan). Any amount over your employer's plan limit is also included in box 1. See Form 2441.

Box 11. This amount is (a) reported in box 1 if it is a distribution made to you from a nonqualified deferred compensation or a nongovernmental section 457(b) plan or (b) included in box 3 and/or 5 if it is a prior year deferral under a nonqualified or section 457(b) plan that became taxable for social security and Medicare tax this year because it is no longer subject to a substantial risk of forfeiture of your right to the deferred amount. [illegible] should be zero. If you had a deferral and a distribution in the same calendar year, and [illegible] you are age 62 by the end of the calendar year, your employer should file Form SSA-131, Employer Report of Special Wage Payments, with the Social Security Administration and give you a copy.

Box 12. The following list explains the codes shown in box 12. You may need this information to complete your tax return. Elective deferrals (codes D, E, F, and S) and designated Roth contributions (codes AA, BB, and [illegible]) are generally limited to a total of $23,000 ($30,000 if you are [illegible]

Instructions for Recipient

(continued from back of Copy B)

Box 12 (continued)

However, if you were at least age 50 in 2024, your employer may have allowed an additional deferral of up to $7,500 ($3,500 for a section 401(k)(11) and 401(p) SIMPLE plans). The additional deferral amount is not subject to the overall limit on elective deferrals. For code G, the limit on elective deferrals may be higher for the last 3 years before you reach normal retirement age. Contact your plan administrator for more information. Amounts in excess of the overall elective deferral limit must be included in income. See the Form 1040 instructions.

Note: If a year follows a code D through H, S, Y, AA, BB, or EE, you made a make-up pension contribution for a prior year(s) when you were a military reserve. To figure what effect, if any, this contribution may have on your current year deferral limit, consider these amounts for the year shown and not the current year. If no year is shown, the contributions are for the current year.

A – Uncollected social security or RRTA tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

B – Uncollected Medicare tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

C – Taxable cost of group-term life insurance over $50,000 (included in box 1). (Up to six uniquely ordered items.)

D – Elective deferrals to a section 401(k) cash or deferred arrangement. Also includes deferrals under a SIMPLE retirement account that is part of a section 401(k) arrangement.

E – Elective deferrals under a section 403(b) salary reduction agreement.

F – Elective deferrals under a section 408(k)(6) salary reduction SEP.

G – Elective deferrals and employer contributions (including nonelective deferrals) to a section 457(b) deferred compensation plan.

H – Elective deferrals to a section 501(c)(18)(D) tax-exempt organization plan. See the Form 1040 instructions for limits on deferral.

J – Nontaxable sick pay (information only, not included in box 1, 3, or 5).

K – 20% excise tax on excess golden parachute payments. See the Form 1040 instructions.

L – Substantiated employee business expense reimbursements (nontaxable).

M – Uncollected social security or RRTA tax on taxable cost of group-term life insurance over $50,000 (former employees only). See the Form 1040 instructions.

N – Uncollected Medicare tax on taxable cost of group-term life insurance over $50,000 (former employees only). See the Form 1040 instructions.

R – Employer contributions to your Archer MSA. Report on Form 8853.

S – Employee salary reduction contributions under a section 408(p) SIMPLE plan (not included in box 1).

T – Adoption benefits (not included in box 1). Complete Form 8839 to figure any taxable and nontaxable amount.

V – Income from exercise of nonstatutory stock option(s) included in boxes 1, 3 (up to social security wage base), and 5. See Pub. 525 for reporting requirements.

W – Employer contributions (including amounts the employee elected to contribute using a section 125 (cafeteria) plan) to your health savings account. Report on Form 8889.

Y – Deferrals under a section 409A nonqualified deferred compensation plan.

Z – Income under a nonqualified deferred compensation plan that fails to satisfy section 409A. This amount is also included in box 1. It is subject to an additional 20% tax plus interest. See the Form 1040 instructions.

AA – Designated Roth contributions under a section 401(k) plan.

BB – Designated Roth contributions under a section 403(b) plan.

DD – Cost of employer-sponsored health coverage. The amount reported with code DD is not taxable.

EE – Designated Roth contributions under a governmental section 457(b) plan. This amount does not apply to contributions under a tax-exempt organization's section 457(b) plan.

FF – Permitted benefits under a qualified small employer health reimbursement arrangement. **GG** – Income from qualified equity grants under section 83(i). **HH** – Aggregate deferrals under section 83(i) elections as of the close of the calendar year.

II – Medical savings account payments excluded from gross income under Notice 2004-50.

Box 13. If the "Retirement plan" box is checked, special limits may apply to the amount of traditional IRA contributions you may deduct. See Pub. 590-A. Contributions to Individual Retirement Arrangements (IRAs).

Box 14. Employers may use this box to report information such as state disability insurance taxes withheld, union dues, uniform payments, health insurance premiums, tuition, nontaxable income, educational assistance payments, [illegible] allowances, Railroad employer retirement [illegible]

Instructions for Employee

Box 1. Enter this amount on the wages line of your tax return.

Box 2. Enter this amount on the federal income tax withheld line of your tax return.

Box 5. You may be required to report this amount on Form 8959. See the Form 1040 instructions to determine if you are required to complete Form 8959.

Box 6. This amount includes the 1.45% Medicare tax withheld on all Medicare wages and tips shown in box 5, as well as the 0.9% Additional Medicare Tax on any of those Medicare wages and tips above $200,000.

Box 8. This amount is **not** included in box 1, 3, 5, or 7. For information on how to report tips on your tax return, see the Form 1040 instructions. You must file Form 4137 with your income tax return to report at least the allocated tip amount unless you can prove with adequate records that you received a smaller amount. If you have records that show the actual amount of tips you received, report that amount even if it is more or less than the allocated tips. Use Form 4137 to figure the social security and Medicare tax owed on tips you didn't report to your employer. Enter this amount on the wages line of your tax return. By filing Form 4137, your social security tips will be credited to your social security record (used to figure your benefits).

Box 10. This amount includes the total dependent care benefits that your employer paid to you or incurred on your behalf (including amounts from a section 125 (cafeteria) plan). Any amount over your employer's plan limit is also included in box 1. See Form 2441.

Box 11. This amount is (a) reported in box 1 if it is a distribution made to you from a nonqualified deferred compensation or nongovernmental section 457(b) plan, or (b) included in box 3 and/or box 5 if it is a prior year deferral under a nonqualified or section 457(b) plan that became taxable for social security and Medicare taxes this year because there is no longer a substantial risk of forfeiture of your right to the deferred amount. This box shouldn't be used if you had a deferral and a distribution in the same calendar year. If you made a deferral and received a distribution in the same calendar year, and you are or will be age 62 by the end of the calendar year, your employer should file Form SSA-131, Employer Report of Special Wage Payments, with the Social Security Administration and give you a copy.

Box 12. The following list explains the codes shown in box 12. You [illegible]

[illegible] code D are limited to $23,000. Deferrals under code H are limited to $7,000. However, if you were at least age 50 in 2024, your employer may have allowed an additional deferral of up to $7,500 ($3,500 for section 401(k)(11) and 408(p) SIMPLE plans). This additional deferral amount is not subject to the overall limit on elective deferrals. For code G, the limit on elective deferrals may be higher for the last 3 years before you reach retirement age. Contact your plan administrator for more information. Amounts in excess of the overall elective deferral limit must be included in income. See the Form 1040 instructions.

Note: If a year follows code D through H, S, Y, AA, BB, or EE, you made a make-up pension contribution for a prior year(s) when you were in military service. To figure whether you made excess deferrals, consider these amounts for the year shown, not the current year. If no year is shown, the contributions are for the current year.

A—Uncollected social security or RRTA tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

B—Uncollected Medicare tax on tips. Include this tax on Form 1040 or 1040-SR. See the Form 1040 instructions.

C—Taxable cost of group-term life insurance over $50,000 (included in boxes 1, 3 (up to the social security wage base), and 5)

D—Elective deferrals to a section 401(k) cash or deferred arrangement. Also includes deferrals under a SIMPLE retirement account that is part of a section 401(k) arrangement.

E—Elective deferrals under a section 403(b) salary reduction agreement

F—Elective deferrals under a section 408(k)(6) salary reduction SEP

G—Elective deferrals and employer contributions (including nonelective deferrals) to a section 457(b) deferred compensation plan

H—Elective deferrals to a section 501(c)(18)(D) tax-exempt organization plan. See the Form 1040 instructions for how to deduct.

J—Nontaxable sick pay (information only, not included in box 1, 3, or 5)

K—20% excise tax on excess golden parachute payments. See the Form 1040 instructions

L—Substantiated employee business expense reimbursements (nontaxable)

M—Uncollected social security or RRTA tax on taxable cost of group-term life insurance over $50,000 (former employees only). See the Form 1040 instructions.

N—Uncollected Medicare tax on taxable cost of group-term life insurance [illegible]

[illegible]

S—Employee salary reduction contributions under a section 408(p) SIMPLE plan

T—Adoption benefits (not included in box 1). Complete Form 8839 to figure any taxable and nontaxable amounts.

V—Income from exercise of nonstatutory stock option(s) (included in boxes 1, 3 (up to the social security wage base), and 5). See Pub. 525 for reporting requirements.

W—Employer contributions (including amounts the employee elected to contribute using a section 125 (cafeteria) plan) to your health savings account. Report on Form 8889.

Y—Deferrals under a section 409A nonqualified deferred compensation plan

Z—Income under a nonqualified deferred compensation plan that fails to satisfy section 409A. This amount is also included in box 1. It is subject to an additional 20% tax plus interest. See the Form 1040 instructions.

AA—Designated Roth contributions under a section 401(k) plan

BB—Designated Roth contributions under a section 403(b) plan

DD—Cost of employer-sponsored health coverage. **The amount reported with code DD is not taxable.**

EE—Designated Roth contributions under a governmental section 457(b) plan. This amount does not apply to contributions under a tax-exempt organization section 457(b) plan.

FF—Permitted benefits under a qualified small employer health reimbursement arrangement

GG—Income from qualified equity grants under section 83(i)

HH—Aggregate deferrals under section 83(i) elections as of the close of the calendar year

II—Medicaid waiver payments excluded from gross income under Notice 2014-7.

Box 13. If the "Retirement plan" box is checked, special limits may apply to the amount of traditional IRA contributions you may deduct. See Pub. 590-A.

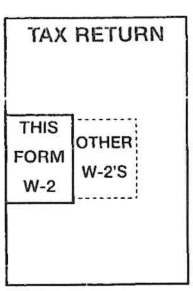
Box 14. Employers may use this box to report information such as state disability insurance taxes withheld, union dues, uniform payments, health insurance premiums deducted, nontaxable income, educational assistance payments, or a member of the clergy's parsonage allowance and utilities. Railroad employers use this box to report railroad retirement (RRTA) compensation, Tier 1 tax, Tier 2 tax, Medicare tax, and Additional Medicare Tax. Include tips reported by the employee to the employer in railroad retirement (RRTA) compensation.

[illegible] for at least 4 years after the due date

[illegible]

be imposed on you if this income is taxable and you fail to report it.

IMPORTANT NOTE:
In order to insure efficient processing, attach this W-2 to your tax return like this (following agency instructions):



Department of the Treasury - Internal Revenue Service

enacted after it was published, go to www.irs.gov/FormW2.

Notice to Employee

Do you have to file? Refer to the Form 1040 instructions to determine if you are required to file a tax return. Even if you don't have to file a tax return, you may be eligible for a refund if box 2 shows an amount or if you are eligible for any credit.

Earned income tax credit (EITC). You may be able to take the EITC for 2024 if your adjusted gross income (AGI) is less than a certain amount. The amount of the credit is based on income and family size. Workers without children could qualify for a smaller credit. You and any qualifying children must have valid social security numbers (SSNs). You can't take the EITC if your investment income is more than the specified amount for 2024 or if income is earned for services provided while you were an inmate at a penal institution. For 2024 income limits and more information, visit *www.irs.gov/EITC*. See also Pub. 596. **Any EITC that is more than your tax liability is refunded to you, but only if you file a tax return.**

Employee's social security number (SSN). For your protection, this form may show only the last four digits of your SSN. However, your employer has reported your complete SSN to the IRS and the Social Security Administration (SSA).

Clergy and religious workers. If you aren't subject to social security and Medicare taxes, see Pub. 517.

Department of the Treasury - Internal Revenue Service

[illegible] are to ask the employer to file Form W-2c, Corrected Wage and Tax Statement, with the SSA to correct any name, SSN, or money amount error reported to the SSA on Form W-2. Be sure to get your copies of Form W-2c from your employer for all corrections made so you may file them with your tax return. If your name and SSN are correct but aren't the same as shown on your social security card, you should ask for a new card that displays your correct name at any SSA office or by calling 800-772-1213. You may also visit the SSA website at *www.SSA.gov*.

Cost of employer-sponsored health coverage (if such cost is provided by the employer). The reporting in box 12, using code DD, of the cost of employer-sponsored health coverage is for your information only. **The amount reported with code DD is not taxable.**

Credit for excess taxes. If you had more than one employer in 2024 and more than $10,453.20 in social security and/or Tier 1 railroad retirement (RRTA) taxes were withheld, you may be able to claim a credit for the excess against your federal income tax. See the Form 1040 instructions. If you had more than one railroad employer and more than $6,129.90 in Tier 2 RRTA tax was withheld, you may be able to claim a refund on Form 843. See the Instructions for Form 843.

Department of the Treasury - Internal Revenue Service

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

Receipt Number	USCIS Account Number	Case Type
[redacted]	[redacted]	I765 - APPLICATION FOR EMPLOYMENT AUTHORIZATION
Received Date: 06/12/2025	Priority Date: 06/12/2025	Applicant: [redacted] ANDRES CHICA, CRISTIAN
Notice Date: 11/07/2025	Page: 1 of 1	

ANDRES CHICA, CRISTIAN
[redacted]

Notice Type: Approval Notice
Class: C08
Valid from 11/06/2025 to 11/05/2030

We have mailed an official notice about this case (and any relevant documentation) according to the mailing preferences you chose on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. **This is a courtesy copy, not the official notice.**

What the Official Notice Said

We have approved your application for employment authorization. We will send your Employment Authorization Document (EAD) (also known as an EAD card or Form I-766) to you separately. Your EAD card should be produced within one to two weeks. Your EAD card will be mailed via U.S. Postal Service (USPS) Priority Mail with Delivery Confirmation to the address you designated. The time frame in which you will receive your EAD card may vary, depending on USPS delivery times. Please allow a total of 30 days from approval before inquiring with USCIS. We encourage you to use Case Status Online https://egov.uscis.gov/ to find your USPS tracking number for EAD card delivery. If you have not received your EAD card within this time frame, please visit https://egov.uscis.gov/e-request/Intro.do for instructions on how to submit an inquiry.

Your EAD card is proof that you are allowed to work in the United States. Show the card to your employer to verify your authorization to work during the dates on the card. You cannot use this approval notice as proof of your employment authorization.

When you receive your EAD card, please check that all the information on the card is correct. If you need to change any information on the card, please mail all of the following to the office listed below:

- A letter explaining what information needs to be corrected,
- Your EAD card,
- A photocopy of this notice, and
- Evidence to show what the correct information should be. For example, if you need to correct your name, submit a copy of your birth certificate or official name change.

If You Have a Pending Form I-485

If you have a pending or approved Form I-140 and a pending Form I-485, you may request to change employers if your Form I-485 has been pending for at least 180 days. In order to do so, you need to submit documentation about your new job offer. For more information on how to request a change of employers and what information you must submit, please visit the USCIS website at www.uscis.gov.

If your EAD card expires before we make a final decision on your Form I-485, you may apply for a new EAD card.

THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA OR EVIDENCE OF EMPLOYMENT AUTHORIZATION.

NOTICE: Although this application or petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to https://www.uscis.gov/file-online.

SCOPS TEXAS FACILITY
U.S. CITIZENSHIP & IMMIGRATION SVC
6046 N BELT LINE RD.
IRVING TX 75038-0001

USCIS Contact Center: www.uscis.gov/contactcenter

If this is an interview or biometrics appointment notice, please see the back of this notice for important information.

Celebrating over 45 years of Service Excellence

HUMAN RESOURCES

Cristian A. Chica
[redacted]

Subject: Congratulations on Being Selected for CTDI's ESL Program!

Dear Cristian,

Congratulations! CTDI is pleased to announce that you have been selected to participate in our new **English as a Second Language Program**! This is a fantastic opportunity for you to strengthen your language skills and CTDI is thrilled to support and invest in your personal and professional growth.

Every workday, you contribute to CTDI's performance, work environment, and culture at 1365. Through this program, CTDI wants to provide you with the necessary tools to enhance your communication skills, enabling you to engage more deeply in both our CTDI community as well as your broader community. We want to support your success in the workplace and beyond!

We have partnered with the **Chester County OIC** a local organization with extensive experience in ESL and other adult learning programs. CTDI's ESL Program will run for 10 weeks, **with classes held onsite at 1365, twice a week from 3:00 pm to 4:00 pm, every Tuesday and Thursday from April 8, 2025 through June 5, 2025**. Since your current shift ends at 3:30 pm, CTDI will be allowing you to dedicate the final 30 minutes of your work shift to ESL instruction, along with another 30 minutes of your time from 3:30 to 4:00 pm.

To acknowledge your understanding of CTDI's expectations and confirm your participation and commitment to the program, please review the attached acknowledgment document. Please sign and return it to Human Resources (Nicole Thomas) no later than Friday, April 28th, including if you are unable to participate in the program at this time.

Once again, congratulations on this exciting opportunity! At CTDI, we believe that investing in our employees is part of our competitive advantage, and hope this experience will have a positive impact on both your professional and personal life.

Best regards,

Yeechun Su
Vice-President, Human Resources

ESL @ CTDI

I, Christian Andres C. acknowledge receipt of the information regarding the ESL program and fully commit to participating in the program. By signing below, I confirm my commitment to the goals of the ESL program and my responsibility to actively engage in the learning process, including my ability to attend the below sessions.

Class Information

Duration: 10 weeks

Days of the Week: Tuesday's and Thursday's

Time: 3pm – 4pm ***the last 30 minutes of your work shift will be dedicated to the ESL program*

Start Date: Tuesday, April 8, 2025

Facilitator: Chester County OIC

Location: 1365 West Chester, Training Room

Schedule

Tuesday, April 8, 2025 *(First Class)*	3:00 – 4:00 pm	Tuesday, May 13, 2025	3:00 – 4:00 pm
Thursday, April 10, 2025	3:00 – 4:00 pm	Thursday, May 15, 2025	3:00 – 4:00 pm
Tuesday, April 15, 2025	3:00 – 4:00 pm	Tuesday, May 20, 2025	3:00 – 4:00 pm
Thursday, April 17, 2025	3:00 – 4:00 pm	Thursday, May 22, 2025	3:00 – 4:00 pm
Tuesday, April 22, 2025	3:00 – 4:00 pm	Tuesday, May 27, 2025	3:00 – 4:00 pm
Thursday, April 24, 2025	3:00 – 4:00 pm	Thursday, May 29, 2025	3:00 – 4:00 pm
Tuesday, April 29, 2025	3:00 – 4:00 pm	Tuesday, June 3, 2025	3:00 – 4:00 pm
Thursday, May 1, 2025	3:00 – 4:00 pm	Thursday, June 5, 2025	3:00 – 4:00 pm
Tuesday, May 6, 2025	3:00 – 4:00 pm	Tuesday, June 10, 2025	3:00 – 4:00 pm
Thursday, May 8, 2025	3:00 – 4:00 pm	Thursday, June 12, 2025	3:00 – 4:00 pm

Employee's Signature: Christian Andres C.

Date: 03-25-25

CTDI

Celebrating over 45 years of Service Excellence

HUMAN RESOURCES

Cristian A. Chica

[redacted]

Asunto: Felicitaciones por haber sido seleccionado para el programa ESL del CTDI!

Estimado Cristian,

¡Felicidades! ¡CTDI se complace en anunciar que ha sido seleccionado para participar en nuestro nuevo **Programa de Inglés como Segundo Idioma (ESL)!** Esta es una fantástica oportunidad para que fortalezca sus habilidades lingüísticas y CTDI está encantado de apoyar e invertir en su crecimiento personal y profesional.

Cada día de trabajo, usted contribuye al rendimiento, el entorno de trabajo y la cultura de CTDI en 1365. A través de este programa, CTDI quiere proporcionarle las herramientas necesarias para mejorar sus habilidades de comunicación, lo que le permite participar más profundamente tanto en nuestra comunidad CTDI como en su comunidad en general. ¡Queremos apoyar su éxito en el lugar de trabajo y más allá!

Nos hemos asociado con el **OIC del condado de Chester**, una organización local con amplia experiencia en ESL y otros programas de aprendizaje para adultos. El Programa de ESL de CTDI tendrá una duración de 10 semanas, **con clases en el sitio a las 1365, dos veces por semana de 3:00 pm a 4:00 pm, todos los martes y Jueves, del 8 de abril de 2025 al 5 de junio de 2025**. Dado que su turno actual termina a las 3:30 pm, CTDI le permitirá dedicar los últimos 30 minutos de su turno de trabajo a la instrucción de ESL, junto con otros 30 minutos de su tiempo de 3:30 a 4:00 pm.

Por favor revise el documento de reconocimiento adjunto para reconocer su comprensión de las expectativas de CTDI y confirmar su participación y compromiso con el programa. Por favor firme y devuélvalo a Recursos Humanos (Nicole Thomas) a más tardar el viernes 28 de abril, incluso si no puede participar en el programa en este momento.

Una vez más, ¡felicidades por esta emocionante oportunidad! En CTDI, creemos que invertir en nuestros empleados es parte de nuestra ventaja competitiva, y esperamos que esta experiencia tenga un impacto positivo en su vida profesional y personal.

Saludo cordiales,

Yeechun Su
Vicepresidente de Recursos Humanos