UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case NO. 26-20395-CIV-BLOOM

CESAR ARMANDO MORALES ANDRADE,
Petitioner,
v.
FIELD OFFICE DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, et al.
Respondent
_____/

AMENDED RESPONSE TO ORDER TO SHOW CAUSE

Respondents Field Office Director, U.S. Immigration and Customs Enforcement, *et al.*, hereby respond to the Court's Order to Show Cause (ECF No. 4).

INTRODUCTION

Petitioner is a Honduran National who was previously removed from the United States, reentered the country, and was arrested. *See* Petition. Consequently, Petitioner is subject to a reinstated order of removal. Petitioner is currently detained in ICE custody pending "withholding-only" proceedings.[1]

Petitioner argues that his detention without a bond hearing under 8 U.S.C. § 1231(a)(6), which stands at approximately 20 months as of this writing, violates his Constitutional due process rights. Petitioner also argues that his removal is not reasonably foreseeable and, therefore, his detention violates 8 U.S.C. § 1231(a)(6), as interpreted in *Zadvydas v. Davis*, 533 U.S. 678 (2001). Petitioner additionally complains of medical care he is receiving and other

[1] An alien subject to a final order of removal can pursue pursuing withholding-only relief to prevent the Department of Homeland Security from executing his removal to the particular country designated in his reinstated removal order.

conditions of his confinement, and he argues that ICE has failed to conduct meaningful custody reviews required by its own regulations, in violation of the Administrative Procedure Act (APA). As explained below, Petitioner's arguments lack merit and his Petition must be denied.

Petitioner's detention is lawful. He is being detained to effect a reinstated Removal Order after he reentered the country illegally. Respondents have detention authority under 8 U.S.C. § 1231. As Petitioner is detained under the authority of 8 U.S.C. § 1231 and *not* 8 U.S.C. § 1226, Petitioner is not entitled to a bond hearing. Petitioner's *Zadvydas* claim fails because Respondents may detain aliens pending withholding-only proceedings as it is reasonably foreseeable that a termination point (*i.e.*, removal) will occur after the conclusion of the withholding-only proceedings. Additionally, this Court lacks jurisdiction to adjudicate any claim arising from Respondents' decision to execute Petitioner's removal order because 8 U.S.C. § 1252(g) plainly bars direct and indirect attacks on the execution of a removal order. The Court cannot review the conditions of confinement about which Petitioner complains, and, contrary to his allegations, ICE has conducted all requisite post-removal order custody reviews of his detention.

PROCEDURAL HISTORY AND FACTUAL BACKGROUND

Petitioner, Cesar Armando Morales Andrade, is a native and citizen of Honduras, who first entered the United States on or about February 15, 2014. *See* Exh. A, Form I-213, Record of Deportable Alien (Form I-213), dated February 15, 2014.

Removal Proceedings and Removal Order

On February 15, 2014, Petitioner was encountered by Customs and Border Patrol (CBP) after entering the United States illegally without inspection or admission. *See* Exh. A, Form I-213, dated February 15, 2014. On February 18, 2014, Petitioner was released on an order of

recognizance. *See* Exh. B, Form I-220A, Order of Release on Recognizance, dated February 18, 2014.

On May 13, 2014, DHS filed a Notice to Appear (NTA) with the Executive Office for Immigration Review (EOIR), charging Petitioner as inadmissible pursuant to INA §212(a)(6)(A)(i). *See* Exh. C, Notice to Appear, dated February 15, 2014. Petitioner was subsequently ordered removed from the United States on September 30, 2015. *See* Exh. D, Immigration Judge Order, dated September 30, 2015. Petitioner appealed the Immigration Judge's decision, and, on June 20, 2016, the Board of Immigration Appeals (BIA) dismissed the appeal, rendering the removal order administratively final. *See* Exh. E, BIA Decision, dated June 20, 2016.

On August 17, 2016, Petitioner self-deported to Honduras pursuant to his removal order. *See* Exh. F, Form I-205, Warrant of Removal/Deportation (Form I-205), dated August 17, 2016.

Illegal Reentry and Reinstatement of Removal

On October 22, 2020, Petitioner attempted to enter the United States without inspection or admission, but was encountered by CBP along the United States/Mexico border at or near Rio Grande City, Texas. *See* Exh. I, Declaration. He was processed and returned to Mexico. *See* Exh. I, Declaration.

On November 8, 2020, Petitioner again attempted to enter the United States without inspection or admission, but was encountered by CBP along the United States/Mexico border at or near Roma, Texas. *See* Exh. I, Declaration. He was again processed and returned to Mexico. *See* Exh. I, Declaration.

On November 17, 2020, Petitioner again attempted to enter the United States without inspection or admission, but was encountered by CBP along the United States/Mexico border at or near Falfurrias, Texas. *See* Exh. I, Declaration. He was again processed and returned to Mexico. *See* Exh. I, Declaration.

On December 2, 2020, Petitioner again attempted to enter the United States without inspection or admission, but was encountered by CBP along the United States/Mexico border at or near Hidalgo, Texas. *See* Exh. I, Declaration. He was again processed and returned to Mexico. *See* Exh. I, Declaration.

At an unknown date and at an unknown location, Petitioner subsequently reentered the United States without being inspected or admitted. *See* Exh. G, Form I-213, dated January 24, 2024.

Reinstatement of Removal and First Withholding-Only Proceedings

On January 24, 2024, Petitioner was arrested for Battery/Domestic Violence in violation of Florida Statute 784.03 by the Miami Dade County Sheriff's Office. *See* Exh. H, Arrest Affidavit, M24-001644. ICE ERO was informed, and determined that Petitioner had previously been removed and was subject to removal from the United States pursuant to Section 241(a)(5) of the INA, as amended, in that he is an alien who reentered the United States illegally after having been removed or having departed voluntarily, under an order of removal. *See* Exh. I, Declaration.

On January 24, 2024, DHS issued a Notice of Intent/Decision to Reinstate the Removal Order, in accordance with section 241(a)(5) of the INA. *See* Exh. J, Form I-871, Notice of Intent/Decision to Reinstate Prior Order, dated January 24, 2024; *see also* Exh. K, Form I-200,

Warrant for Arrest of Alien, dated January 24, 2024. On March 15, 2024, Petitioner was turned over to ICE ERO and detained at the Krome North Service Processing Center. *See* Exh. L, Detention History.

On or about March 18, 2024, Petitioner was transferred to the custody of the United States Marshal Service for criminal prosecution. *See* Exh. L, Detention History; *see also* Exh. I, Declaration. On April 16, 2024, Petitioner was convicted in the United States District Court, Southern District of Florida, for violation of 8 U.S.C. Section 1326(a), Illegal Reentry After Removal. *See* Exh. M, Judgement and Sentence, Case No. 24-20072. Petitioner was sentenced to credit time served, one year of supervised release, and a fine. *See* Exh. M, Judgement and Sentence, Case No. 24-20072. On that same date he was returned to ICE custody. *See* Exh. L, Detention History.

On April 18, 2024, Petitioner's attorney claimed reasonable fear on behalf of Petitioner. *See* Exh. I, Declaration. ICE ERO referred Petitioner to the United States Citizenship and Immigration Services who, on May 15, 2024, found Petitioner presented a reasonable fear of persecution or torture if returned to Honduras. *See* Exh. N, Form I-863, Notice of Referral to Immigration Judge, dated May 15, 2024; *see also* Exh. I, Declaration. On May 16, 2024, Petitioner was placed in Withholding-Only Proceedings before EOIR. *See* Exh. N, Form I-863, Notice of Referral to Immigration Judge, dated May 15, 2024; *see also* 8 C.F.R. § 241.8 (establishing procedures for Reinstatement of Removal and referral of fear claim).

At an initial master calendar hearing scheduled May 30, 2024, Petitioner, through counsel, requested a continuance to file an application for relief from removal. *See* Exh. O, Notice of Hearing, filed on May 16, 2024; *see also* Exh. I, Declaration. On July 3, 2024, Petitioner, through counsel, filed his application for relief. *See* Exh. P, Notice of Filing Table of

Contents, dated July 2, 2024. Petitioner was scheduled for a merits hearing on August 27, 2024; but on August 22, 2024, DHS filed a motion for change of venue after Petitioner was transferred from Krome, and Petitioner filed a motion for continuance. *See* Exh. Q, Notice of Hearing, filed on July 3, 2024; *see also* Exh. R, Form I-830E, dated August 21, 2024; *see also* Exh. L, Detention History; *see also* Exh. S, Motion for Continuance, dated August 21, 2024. Petitioner's counsel opposed the change of venue, and the Court denied the request to change venue. *See* Exh. T, Opposition to Change of Venue, dated August 22, 2024; *see also* Exh. U, Immigration Judge Order, dated August 23, 2024.

Petitioner was returned to Krome on September 7, 2024. *See* Exh. L, Detention History. The matter was scheduled for a master calendar hearing on September 24, 2024, where Petitioner appeared with new counsel and the master was rescheduled for a master calendar hearing on October 7, 2024. *See* Exh. V, Notice of Hearing, dated August 26, 2024; *see also* Exh. W, Immigration Judge Order, dated September 24, 2024; *see also* Exh. X, Notice of Hearing, dated September 24, 2024. On October 7, 2024, Petitioner, through counsel, requested a continuance to prepare Petitioner's application for relief. *See* Exh. Y, Notice of Hearing, dated October 7, 2024; *see also* Exh. I, Declaration. At a subsequent master calendar hearing, the Immigration Judge scheduled the case for a final merits hearing on January 6, 2025. *See* Exh. Z, Notice of Hearing, dated November 12, 2024. Due to a court scheduling issue, the case was reset to a merits on February 12, 2025. *See* Exh. AA, Notice of Hearing, dated November 12, 2024; *see also* Exh. I, Declaration. On that date, Petitioner's counsel was unwell and requested a continuance, rescheduling the matter for March 25, 2025. *See* Exh. BB, Notice of Hearing, dated February 12, 2025; *see also* Exh. I, Declaration.

Although testimony was taken on March 25, 2025, Petitioner did not conclude presentation of his case, and the matter was reset to June 5, 2025. *See* Exh. CC, Notice of Hearing, dated March 27, 2025; *see also* Exh. I, Declaration. At a continued merits hearing on June 5, 2025, Petitioner was cross-examined and presented additional evidence. *See* Exh. I, Declaration. The matter was initially rescheduled to August 5, 2025, but subsequently rescheduled by the court to September 4, 2025. *See* Exh. DD, Notice of Hearing, dated August 5, 2025; *see also* Exh. I, Declaration.

On August 26, 2025, Petitioner filed a motion to recuse Immigration Judge Pereira. *See* Exh. EE, Motion to Recuse, dated August 26, 2025. On September 3, 2025, Immigration Judge Pereira granted the motion and the case was reassigned to another immigration judge. *See* Exh. FF, Immigration Judge Order, dated September 3, 2025. The case was rescheduled to a master calendar hearing with Immigration Judge Lerner on September 16, 2025. *See* Exh. GG, Notice of Hearing, dated September 3, 2025. Judge Lerner rescheduled the matter to complete testimony on November 25, 2025. *See* Exh. HH, Notice of Hearing, dated September 23, 2025.The court rescheduled the matter to December 11, 2025. *See* Exh. II, Notice of Hearing, dated October 14, 2025. On that date, the Immigration Judge continued the hearing to December 17, 2025, by agreement of the parties, due to court scheduling constraints. *See* Exh. JJ, Notice of Hearing, dated December 12, 2025; *see also* Exh. I, Declaration.

On December 17, 2025, the Immigration Judge took additional testimony and continued the merits hearing to January 26, 2026, for Petitioner's presentation of additional witnesses. *See* Exh. KK, Notice of Hearing, dated December 18, 2025; *see also* Exh. I, Declaration. On January 8, 2026, Petitioner filed a motion, requesting EOIR schedule the merits hearing for January 22, 2025, to accommodate an expert witness. *See* Exh. LL, Motion to Re-schedule Hearing, dated

January 8, 2026. The Immigration Judge granted the motion, and the matter was scheduled for a merits hearing on January 22, 2026. *See* Exh. MM, Immigration Judge Order, dated January 13, 2026; *see also* Exh. NN, Notice of Hearing, dated January 13, 2026. Testimony was concluded on January 22, 2026, and the record was closed. *See* Exh. I, Declaration. The Immigration Judge requested written closing arguments from the parties, due January 30, 2026, and reserved decision. *See* Exh. I, Declaration.

Post-order Custody Reviews

In the interim, and while in ICE custody, on July 15, 2024, ICE ERO issued Petitioner a Decision to Continue Detention. *See* Exh. OO, Decision to Continue Detention, dated July 15, 2024. On September 24, 2024, Petitioner was informed of his Interview for Review of Custody Status, scheduled for October 2, 2024. *See* Exh. PP, Notice to Alien of Interview for Review of Custody Status, dated September 24, 2024. ICE ERO conducted the personal interview on October 7, 2024 and ultimately decided to continue custody. *See* Exh. I, Declaration. On October 22, 2024, ICE ERO served a Decision to Continue Detention on Petitioner. *See* Exh. I, Declaration.

On December 23, 2025, Petitioner requested to be paroled and ICE ERO denied the request. *See* Exh. I, Declaration.

To date, Petitioner remains detained at the Krome Service Processing Center. *See* Exh. L, Detention History.

ARGUMENT

I. Petitioner's Continued Detention Pending his Withholding-Only Proceedings is Lawful.

Petitioner's detention is lawful. Petitioner is subject to a reinstated removal order resulting from his illegal reentry to the United States. His detention is therefore authorized by 8 U.S.C. § 1231(a)(6).[2] As Petitioner is detained under the authority of 8 U.S.C. § 1231(a)(6), Petitioner is not entitled to a bond hearing. And the Supreme Court has observed that DHS may detain an individual pending the outcome of his withholding-only proceedings – even when they exceed the 90-day removal period provided in § 1231. *See Johnson v. Guzman Chavez*, 594 U.S. 523, 546 (2021) (holding that DHS can detain aliens in withholding-only proceedings under the same post-removal-period provisions provided elsewhere in § 1231 and noting that DHS routinely holds aliens under these provisions when geopolitical or practical problems prevent it from removing an alien within § 1231's 90-day removal period.).

Petitioner's contention that his continued detention violates Constitutional due process and 8 U.S.C. § 1231 because he has not shown that there is no significant likelihood of his removal in the reasonably foreseeable future. In *Zadvydas v. Davis*, the Supreme Court held that an alien subject to a final removal order may be detained beyond § 1231's 90-day removal period for an additional period "reasonably necessary to secure removal." 533 U.S. 678, 699 (2001). Such detention is "presumptively reasonable" for six months. *Id.* at 701. However, "[t]his 6–month presumption . . . does not mean that every alien not removed must be released after six

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[2] The statute provides, in relevant part that "[a]n alien ordered removed who is inadmissible under section 1182 of this title, removable under section 1227(a)(1)(C), 1227(a)(2), or 1227(a)(4) of this title or who has been determined by the Attorney General to be a risk to the community or unlikely to comply with the order of removal, may be detained beyond the removal period." 8 U.S.C. § (a)(6).

months." *Id.* Rather, an alien, such as Petitioner, "may be held in confinement until it has been determined that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.*

In *Akinwale v. Ashcroft*, 287 F.3d 1050 (11th Cir. 2002), the Eleventh Circuit held that in order to state a claim under *Zadvydas*, "the [alien] not only must show post removal order detention in excess of six months, but also must provide evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." 287 F.3d at 1052. To do so, a petitioner cannot merely rest on his own conclusory assertions—actual proof or evidence is needed. *Akinwale*, 287 F.3d at 1052 ("[T]o state a claim under *Zadvydas* the alien . . . must provide evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future."). Where an alien cannot meet his burden of establishing that there is not a substantial likelihood of removal in the reasonably foreseeable future, a petition for habeas corpus should be dismissed. *See, e.g., Oladokun v. U.S. Atty. Gen.*, 479 F. App'x 895, 897 (11th Cir. 2012); *Akinwale*, 287 F.3d at 1052.

Petitioner's continued detention while his application for withholding of removal is pending is lawful. Courts have rejected claims like the one petitioner makes here, that his "removal is not reasonably foreseeable" because he intends to pursue an appeal if his application for withholding of removal is denied by the immigration court. *See Rodriguez v. Meade*, Case No. 20-cv-24382-BLOOM, 2021 WL 671333, at *4-5 (S.D. Fla. Feb. 22, 2021) (analyzing and rejecting similar argument). As this Court observed in the *Rodriguez* decision:

> a detainee is not entitled to release merely because a definite date of removal is unknown. The continued detention of aliens beyond the removal period is permissible so long as removal is reasonably foreseeable.' *Guilarte v. Barr*, No. 4:20-cv-401-WS-MAF, 2020 WL 8084169, at *4 (N.D. Fla. Dec. 3, 2020), report

> and recommendation adopted, No. 4:20-cv-401-WS/MAF, 2021 WL 75763 (N.D. Fla. Jan. 8, 2021)."

Id. at *5. This Court in *Rodriguez* rejected the petitioner's claim that the pendency of withholding-only proceedings negated the possibility of removal in the reasonably foreseeable. The Court found that despite the lack of certainty as to when the proceeding would be completed, the petitioner's detention was "not potentially permanent or indefinite", and instead found that, "[i]t is reasonably foreseeable that a termination point (i.e., removal) will occur after the conclusion of Petitioner's withholding-only proceeding." *Id.* (citing *Davis v. Rhoden*, No. 19-cv-20082, 2019 WL 2290654, at *8 (S.D. Fla. Feb. 26, 2019), *report and recommendation adopted*, No. 19-20082-CIV, 2019 WL 2289624 (S.D. Fla. May 29, 2019)). Like the petitioner in *Rodriguez*, Petitioner here "has not met his burden of establishing that no significant likelihood of removal will occur in the foreseeable future." *Id.* (citing *Akinwale*, 287 F.3d at 1051-52). To the contrary, Petitioner has acknowledged that his withholding-only proceeding is progressing before the immigration court – even if he may elect an appeal of any adverse decision he receives.

In another similar case, the Honorable Judge Williams similarly found that, even though a habeas petitioner in withholding-only proceedings had been subjected to a prolonged detention and that it was unclear when the appellate court presiding over his separately-pending challenge to his order of removal would consider that claim, "a murky future is not synonymous with an indefinite one." *See* Order, ECF No. 7 in *Dominguez-Martinez v. Noem*, Case No. 25-25280-CIV-WILLIAMS (entered Nov. 24, 2025) (citing *Rodriguez*, No. 2021 WL 671333, at *4-5). Judge Williams ruled that the petitioner's continued detention did not violate the constitution because it was "reasonably foreseeable that the appellate court will issue an opinion, and that the detention

will terminate at that point—whether through full removal proceedings or the petitioner's release." *Id*. The same is true here.

Insofar as Plaintiff argues that the Supreme Court's decision in *Johnson v. Arteaga-Martinez*, 596 U.S. 573, 579 (2022), provides an as-applied due process challenges to his detention under § 1231, distinct from the *Zadvydas* framework discussed above, he is mistaken. The *Zadvydas* standard provides "the sole recourse available to a § 1231 detainee challenging his detention on due process grounds. In other words, the *Zadvydas* standard *is* due process: a § 1231 detainee who fails the *Zadvydas* test fails to prove a due process violation." *Castaneda v. Perry*, 95 F.4th 750, 760 (4th Cir. 2024) (citing *Martinez v. Larose*, 968 F.3d 555 (6th Cir. 2020)

In *Castaneda*, the Court rejected a habeas petitioner's claim that his years-long detention during the pendency of withholding-only proceedings violated due process because his removal was not reasonably foreseeable. The court specifically rejected the notion that delays due to the "ordinary litigation processes" associated with the withholding-only proceedings. *Id*.at 761. Petitioner makes essentially the same argument here.

As outlined above, Petitioner is being detained to execute his removal order to pending the outcome of his withholding-only proceedings. Petitioner has reentered the country following a previous self-removal, and so ICE made the decision to continue his detention rather than release him while his withholding-only proceeding is pending. Petitioner's removal will occur after the conclusion of his withholding-only proceedings, and, as in the *Rodriguez* case, his detention is "not potentially permanent or indefinite." *See also G.P. v. Garland*, 103 F.4th 898 (1st Cir. 2024) (rejecting the claim of a habeas petitioner who was subject to reinstated order of removal and had been detained for over three years pending resolution of claim for protection under Convention Against Torture because failed to establish no significant.likelihood of

removal; and there was no indication that the proceedings had dragged on because of bad faith or undue delay by government, and once his current withholding-only proceedings ended, he would either be removed or government would have to begin process of finding different country to accept him). Thus, Petitioner's continued detention is lawful.

II. Petitioner's Claims Concerning the Conditions of his Confinement Are Not Cognizable in Habeas Corpus Proceedings

Petitioner challenges not only the fact of his confinement, but also the conditions under which he is confined. Petitioner alleges that he has medical conditions that have not been treated adequately, and that he is confined to a crowded cell for many hours of each day with limited time for meals and recreation. Petition at ¶¶ 25, 29. Such claims are not cognizable in a habeas proceeding under 28 U.S.C. § 2241.

Claims challenging the fact or duration of a sentence fall within the "core" of habeas corpus, while claims challenging the conditions of confinement fall outside of habeas corpus law. *Nelson v. Campbell*, 541 U.S. 637, 644 (2004). Habeas relief is meant to restore liberty to those individuals whom the Government lacked the authority to imprison or detain in the first instance. *See Boumediene v. Bush*, 553 U.S. 723, 779, 128 S.Ct. 2229, 171 L.Ed.2d 41 (2008) ("the privilege of habeas corpus entitles the prisoner to a meaningful opportunity to demonstrate that he is being held pursuant to 'the erroneous application or interpretation' of relevant law" (citation omitted)). Insofar as Petitioner's claim do not challenge ICE's authority to detain him, but instead the conditions under which he is confined, the Court lacks jurisdiction to grant relief. A petition for writ of habeas corpus is not the appropriate mechanism for contesting a prisoner's conditions of confinement. *See Vaz v. Skinner*, 634 F. App'x 778, 780 (11th Cir. 2015); *Matos v. Lopez Vega*, 614 F.Supp.3d 1158, 1168 (S.D. Fla. 2020); and *A.S.M. v. Donahue*, No. 20-cv-62, 2020 WL 1847158, at *1 (M.D. Ga. Apr. 10, 2020).

III. ICE Has Conducted Post-Removal0Order Custody Reviews

Finally, notwithstanding Plaintiff's claim to the contrary, ICE has conducted the necessary post-removal-order-order custody reviews of Petitioner's detention. After the Supreme Court decided *Zadvydas*, DHS promulgated regulations to ensure that individuals in detention received due process through reviews of their detention beyond the 90-day removal period. *See* 8 C.F.R. § 241.4; 66 Fed.Reg. 56967, 56969 (Nov. 21, 2001) (explaining the *Zadvydas* decision and stating that the new regulations were issued to provide a process for DHS to determine whether there is a significant likelihood of removal in the reasonably foreseeable future). Under the regulations, the district director is required to conduct a post-order custody review ("POCR") before the 90-day removal period expires if the alien's removal cannot be accomplished during the removal period. *See* 8 C.F.R. § 241.4(k)(1)(i). In conducting the POCR, officials must review the alien's records and any and all documents submitted by the alien and must inform the alien of the decision. *See* 8 C.F.R. § 241.4(h)(1).

The 90-day POCR essentially considers three criteria (1) flight risk; (2) danger to the community; and (3) likelihood of obtaining travel documents. *See* 8 C.F.R. § 241.4(e) & (f). The district director or Director of the Detention and Removal Field Office decides whether the alien is released from custody or continued in detention pending removal or further review of his or her custody status. 8 C.F.R. § 241.4(k)(1)(i).

If the alien is not released or removed at the time of the initial POCR and has cooperated with the removal process, he or she must receive a second review three months later, or after 180 days have passed from the date the removal period began. 8 C.F.R. § 241.4(k)(2)(ii). The 180-day review considers whether there is a significant likelihood of removal in the reasonably foreseeable future. *See* 8 C.F.R. § 241.13. The 180-day determination looks at whether it is

reasonable to believe that travel documents can be obtained, given the federal government's efforts, the receiving country's willingness to facilitate the process, and other factors. *See* 8 C.F.R. § 241.4(e) & (f).

As explained above and in the attached Declaration, and notwithstanding Petitioner's allegation to the contrary, ICE has conducted the required reviews. Indeed, on this date (January 26, 2026, ICE served Petitioner with Notice that his next custody review will be conducted on January 29, 2026. See Exhibit QQ. The Notice informs Plaintiff of his right to submit any documentation he wishes to be considered in support of his release and that an attorney or another person may submit material on his behalf. *Id.* Petitioner refused to sign the certificate of service for the Notice. *Id.* ICE has fully complied with all the applicable regulations and appropriately found that Petitioner's continued detention is warranted. Plaintiff provides no support for his assertion that the reviews were not meaningful or otherwise not in compliance with ICE's regulations.

CONCLUSION

For the foregoing reasons, the Court should not grant the Petition for Writ of Habeas Corpus.

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