



MXG1381), registered to another vehicle which was operating on the 1100 block of Washington Avenue, after dusk without headlights. The Petitioner was operating without a license in an unregistered vehicle with plates from another vehicle resulting in law enforcement interaction in violation of the terms of his previous release. *See* Ex. A (I-213), attached hereto.

**II. The government's litigation position was substantially justified.**

The government stands on its opening brief with respect to the substantial justification of its litigation position that section 1225(b)(2)'s requirement of mandatory detention applied to Petitioner.

**III. Respondents take no position on the reasonableness of Petitioner's attorneys' fees.**

Respondents' position is that attorneys' fees ought not be awarded in this action because the government's underlying conduct and litigation position were both substantially justified. The petition should be denied on this basis. Respondents take no position on whether the claimed fees are reasonable or appropriate.

Dated: March 11, 2026

Respectfully submitted,

DAVID METCALF  
United States Attorney

/s/ Landon Jones for  
GREGORY B. DAVID  
Assistant United States Attorney  
Chief, Civil Division

/s/ Judith A.K. Amorosa  
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*Counsel for Respondents*


**CERTIFICATE OF SERVICE**

I certify that on March 11, 2026, a true and correct copy of the foregoing was filed electronically via the Court's CM/ECF system and served via CM/ECF on all counsel of record.



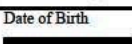


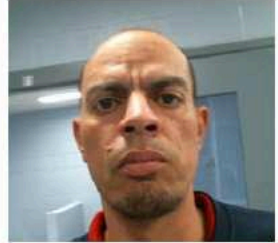

/s/ Judith A.K. Amorosa  
Assistant United States Attorney

# **EXHIBIT A**

U.S. Department of Homeland Security


Subject ID : 

Record of Deportable/Inadmissible Alien

Family Name (CAPS) <b>SEIJAS-AQUINO, ARNALDO JOSE</b>		First	Middle	Sex <b>M</b>	Hair <b>BLD</b>	Eyes <b>BRO</b>	Cmpbn <b>DBR</b>
Country of Citizenship <b>VENEZUELA</b>	Passport Number and Country of Issue			Height <b>72</b>	Weight <b>154</b>	Occupation <b>UNR</b>	
U.S. Address 				Scars and Marks			
Date, Place, Time, and Manner of Last Entry <b>Unknown Date Unknown Time,</b>			Passenger Boarded at		F.B.I. Number <b>5TNPP5D56</b>		
Number, Street, City, Province (State) and Country of Permanent Residence <b>CARACAS, VENEZUELA</b>				<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Date of Birth 	Age: <b>34</b>	Date of Action <b>01/21/2026</b>	Location Code <b>PHI/PHI</b>	Method of Location/Apprehension <b>NCA</b>			
City, Province (State) and Country of Birth <b>VENEZUELA</b>	AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>		At/Near <b>See I-831</b>	Date/Hour <b>01/21/2026 11:32</b>		
NIV Issuing Post and NIV Number	Social Security Account Name			By <b>See Narrative</b>			
Date Visa Issued	Social Security Number			Status at Entry	Status When Found		
Immigration Record <b>NEGATIVE</b>				Criminal Record			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate) <b>ORTEGA-BENITEZ, DARLIANA COROMOTO NATIONALITY: VENEZUELA ADDRESS: </b>				Number and Nationality of Minor Children <b>2 - VENEZUELA, 1 - COLOMBIA</b>			
Father's Name, Nationality, and Address, if Known <b>SEIJAS, WILMER ARNOLD NATIONALITY: VENEZUELA</b>		Mother's Present and Maiden Names, Nationality, and Address, if Known <b>AQUINO, ROCIO BENIVE NATIONALITY: VENEZUELA</b>					
Monies Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>	Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks <b>See Narrative</b>	Charge Code Word(s) <b>See Narrative</b>				
Name and Address of (Last)(Current) U.S. Employer	Type of Employment <b>Unemployed or Retired</b>	Salary	Employed from/to <b>Hr</b>				
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)							
FIN: 		Left Index fingerprint			Right Index fingerprint		
							
Family Information 							
Subject Health Status ...(CONTINUED ON I-831)							
Alien has been advised of communication privileges _____ (Date/Initials)				<b>D 6876 BROWN</b> <b>SDDO</b>			
Distribution: <b>ICE Management</b> <b>OPLA / OCC</b>				Received: (Subject and Documents) (Report of Interview) Officer: <b>D 6876 BROWN</b> on: <b>January 21, 2026</b> (time) Disposition: <b>Other</b> Examining Officer: <b>COX, E8051</b>			

U.S. Department of Homeland Security

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Alien's Name SEIJAS-AQUINO, ARNALDO JOSE	File Number 	Date 01/21/2026
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 The subject claims good health.

Current Criminal Charges

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 01/21/2026 - 8 USC 1182 - ALIEN INADMISSIBILITY UNDER SECTION 212

RECORDS CHECKED

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 CIS checked on 01/21/2026 with Positive result.EARM checked on 01/21/2026 with Positive result.IAFIS checked on 01/21/2026 with Positive result.NCIC checked on 01/21/2026 with Positive result.TECS checked on 01/21/2026 with Positive result.

ARRESTING AGENTS


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 D 6876 BROWNCRISTOPHER SLAYTONC11327 WILLIAMSJ 13476 BAUDILLEA13470 GERDEMAN

Arrested At/Near


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 2631 N Palethorp St Philadelphia PA 191333829 USA

Record of Deportable/Excludable Alien:

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 Immigration and Customs Enforcement (ICE) is currently executing at-large operations, targeting immigration violators in the Philadelphia Area of Responsibility. The operational focus is in direct support of Presidential Executive Orders. Operations are executed while ensuring personnel safety and maintaining tactical control operating in a confined, civilian-heavy environment. The operation integrates personnel from the Department of Homeland Security (DHS), Enforcement and Removal Operations (ERO), Homeland Security Investigations (HSI), Internal Revenue Service (IRS), Drug Enforcement Administration (DEA), the US Marshals Service (USMS), with additional support from 287(g) partners in their assigned jurisdictions. The operation aims to enhance public safety and enforce immigration laws.

DISCOVERY: The subject was arrested as a family unit on June 20, 2023, by the United States Border Patrol in the Del Rio Sector. The subject was released to the interior United States to see an immigration judge. The United States DHS, Customs & Border Protection (CBP), National Targeting Center (NTC), referred this subject to HSI Intelligence and it was referred to the HSI SAC Philadelphia Public Safety Border Enforcement Security Taskforce (BEST). The NTC receive reliable intelligence from foreign officials that this subject has criminal history and associations that would encourage pre decisional ICE detention pending the outcome of the subjects immigration proceedings. On January 16, 2025, the subject was arrested by ICE ERO and members of the HSI El Dorado Task Force and placed in ICE custody. On February 5, 2025, Immigration Judge Richard Baily issued a bond order. On February 12, 2025, bond was posted by the subjects spouse, who is also currently undergoing removal proceedings. On January 13, 2026, the subject had police contact while driving a vehicle with registration plates belonging to another vehicle and various motor vehicle violations. There are also several national security considerations at the law enforcement sensitive designation, and classifications related to national security. Numerous corroborated Intelligence and law enforcement reference materials both foreign and domestic were relied upon in the determination to reconsider the subjects custody determination specifically recent police contact and the subjects involvement with the  designated Terrorist Organization.

REFERENCE:

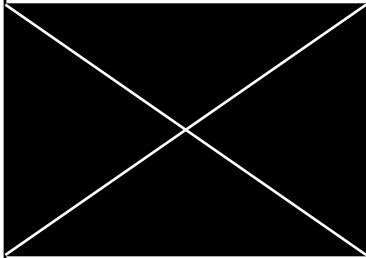
INB-NTC 

Signature D 6876 BROWN	Title SDDO
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U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name SEIJAS-AQUINO, ARNALDO JOSE	File Number [REDACTED]	Date 01/21/2026
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**ENCOUNTER:**

On January 21, 2026, while conducting a targeted enforcement operations at 2631 N. Palethorpe, Street, Philadelphia, PA, Arnaldo Jose SEJIAS-Aquino a/k/a CEIJAS-Aquino born [REDACTED], in Venezuela (hereafter referred to as the subject), was encountered and arrested. Officers, with an I-200 Arrest Warrant in hand, observed the subject exit the front door of the aforementioned address and enter a black Hyundai Sonata bearing NJ Registration M99UKD. Officers utilized agency vehicles to pin the subjects vehicle in the parking spot and had the subject exit the vehicle. Officers and agents were wearing full duty gear bearing police and agency identifiers. The subject was positively identified by photographic comparison and past dealings with the agency. The subject was divested of his personal effects and they were given to his spouse Darliana ORTEGA [REDACTED]. A brief field interview was conducted to determine if any unknown humanitarian issues existed that would delay or dissuade ICE from taking the subject into custody. No compelling issues arose that would prevent the subjects arrest. As such, the subject was placed under arrest for violations of the INA and/or USC. The subject was transported to the ERO Philadelphia Field Office for processing.

**STATEMENT: Taken 01/16/2025**

Upon arrival at the ERO Philadelphia Field Office, this officer completed a record of sworn statement. The following information is a collection of information ascertained from the record of sworn statement:

The subject makes no claims to US citizenship. The subject claims he is a citizen and national of Venezuela by virtue of birth in Venezuela. The subject claims that he last entered the United States in June of 2023 with his wife and children by walking through the international land border from Mexico. The subject claims that US Border Patrol encountered the family unit and that they were released. The subject claims that his wife filed for Asylum recently and that he is a rider on her petition. The subject claims that he has never served or trained with the United States armed forces. The subject claims that he was in training to be in the Venezuelan military. The subject claims to be in good overall medical condition and not under the care of any healthcare practitioner. The subject claims fear of returning to Venezuela. The subject claims that he is not a member of any criminal or terrorist organizations. The subject claims that he delivers food on a motorcycle for the Cayuga Food Market located at [REDACTED] in Philadelphia and that he is paid \$500 per week to work 12 hours per day 7 days a week on a moped.


**IMMIGRATION HISTORY:**

\*\*The subject is not a citizen, national or resident of the United States.  
 \*\*The subject is a citizen and national of Venezuela.  
 \*\*Per this officers investigation, the subject has no probative claims to US Citizenship acquired or derived.  
 \*\*The subject, his wife and three children were arrested by the United States Border Patrol on June 21, 2023, and released to the interior United States for removal proceedings.  
 \*\*Our investigation shows that the subject and his wife have an immigration hearing scheduled for June 11, 2026, in Philadelphia, PA  
 \*\*Our investigation did not produce any applications to adjust or acquire immigration status filed by the subject or on the subjects behalf.


Signature D 6876 BROWN	Title SDDO
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U.S. Department of Homeland Security

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Alien's Name SEIJAS-AQUINO, ARNALDO JOSE	File Number 	Date 01/21/2026
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**CRIMINAL HISTORY:**

On January 13, 2026, the Philadelphia Police Department conducted a vehicle stop on a 2016 Nissan Maxima (Tag ) , registered to another vehicle which was operating on the 1100 block of Washington Avenue, after dusk without headlights. The vehicle-stop Investigation and citations are pending with the city of Philadelphia Police Department. The subject was operating without a license in an unregistered vehicle with plates from another vehicle. Because the subject had his children in the vehicle, the subject was released on scene with citation

On or about January 14, 2025, the Philadelphia Police Department charged the subject with the following violations of the Pennsylvania Consolidated Statute;

- Offense: Title 75 Section 1511 A Failure to Carry License
- Offense: Title 75 Section 1511 A Failure to Carry Registration
- Offense: Title 75 Section 1511 A Driving on Sidewalk

DISPOSITION: ACTIVE BENCH WARRANT

**MISCELLANEOUS NUMBERS:**



**DISPOSITION:**

- \*The subject was advised of his right to counselor notification.
- \*The subject was provided with a list of free & low cost legal services.
- \*The subject was provided with one free phone call.
- \*The subject was served a Notice of Custody Redetermination.
- \*The subject was detained in ICE Custody.

**Other Identifying Numbers**



Signature D 6876 BROWN	Title SDDO
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