

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UWIDUHAYE, ALICE

Petitioner

v.

ROSE THOMPSON in her official
capacity as warden of the Karnes County
Immigration Processing Center

MIGUEL VERGARA, in his official
capacity as the acting Field Director of
the ICE San Antonio Field Office; and

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

PAMELA BONDI, in her official
capacity as the U.S. Attorney General

DEPARTMENT OF HOMELAND
SECURITY;

TODD M. LYONS, in his official
capacity as Acting Director of the U.S.
Immigration and Customs Enforcement

Respondents

CIVIL ACTION NO.

5:26-cv-00191

PETITION FOR WRIT OF HABEAS CORPUS

UWIDUHAYE, ALICE petitions this Court for a Writ of Habeas Corpus, pursuant to 28 USC §2241 and the Administrative Procedure Act, 5 U.S.C. § 701, et seq., to remedy her continued unlawful detention by Respondents. Petitioner hereby requests that an immediate hearing be set on this matter. Petitioner also requests that she be released during the pendency of this Petition. In support of this Petition, Petitioner alleges as follows:

I. INTRODUCTION

1. Petitioner, ALICE UWIDUHAYE remains in ICE custody in Karnes, Texas despite winning her application for withholding of removal pursuant to Immigration and Nationality Act (“INA”) § 241(b)(3) over three months ago based on findings by an Immigration Judge (IJ) that there was a clear probability Ms. UWIDUHAYE will be persecuted if returned to her home country Rwanda. Immigration and Customs Enforcement (ICE) refuses to release Ms. UWIDUHAYE, claiming that it is looking for alternative countries of removal despite knowing that she lacks citizenship in or a connection to any other country. Ms. UWIDUHAYE’s continued detention is arbitrary and unlawful, and she requests that this Court order her immediate release from ICE custody.

2. Ms. UWIDUHAYE is detained pursuant to 8 U.S.C. § 1231, which governs the detention of non-citizens with a final order of removal that has been withheld or deferred by an IJ due to a substantial risk of persecution or torture in their home country. 8 U.S.C. § 1231(a)(1)(B)(i). Ms. UWIDUHAYE’s removal order and accompanying relief grant became final when ICE failed to reserve appeal or timely appeal the Immigration Judge’s relief grant. 8 C.F.R. § 1241.1.

3. Ms. UWIDUHAYE’s continued detention violates 8 U.S.C. § 1231(a)(6), as interpreted by the Supreme Court in *Zadvydas v. Davis*, 533 U.S. 678 (2001), because her removal is not reasonably foreseeable. She cannot be deported to her home country of Rwanda because she was granted protection under the Immigration and Nationality Act with respect to that country. 8 C.F.R. § 1208.17. ICE’s half-hearted attempts to remove Ms. UWIDUHAYE to a random collection of unspecified alternative countries—to which she has no ties, and which have no policy or history of accepting non-citizen deportees—are speculative and futile.

4. Furthermore, the ICE San Antonio Field Office’s across-the-board detention of Ms. UWIDUHAYE and similarly situated individuals for at least 90 days past their grants of relief without prompt, individualized determinations of whether they should remain detained is inconsistent with ICE’s own long-standing policy, thereby violating the Administrative Procedure Act (APA) and due process. See *Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

II. CUSTODY

5. Ms. ALICE UWIDUHAYE is in the physical custody of Josh Johnson, San Antonio Field Office Director for Detention and Removal, U.S. Immigration and Customs Enforcement (USICE), the Department of Homeland Security (DHS), and Respondent Marcello Villegas, Facility Manager of the Karnes County Immigration Processing Center, Karnes, Texas. At the time of the filing of this petition, Petitioner is detained at the BIDC in Anson, Texas. The BIDC contracts with the DHS to detain aliens such as Petitioner. Ms. ALICE UWIDUHAYE is under the direct control of Respondents and their agents.

III. JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over the claims alleged in this Petition pursuant to 28 U.S.C. § 1331, as they arise under federal statutes, 28 U.S.C. § 2201 (Declaratory Judgment Act); and 28 U.S.C. § 2241 (habeas **corpus**), and the Immigration and Nationality Act.

7. Federal courts also have federal question jurisdiction, through the APA, 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). APA claims are cognizable on habeas. 5 U.S.C. § 703 (providing that judicial review of agency action under the APA may proceed by “any applicable form of legal action, including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus”). The APA affords a right of review to a person who is “adversely affected or aggrieved by agency action.” 5 U.S.C. § 702. Respondents’ continued detention of Petitioner up to and past the 90-day removal period has adversely and severely affected Petitioner’s liberty and freedom.

8. Venue is proper in United States District Court for the Western District of Texas because a substantial part of the events giving rise to these claims occurred and continue to occur in this district.

9. Venue is also proper under 28 U.S.C. § 2241 because Ms. ALICE UWIDUHAYE is detained within this district at Karnes County Immigration Processing Center.

IV. PARTIES

10. Petitioner Ms. ALICE UWIDUHAYE is a citizen of Rwanda who last entered the United States on February 14, 2024. She has been in the custody of the Department of Homeland Security (DHS) since June 12, 2025.

11. Respondent ROSE THOMPSON is, on information and belief, warden of the Karnes County Immigration Processing Center (KCIPC) where Petitioner is detained. Ms. THOMPSON is Petitioner's immediate custodian. She is sued in his official capacity.

12. Respondent MIGUEL VERGARA is the Acting Director of the San Antonio Field Office of Immigration Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement, Department of Homeland Security. He is named in his official capacity.

13. Respondent KRISTI NOEM is the Secretary of the Department of Homeland Security. She is responsible for implementation and enforcement of the INA, and oversees ICE, which is responsible for Ms. ALICE UWIDUHAYE's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

14. Respondent PAMELA BONDI is the U.S. Attorney General. She oversees the immigration court system, which is housed within the Executive Office for Immigration Review (EOIR) and includes all Immigration Judges and the Board of Immigration Appeals (BIA). She is sued in her official capacity.


15. Respondent DEPARTMENT OF HOMELAND SECURITY (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention of noncitizens.

16. Respondent reserves the right to substitute any parties who are incorrectly named in this petition.

V. STATEMENT OF FACTS

17. Petitioner, ALICE UWIDUHAYE is a citizen of Rwanda. 





was able to escape and fled to the United States to seek asylum. On or about February 14, 2024, Ms. UWIDUHAYE entered the United States. **Ex 1, Declaration of Alice Uwiduhaye.**

18. On February 29, 2024, ICE issued Ms. UWIDUHAYE a Notice to Appear (NTA) charging her as removable under 8 U.S.C § 1182(a)(6)(A)(i) for being present in the United States without being admitted or parole. **Ex 2, Notice to Appear.** On October 7, 2024, Ms. UWIDUHAYE filed her Form I-589 Application for Asylum, Withholding of Removal and Relief Under the Convention Against Torture with the San Antonio Immigration Court. **Ex 3, Form I-589 Application for Asylum, Withholding of Removal and Relief Under the Convention Against Torture.**

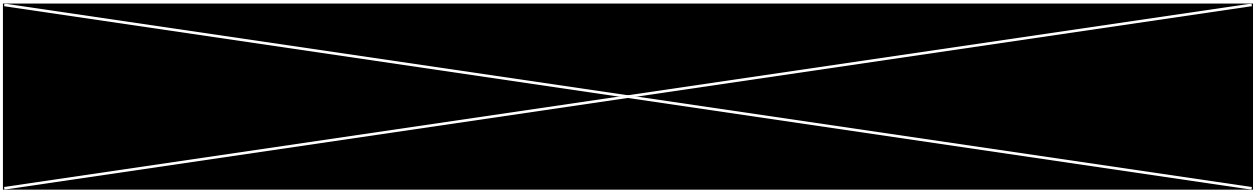
19. On or about July 15, 2025, Ms. UWIDUHAYE was arrested by ICE and has been in detention ever since. Prior to her detention, she lived in San Antonio, Texas. **Ex 4, Form I-830, Notice to EOIR.**

20. On September 29, 2025, Ms. UWIDUHAYE appeared before the San Antonio Immigration Court for a Merits Hearing to determine her eligibility for asylum. In a written decision dated October 9, 2025, the Immigration Judge found Ms. UWIDUHAYE statutorily ineligible for Asylum under the Circumvention of Lawful Pathway Rule codified in 8 C.F.R. § 1208.33 which applies a presumption of asylum ineligibility to individuals who travel through a country other than their own before entering the United States through the southern border with Mexico between May 11, 2023 and May 11, 2025.

21. The Immigration Judge in the same written decision determined that there is a clear probability Ms. UWIDUHAYE will be persecuted if returned to Rwanda, and while denying her application for asylum, and ordering her deported to Rwanda, ordered that her removal to Rwanda be withheld pursuant to Immigration and Nationality Act (“INA”) § 241(b)(3). ICE did not file an appeal against the decision of the Immigration Judge. **Ex 5, Decision of the Immigration Judge dated October 9, 2025.**

22. On November 11, 2025, counsel for Ms. UWIDUHAYE sent a release request to San Antonio ICE requesting that she be released under 8 U.S.C. § 1231(c)(2)(C). **Ex 6, Email from petitioner's counsel to DHS-ICE San Antonio Field Office. Ex 7, Request to Release Alice Uwiduhaye.** On November 18, 2025, Matthew Gmitro, Respondent's Deportation Officer told counsel that Ms. UWIDUHAYE "will continue to be evaluated under the Post Order Custody Review (POCR) process until a safe third country for removal is identified". **Ex 8, Email from DHS-ICE to petitioner's counsel.**

23. ICE has not identified any exceptional circumstances warranting Ms. UWIDUHAYE 's continued detention under ICE policy. Nor has ICE charged Ms. UWIDUHAYE as "specially dangerous" under 8 C.F.R. § 241.14.



25. If released, Ms. UWIDUHAYE will live with her sister, in San Antonio, Texas. **Ex 9, Letter of Support and Sponsorship for Alice Uwiduhaye.**

VI. LEGAL FRAMEWORK

I. WITHHOLDING OF REMOVAL AND RELIEF UNDER THE CONVENTION AGAINST TORTURE.

26. Non-citizens in immigration removal proceedings can seek three main forms of relief based on their fear of returning to their home country: asylum, withholding of removal, and CAT relief. Non-citizens may be ineligible for asylum for several reasons, including being ineligible for Asylum under the Circumvention of Lawful Pathway Rule codified in 8 C.F.R. § 1208.33 which applies a presumption of asylum ineligibility to individuals who travel through a country other than their own before entering the United States through the southern border with Mexico between May 11, 2023 and May 11, 2025.

27. To be granted withholding of removal under the Immigration and Nationality Act, a non-citizen must “establish that his or her life or freedom would be threatened in the proposed country of removal on account of race, religion, nationality, membership in a particular social group, or political opinion.” 8 C.F.R. § 1208.16(b).

28. When an Immigration Judge grants a non-citizen withholding relief, the Immigration Judge issues a removal order and simultaneously withholds or defers that order with respect to the country or countries for which the non-citizen demonstrated a sufficient risk of persecution or torture. See *Johnson v. Guzman Chavez*, 141 S. Ct. 2271, 2283 (2021). Once withholding relief is granted, either party may reserve appeal and if they do, have the right to appeal that decision to the BIA within 30 days. See 8 C.F.R. § 1003.38(b). If both parties waive appeal or neither party appeals within the 30-day period, the withholding relief grant and the accompanying removal order become administratively final. See *id.* § 1241.1.

29. When a non-citizen has a final withholding relief grant, they cannot be removed to the country or countries for which they demonstrated a sufficient likelihood of persecution or torture. See 8 U.S.C. § 1231(b)(3)(A); 8 C.F.R. § 1208.17(b)(2). While ICE is authorized to remove non-citizens who were granted withholding relief to alternative countries, see 8 U.S.C. § 1231(b); 8 C.F.R. § 1208.16(f), the removal statute specifies restrictive criteria for identifying appropriate countries. Non-citizens can be removed, for instance, to the country “of which the [non-citizen] is a citizen, subject, or national,” the country “in which the [non-citizen] was born,” or the country “in which the [non-citizen] resided” immediately before entering the United States. 8 U.S.C. § 1231(b)(2)(D)-(E).

30. If ICE identifies an appropriate alternative country of removal, ICE must undergo further proceedings in immigration court to effectuate removal to that country. See *Jama v. ICE* 543 U.S. 335, 348 (2005) (“If [non-citizens] would face persecution or other mistreatment in the country designated under § 1231(b)(2), they have a number of available remedies: asylum, § 1158(b)(1); withholding of removal, § 1231(b)(3)(A); [and] relief under an international agreement prohibiting torture, see 8 CFR §§ 208.16(c)(4), 208.17(a) (2004) . . .”); *Romero v. Evans*, 280 F. Supp. 3d 835, 848 n.24 (E.D. Va. 2017) (“DHS could not immediately remove petitioners to a third country, as DHS would first need to give petitioners notice and the

opportunity to raise any reasonable fear claims.”), rev’d on other grounds, *Guzman Chavez*, 141 S. Ct. 2271.

II. DETENTION OF NON-CITIZENS GRANTED WITHHOLDING OF REMOVAL

a. Statutory Framework

31. U.S.C. § 1231 governs the detention of non-citizens “during” and “beyond” the “removal period.” 8 U.S.C. § 1231(a)(2)-(6). The “removal period” begins once a non-citizen’s removal order “becomes administratively final.” 8 U.S.C. § 1231(a)(1)(B). The removal period lasts for 90 days, during which ICE “shall remove the [non-citizen] from the United States” and “shall detain the [non-citizen]” as it carries out the removal. 8 U.S.C. § 1231(a)(1)-(2). If ICE does not remove the non-citizen within the 90-day removal period, the non-citizen “may be detained beyond the removal period” if they meet certain criteria, such as being inadmissible or deportable under specified statutory categories. 8 U.S.C. § 1231(a)(6) (emphasis added).

32. To avoid “indefinite detention” that would raise “serious constitutional concerns,” the Supreme Court in *Zadvydas* construed § 1231(a)(6) to contain an implicit time limit. 533 U.S. at 682. *Zadvydas* dealt with two non-citizens who could not be removed to their home country or country of citizenship due to bureaucratic and diplomatic barriers. The Court held that § 1231(a)(6) authorizes detention only for “a period reasonably necessary to bring about the [non-citizen]’s removal from the United States.” *Id.* at 689.

b. Regulations

33. DHS regulations provide that, before the end of the 90-day removal period that ensues upon a non-citizen’s removal order becoming final, the local ICE field office with jurisdiction over the non-citizen’s detention must conduct a custody review to determine whether the non-citizen should remain detained. See 8 C.F.R. § 241.4(c)(1), (h)(1), (k)(1)(i). If the noncitizen is not released following the 90-day custody review, jurisdiction transfers to ICE Headquarters (ICE HQ), *id.* § 241.4(c)(2), which must conduct a custody review before or at 180 days. *Id.* § 241.4(k)(2)(ii). In making these custody determinations, ICE considers several factors, including whether the non-citizen is likely to pose a danger to the community or a flight

risk if released. *Id.* § 241.4(e). If the factors in § 241.4 are met, ICE must release the non-citizen under conditions of supervision. *Id.* § 241.4(j)(2).

34. In 2001 DHS issued additional regulations that established “special review procedures” to determine whether detained non-citizens with final removal orders are likely to be removed in the reasonably foreseeable future. See *Continued Detention of Aliens Subject to Final Orders of Removal*, 66 Fed. Reg. 56,967 (Nov. 14, 2001). While 8 C.F.R. § 241.4’s custody review process remained largely intact, subsection (i)(7) was added to include a supplemental review procedure that ICE HQ must initiate when “the [noncitizen] submits, or the record contains, information providing a substantial reason to believe that removal of a detained [non-citizen] is not significantly likely in the reasonably foreseeable future.” *Id.* § 241.4(i)(7).

35. Under this procedure, ICE HQ evaluates the foreseeability of removal by analyzing factors such as the history of ICE’s efforts to remove noncitizens to the country in question or to third countries. See *id.* § 241.13(f). If ICE HQ determines that removal is not reasonably foreseeable but nonetheless seeks to continue detention based on “special circumstances,” it must justify the detention based on narrow grounds such as national security or public health concerns, *id.* § 241.14(b)-(d), or by demonstrating by clear and convincing evidence before an IJ that the non-citizen is “specially dangerous.” *Id.* § 241.14(f).

c. ICE’s Third Country Removal Policy

36. On March 30, 2025, the Department of Homeland Security (“DHS”) issued updated guidance on third country removals. **Exhibit 10, Guidance Regarding Third Country Removals**. The guidance states that noncitizens may be removed to a third country without notice or other “further procedures” if the country has given diplomatic assurances that individuals “removed from the United States will not be persecuted or tortured” and the Department of State deems those assurances credible. *Id.* at 2–3. If the country has not provided assurances (or the assurances are deemed incredible), DHS will notify the noncitizen of its intent to remove them to the third country but “will not affirmatively ask whether the [noncitizen] is afraid of being removed” there. *Id.*

37. Only if the noncitizen affirmatively expresses a fear of removal will the officer refer them to United States Citizenship and Immigration Services (“USCIS”) for a screening interview to assess eligibility for withholding of removal or CAT protection. *Id.* at 3. If USCIS determines the noncitizen likely qualifies for protection, it will refer the matter to the immigration court or to ICE, depending on the circumstance. *Id.* And if the referral is to ICE, rather than to the immigration court, ICE may either move to reopen the noncitizen’s removal proceedings “for the sole purpose of determining eligibility for protection” or it may designate a different country of removal. *Id.*

38. Weeks after this guidance was issued, the district court in *D.V.D.* certified a plaintiff class and issued a class-wide preliminary injunction establishing procedures DHS and ICE had to follow before removing noncitizens to a third country. *D.V.D. v. U.S. Dep’t of Homeland Sec.*, 778 F. Supp. 3d 355, 394 (D. Mass. 2025); see also *D.V.D. v. U.S. Dep’t of Homeland Sec.*, CV 25-10676- BEM, 2025 WL 1453640, at 1 (D. Mass. May 21, 2025) (memorandum offering more guidance on compliance with the preliminary injunction). The United States Supreme Court stayed the preliminary injunction without explanation pending appeal in the First Circuit. *Dep’t of Homeland Sec. v. D.V.D.*, 145 S. Ct. 2153 (2025).

39. On July 9, 2025, following the Supreme Court’s stay, ICE issued guidance to its agents reinstating the March 30 DHS memorandum. **Ex 11, Third Country Removals Following the Supreme Court’s Order in *Department of Homeland Security v. D.V.D.*, No. 24A1153 (U.S. June 23, 2025).** The policy set out in the July 9 guidance largely mirrors the March 30 memorandum, but adds that, in cases where no diplomatic assurances exist, ICE will serve a “Notice of Removal” identifying the country of removal, translate the notice for the noncitizen, and “generally wait at least 24 hours following service ... before effectuating removal.” *Id.* at 2. “In exigent circumstances[,]” however, ICE may, with proper approval, execute removal in as little as six hours after service. *Id.*

40. Numerous courts have held that ICE’s third country removal policy violates due process. See, e.g., *Nguyen*, 2025 WL 2419288, at 19 (holding that July 9, 2025 ICE memorandum “contravenes Ninth Circuit law” requiring notice of third country removals and opportunity to apply for fear-based protections); *Baltodano v. Bondi*, No. C25- 1958RSL, 2025

WL 2987766, at 12 (W.D. Wash. Oct. 23, 2025) (same); *Phetsadakone v. Scott*, No. 2:25-CV-01678-JNW, 2025 WL 2579569, at 5 (W.D. Wash. Sep. 5, 2025); *Sagastizado v. Noem*, No. 5:25-CV-00104, 2025 WL 2957002, at 9–13 (S.D. Tex. Oct. 2, 2025) (finding petitioner likely to succeed on “claim that he cannot be removed to a third country without sufficient notice and a meaningful opportunity to raise a claim[.]”); *Y.T.D. v. Andrews*, No. 1:25-CV-01100 JLT SKO, 2025 WL 2675760, at 6 (E.D. Cal. Sep. 18, 2025) (“In this Circuit, due process requires that Petitioner be ... afforded reasonable notice and an opportunity to pursue relief in relation to third country removal.”).

VII. PETITIONER’S CONTINUED DETENTION IS UNLAWFUL UNDER ZADVYDAS BECAUSE HER REMOVAL IS NOT REASONABLY FORESEEABLE, AND THIS COURT SHOULD ACCORDINGLY ORDER HER IMMEDIATE RELEASE.

A. Ms. UWIDUHAYE’S removal is not reasonably foreseeable under *Zadvydas*.

41. Ms. UWIDUHAYE’s detention is governed by 8 U.S.C. § 1231(a)(6) because she has been detained for more than 90 days since she received a final grant of withholding of removal relief.

42. Ms. UWIDUHAYE will very likely never be deported from the United States, let alone in the reasonably foreseeable future. She cannot be deported to her home country of Rwanda because she has a final grant of INA withholding of removal. See 8 C.F.R. § 1208.17(b)(2).

43. Furthermore, it is exceedingly unlikely that ICE will identify an alternative country to which it can remove Ms. UWIDUHAYE. Ms. UWIDUHAYE does not have ties to any other country, and reports show that in most cases where ICE have forcefully removed people to third countries, those people were arbitrarily detained, imprisoned, or even deported to their home countries and third countries from which they were granted protection by the Immigration Judges. **Ex 12, Launching Banished by Bargain: Third Country Deportation Watch.**

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

HABEAS CORPUS

44. As set forth above, Respondents are holding Petitioner Mr. Ahsanullah in federal custody, in violation of federal statutes, and the U.S. Constitution.

45. Accordingly, Petitioner Mr. Ahsanullah seeks a writ of habeas corpus compelling Respondents to release Mr. Ahsanullah to the custody and care of his sponsor.

SECOND CLAIM FOR RELIEF

VIOLATION OF IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. § 1231(a)(6)

46. Petitioner realleges and incorporates by reference the paragraphs above.
73. 8 U.S.C. § 1231(a)(6), as interpreted by the Supreme Court in *Zadvydas*, authorizes detention only for “a period reasonably necessary to bring about the alien’s removal from the United States.” 533 U.S. at 689, 701.

47. Petitioner’s continued detention has become unreasonable because her removal is not reasonably foreseeable. Therefore, her continued detention violates 8 U.S.C. § 1231(a)(6), and she must be immediately released.

THIRD CLAIM FOR RELIEF

ARBITRARY AND CAPRICIOUS AGENCY ACTION UNDER THE

ADMINISTRATIVE PROCEDURE ACT, 5 U.S.C. § 706(2)(A)

48. Petitioner realleges and incorporates by reference the paragraphs above.

49. Courts must “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).

50. ICE has deviated from its own policy in continuing to detain Petitioner after he was granted immigration relief, without determining whether exceptional circumstances warrant her continued detention. This is arbitrary, capricious, and contrary to law in violation of the APA.

51. As a remedy, this Court should conduct its own review of Petitioner's custody or, at least, order ICE to review Petitioner's custody under the standard articulated under 8 C.F.R. 241.13.

FOURTH CLAIM FOR RELIEF

VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION

52. Petitioner realleges and incorporates by reference the paragraphs above.

53. ICE has violated Petitioner's due process rights by denying her an individualized custody review to which he is entitled under ICE policy.

54. As a remedy, this Court should conduct its own review of Petitioner's custody or, at least, order ICE to review Petitioner's custody under the standard articulated in 8 C.F.R. 241.13.

PRAYER FOR RELIEF

Petitioner Ms. UWIDUHAYE prays that the Court assumes jurisdiction over this Petition and Complaint and grants the following relief:

- a. Declare that Petitioner's continued detention violates the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(6); the Administrative Procedure Act, 5 U.S.C. § 706(2)(A); and/or the Due Process Clause of the Fifth Amendment to the U.S. Constitution.
- b. Order Petitioner's immediate release;
- c. Alternatively, review Petitioner's custody under the standard articulated in ICE policy, or order ICE to review Petitioner's custody accordingly;
- d. Grant any other further relief this Court deems just and proper.

Dated: January 12, 2026

Respectfully submitted,

/s/HarrisonDeclan

Harrison Declan

T. B. NO. 24105794

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Attorney for Petitioner

**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 the attorney for Petitioner. I have discussed with the Petitioner the events described in this Petition. 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.

Dated: January 15, 2026

Respectfully submitted,

/s/HarrisonDeclan

Harrison Declan

Counsel for Petitioner

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the CM/ECF system. I will furthermore mail a copy by USPS Certified Priority Mail with Return Receipts to each of the following individuals:

Rose Thompson, Warden
Karns County Immigration Processing Center
409 FM 1144
Karnes City, TX 78118

Miguel Vergara, Field Office Director
U.S. Immigration and Customs Enforcement, San Antonio Field Office
c/o DHS Office of the General Counsel
2707 Martin Luther King Jr. Ave, SE
Washington, DC 20528-0485

Kristi Noem, Secretary
U.S. Department of Homeland Security
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Pamela Bondi, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Stephanie Rico, U.S. Attorney
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Western District of Texas, San Antonio Division
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San Antonio, Texas 78216

Dated: January 15, 2026

Respectfully submitted,

/s/HarrisonDeclan

Harrison Declan

Counsel for Petitioner