



U.S. Department of Justice

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January 23, 2026

Via CM/ECF

Re: *Vicente Romero v. Bondi et al.*
Civil No. 26-219-BAH

Dear Judge Hurson:

Respondents provide the following responses to the Court's numbered inquiries in its January 23, 2026 correspondence in the above-referenced matter.

- 1) Respondents consent to expedited review of the petition without a full briefing schedule.
- 2) Respondents request the Court incorporate Respondents' filings in *Velasquez v. Noem*, No. 1:25-cv-03215-GLR, 2025 WL 3003684 (D. Md. Oct. 27, 2025), and *Villanueva Funes v. Noem*, No. 25-cv-03860-TDC, ECF Nos. 13, 14, as they address whether an alien who is present in the United States without admission is properly subject to mandatory detention (i.e., detention without the prospect of release on bond) pursuant to 8 U.S.C. § 1225(b) during the pendency of his administrative removal proceedings.
- 3) Respondents recommend the following proposed order/remedies:
 - Respondents are ENJOINED from detaining Petitioner under 8 U.S.C. § 1225(b);
 - Petitioner is detained under 8 U.S.C. § 1226(a) and is entitled to a bond hearing consistent with 8 C.F.R. §§ 236.1(d), 1003.19 and 1236.1(d);
 - A bond hearing shall be held within 14 days of the Petitioner's filing of a motion with the Immigration Court;
 - The bond hearing must be conducted by an Immigration Judge with jurisdiction or administrative control over Petitioner's detention and removal proceedings and the hearing must comply with in all respects with the regulations at 8 C.F.R. §§ 236.1(d), 1003.19, 1236.1(d) and any attendant process available pursuant to these provisions;
 - The order does not require Respondents to transfer or transport Petitioner to Maryland prior to a bond hearing;

-If bond is granted and petitioner is released, nothing in this order precludes ICE from imposing reasonable conditions of release;

-The parties shall provide this Court with a Status Report within 20 days of this order;

3.a) Although Respondents previously agreed to the provision below, which was included in this Court's orders in *Ailon-Lopez v. Bondi*, Civ. No. 26-160-BAH, and *Arevalo-Ixam v. Noem*, Civ. No. 26-081-BAH, Respondents maintain that this provision is both improper and impractical for the reasons set forth in its correspondence to the Court in *Baicu v. Baker et al.*: Civil No. 26-202-BAH, ECF 7.

If Petitioner is not provided with a bond hearing before an immigration judge within 14 days of his filing a motion with the Immigration Court, Respondents shall release Petitioner from custody with reasonable conditions, which may include the requirement that Petitioner appear for a bond hearing at an Immigration Court in Maryland.

Sincerely,

Kelly O. Hayes
United States Attorney

/s/ S. Nicole Nardone
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