

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

ABDOUL AZIZ NDIAYE,

Petitioner,

v.

GEORGE STERLING,
In his official capacity as Director of Atlanta
Field Office Enforcement & Removal
Operations Immigration and Customs
Enforcement (ICE)


TODD LYONS, In his official Capacity as
Acting Director, U.S.
Immigration and Customs Enforcement

KRISTI NOEM, in her official capacity as
Secretary of the United States Department
of Homeland Security and

PAMELA BONDI, in her official capacity
as U.S. Attorney General, U.S. Department of
Justice,

Respondents.

Civil Action No. _____

Immigration No. 

**EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO
28 U.S.C. § 2241; APPLICATION FOR TEMPORARY RESTRAINING
ORDER; ORDER TO SHOW CAUSE; AND REQUEST FOR
NO-TRANSFER ORDER**

INTRODUCTION

1. This petition arises from the U.S. government's new policy—which contradicts both the plain language of the Immigration and Nationality Act (INA) and decades of agency practice—of erroneously interpreting the INA to mandate detention without the possibility of bond for noncitizens who entered the United States without inspection, even if they have been residing here for years.
2. This policy has led to the unlawful detention of countless noncitizens nationwide. Dozens of habeas corpus petitions for their release have been filed in jurisdictions across the country, including many in the Southern District of Georgia. Virtually every merits decision in those cases has found for the petitioners, either granting them a bond hearing or ordering their immediate release.
3. Petitioner Abdoul Aziz Ndiaye has been unlawfully detained without the possibility of bond in furtherance of this policy.
4. Petitioner was paroled into the United States from Senegal on November 1, 2021, accompanied by his wife, Gassama, Rokhaya and two minor children S [REDACTED] and A [REDACTED] in and has lived in North Carolina at [REDACTED] ever since. [Exhibit A].
5. The entire family was served with Notices to Appear (NTA) and released to attend court together as a family. (Exhibit B).
6. Petitioner and his family have been dutifully attending court without and also reporting to DHS/ICE as the parole conditions required.
7. The Family also timely filed their applications for asylum and withholding of removal which are pending in Immigration Court. [Exhibit C].
8. Petitioner and his family did everything right as required by regulations and by the immigration judge in pursuit of their application for asylum.
9. Petitioner applied for and was granted work authorization by the government and had a stable job working for Amazon in North Carolina. (Exhibit D).
10. Petitioner's children were enrolled in school and doing very well for an immigrant family from a non-English speaking country like Senegal.
11. Petitioner has never committed a crime in the United States or anywhere in the world and cannot be described as a danger to the community in any sense of the word.
12. On _____, Petitioner travelled for a routine check-in with DHS/ICE at Charlotte, NC pursuant to his parole and accompanying supervision requirements and was

suddenly taken into custody and detained without explanation as to why his parole was being terminated.

13. Petitioner remains detained at Folkston D. Ray ICE Processing Center in Folkston, GA where he remains detained without the opportunity to request release on bond as the statute requires.
14. Respondents have violated the law and legal procedures for terminating Petitioner's parole in that because ICE breached its own regulations, under which, once an authorized official determines an order of supervision ("OSUP") should be revoked, the noncitizen shall receive notice of the revocation and a prompt opportunity, through an informal interview, to respond.
15. Petitioners' detention by respondents violated the Immigration and Nationality Act ("INA"), the Fifth Amendment's Due Process Clause, and the Administrative Procedure Act, requiring his release.
16. The manner in which Petitioner was taken into custody on 11/26/2025 violated ICE's regulations and due process, and the Court should order his immediate release.
17. Important here, 8 C.F.R. § 241.4(l) sets out the process ICE must follow in revoking a noncitizen's order of supervision. See 8 C.F.R. § 241.4(l). Paragraph (l)(1), entitled "Violation of conditions of release," identifies the procedures to be followed when a noncitizen has violated a condition of his or her Order of Supervision:

[a]ny alien. . . who has been released under an order of supervision or other conditions of release who violates the conditions of release may be returned to custody Upon revocation, the alien will be notified of the reasons for revocation of his or her release or parole. The alien will be afforded an initial informal interview promptly after his or her return to [ICE] custody to afford the alien an opportunity to respond to the reasons for revocation stated in the notification.
18. These procedures thus entail "notification" and, after it, an informal interview. *Id.* § 241.4(l)(1) and the logical interpretation of "notification" is that it anticipates a written notice.
19. That reading is supported by the provision, which refers to the "reasons . . . stated in the notification." 8 C.F.R. § 241.4(l)(1).
20. The ensuing paragraph, (l)(2) identifies by title the officials who have the discretion to revoke release and the circumstances when such discretion can be exercised. In pertinent part, it states that:

[t]he Executive Associate Commissioner [of INS] shall have authority, in the

exercise of discretion, to revoke release and return to Service custody an alien previously approved for release under the procedures in this section. A district director may also revoke release of an alien when, in the district director's opinion, revocation is in the public interest ...

21. ICE's failure to follow the important procedural requirements of § 241.4(1) violated the Due Process Clause. That provision was designed to give noncitizens the minimal elements of due process-notice and an opportunity to be heard and to do so close in time to the infringement of their liberty interest. Petitioner was denied those procedural protections.
22. Petitioner did not receive notice of the reasons for revoking his parole before or after he had been and had been separated from her family and counsel, housed in a cell, and put on track for transfer out-of-state soon afterwards.
23. Far from being given an informal interview "promptly [there]after" and "an opportunity to respond to the reasons" for revocation, he was never given an interview. ICE's denial of those basic procedural protections in the course of detaining Petitioner denied him due process.
24. Folkston D. Ray ICE Processing Center in Folkston, GA, falls under the purview of the Atlanta Field Office of Immigration and Customs Enforcement (ICE), which has responsibility for immigration detention centers in Georgia.
25. Petitioner filed a motion for bond which was denied on 12/08/2025 in which the Immigration judge stated that she had no jurisdiction pursuant to agency policy- which policy is a violation of due process and of law. (Exhibit E).
26. Respondents, in whose actual and constructive custody Petitioner is in, have refused to release Petitioner despite the fact that he has pending Immigration hearing scheduled for Mar 20, 2026 at 1:00 PM. [Exhibit F].
27. Petitioner is in Removal Proceedings, alleging that Petitioner is alien present in the United States without being admitted or paroled, or who arrived in he United States at any time or place other than as designated by the Attorney General. INA 212(a)(6)(A)(i) and also 212(a)(7)(A)(i)(I) for entering without documentation.
28. Under 8 U.S.C. § 1226(a), which allows for release on conditional parole or bond, Petitioner is entitled to a bond determination. That statute expressly applies to people who, like Petitioner, are residing in the United States but are charged as inadmissible for having initially entered the United States without inspection. In accordance with 8 U.S.C. § 1226(a), the Department of Homeland Security (DHS) and Executive Office of Immigration Review (EOIR) have for decades provided bond determinations and bond hearings to people like Petitioner who have been living in the United States but allegedly

entered without inspection.

29. However, pursuant to a new governmental policy announced on July 8, 2025, 2 Petitioner is now being unlawfully detained without bond. The new policy instructs all ICE employees to no longer apply 8 U.S.C. § 1226(a) to people charged with being inadmissible under § 1182(a)(6)(A)(i)—i.e., those who initially entered the United States without inspection. Instead, under the new policy, ICE employees are to subject people like Petitioner to mandatory detention without bond under § 1225(b)(2)(A)—a provision that has historically been applied only to recent arrivals at the U.S. border—no matter how long they have resided in the United States.
30. Detaining Petitioner without bond is plainly contrary to the statutory framework of the INA and contrary to both agency regulations and decades of consistent agency practice applying § 1226(a) to people like Petitioner. It also violates Petitioner’s right to due process by depriving him of his liberty without any consideration of whether such a deprivation is warranted.
31. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be immediately released from custody unless because any bond hearing under § 1226(a) will be futile because the Immigration Judge is bound by agency policy and also the fact that there has been a practice in immigration court of circumventing habeas orders by ordering exorbitant bond amounts or by arbitrarily deciding that Petitioners are a flight risk without any evidence to back that up, thus abusing their immense discretion.
32. Petitioner is not challenging any discretionary denial of bond; he is challenging the legal determination that he is not eligible for bond under § 1226(a) in the first place.

JURISDICTION

33. Petitioner Abdoul Aziz Ndiaye is in physical custody of Respondents. Petitioner is detained at Folkston D. Ray ICE Processing Center in Folkston, GA. (Exhibit F).
34. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus); 28 U.S.C. § 1331 (federal question); and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).
35. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All-Writs Act, 28 U.S.C. § 1651.

VENUE

36. Venue is proper in the Southern District of Georgia under 28 U.S.C. § 2241 and 28 U.S.C. § 1391. Petitioner is detained in an immigration detention facility at the direction of, and

is in immediate custody of, Respondent; George Sterling. See *Roman v. Ashcroft*, 340 F.3d 314, 320-21 (6th Cir. 2003).

37. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims and relevant facts occurred in the Southern District of Georgia.

REQUIREMENTS OF 28 U.S.C. § 2243

38. The Court must grant the petition for a writ of habeas corpus or order Respondents to show cause “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Respondents must file a return “within three days unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.*
39. Habeas corpus is “perhaps the most important writ known to the constitutional law . . . affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

40. Petitioner Abdoul Aziz Ndiaye is a citizen of Senegal who has resided in the United States since 2021. He has been in immigration detention since 11/26/2025, and is currently detained at Folkston D. Ray ICE Processing Center in Folkston, GA and may be transported away from Georgia at any moment.
41. After taking custody of Petitioner, ICE did not set bond or consider his release on parole or other form of release permitted by law.
42. Respondent George Sterling is the Director of the Atlanta Field Office of ICE’s Enforcement and Removal Operations division. As such, Director George Sterling is Petitioner’s immediate custodian and is responsible for Petitioner’s detention and removal. He is named in his official capacity.
43. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the INA and oversees ICE, which is responsible for Petitioner’s detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.
44. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

45. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates are component agencies. She is sued in her official capacity.
46. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

ESSENTIAL FACTS

47. DHS placed Petitioner in removal proceedings before the Charlotte Immigration Court pursuant to 8 U.S.C. § 1229a. ICE has charged Petitioner under 212(a)(6)(A)(i) as someone who entered the United States without inspection and without necessary paperwork, but Petitioner was paroled and permitted to remain in the United States during the pendency of his removal proceedings.
48. Following the initiation of removal proceedings, ICE either did not conduct a custody determination or chose to continue detaining Petitioner without providing an opportunity to post bond or be released under other conditions.
49. The immigration Judge decided that the Immigration court had no Jurisdiction to entertain the motion for bond.
50. Petitioner is clearly neither a flight risk nor a danger to the community, as demonstrated by the fact that he was already released previously by DHS.
51. Petitioner is working with an immigration attorney and has strong claims for immigration relief in the form of Asylum and withholding of removal.
52. Without relief from this court, Petitioner faces the prospect of months—or even years—in immigration custody, separated from family and community.

LEGAL FRAMEWORK

53. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.
54. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens who are in removal proceedings. See 8 U.S.C. § 1229a. See also *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018) (explaining that § 1226(a) applies to those who are “already in the country” and are detained “pending the outcome of removal proceedings”). Under § 1226(a), individuals who are taken into immigration custody pending a decision on whether they are to be removed can be detained but are generally entitled to seek release on bond. 3 The bond

may be set by ICE itself as part of an initial custody determination, see 8 C.F.R. § 1236.1(c)(8), and/or the individual may seek a bond hearing in immigration court at the outset of their detention, see 8C.F.R. §§ 1003.19(a), 1236.1(d). Section 1226(a) is the statute that, for decades, has been applied to people like Petitioner who have been living in the United States and are charged with inadmissibility under § 1182(a)(6)(A)(i).

55. Second, the INA provides for mandatory detention of certain recently arrived noncitizens, namely those subject to expedited removal under 8 U.S.C. §1225(b)(1), and other recent arrivals seeking admission under § 1225(b)(2). See Jennings, 583 U.S. at 287, 289 (explaining that § 1225(b)(2)'s mandatory detention scheme applies "at the Nation's borders and ports of entry" to noncitizens "seeking admission into the United States."). Section 1225(b)(2) is the statute that Respondents have suddenly decided is applicable to people like Petitioner.
56. Third, the INA also provides for detention of noncitizens who have already been ordered removed, see 8 U.S.C. § 1231. Section 1231 is not relevant here.
57. This case challenges Respondents' erroneous decision that Petitioner is subject to mandatory detention without bond under §1225(b)(2), rather than being bond-eligible under § 1226(a).
58. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104-208, Div. C, §§ 302-03, 110 Stat. 3009-546,582-583, 585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).
59. Following the 1996 enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not detained under § 1225 and that they were instead detained under § 1226(a). See Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10,312, 10,323 (Mar. 6, 1997) (explaining that "despite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination.").
60. Thus, in the three decades that followed, people who entered without inspection and were subsequently placed in removal proceedings received bond hearings if ICE chose to detain them, unless their criminal history rendered them ineligible. That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed "arriving" were entitled to a custody hearing before an IJ or other hearing officer. See 8 U.S.C. § 1252(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply "restates" the detention authority previously found at § 1252(a)).

61. However, on July 8, 2025, ICE, “in coordination with” the Department of Justice, suddenly announced a new governmental policy that rejected the well-established understanding of the statutory framework and reversed decades of agency practice.
62. The new policy, entitled “Interim Guidance Regarding Detention Authority for Applicants for Admission,” claims that all persons who entered the United States without inspection are subject to mandatory detention without bond under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended and affects those who have resided in the United States for months, years, and even for decades or since infancy.
63. In decision after decision, federal courts—both nationwide and here in the Southern District of New York—have rejected Respondents’ sudden reinterpretation of the statutory scheme, and have instead held that § 1226(a), not § 1225(b), applies to noncitizens who are not apprehended upon arrival to the United States. See, e.g., *Lopez Benitez v. Francis*, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025) (rejecting the government’s position); *Martinez v. Hyde*, 2025 WL 2084238 (D. Mass. Jul. 24, 2025) (same); *Guerrero Orellana v. Moniz*, 2025 WL 2809996 (D. Mass. Oct. 3, 2025) (same); *Lepe v. Andrews*, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025) (same); *Artiga v. Genalo*, 2025 WL 282943 (E.D.N.Y. Oct. 5, 2025) (same). To be sure, not every court has rejected this argument—the government identified two that adopted it, along with the BIA. See, e.g., *Chavez v. Noem*, 2025 WL 2730228 (S.D. Cal. Sept. 24, 2025); *Vargas Lopez v. Trump*, 2025 WL 2780351 (D. Neb. Sept. 30, 2025); *Matter of Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).
64. This list is undoubtedly incomplete. As the media has reported, the government’s new no-bond policy has “led to dozens of recent rulings from judges who say the administration has violated the law and due process rights The pile up of decisions is growing daily.” Kyle Cheney and Myah Ward, *Trump’s New Detention Policy Targets Millions of Immigrants. Judges Keep Saying It’s Illegal*, Politico (Sept. 20, 2025, at 4:00 PM ET), <https://www.politico.com/news/2025/09/20/ice-detention-immigration-policy-00573850>.
65. In recent months, many courts, including this District, have repeatedly rejected Respondents’ interpretation of the INA and granted writs of habeas corpus to detained noncitizens to whom Respondents denied a bond hearing, releasing many of them.
66. On September 5, 2025, the BIA issued a precedential decision that rejected the overwhelming consensus of the federal courts. See *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). That decision held that all noncitizens who entered the United States without admission or parole are ineligible for bond hearings before an IJ.
67. The *Yajure Hurtado* decision—like the government policy it seeks to uphold—defies the INA. —the BIA’s reasoning is unpersuasive and “at odds with every District Court that has been confronted with the same question of statutory interpretation

68. As court after court has explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.
69. Section 1226(a) applies by default to all persons “pending a decision on whether the [noncitizen] is to be removed from the United States.” These removal hearings are held under § 1229a to “decide the inadmissibility or deportability of a non-citizen.”
70. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. See 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)’s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a).
71. When Congress creates ‘specific exceptions’ to a statute’s applicability, it ‘proves’ that absent those exceptions, the statute generally applies.” Rodriguez, 779 F. Supp. 3d at 1256-57 (citing Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co., 559 U.S. 393, 400 (2010)).
72. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.
73. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute’s entire framework is premised on inspections at the border of people who are “seeking admission” to the United States. 8 U.S.C. § 1225(b)(2)(A). See Jennings, 583 U.S. at 287 (explaining that this mandatory detention scheme applies “at the Nation’s borders and ports of entry, where the Government must determine whether a non-citizen] seeking to enter the country is admissible.”).
74. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to people who have already entered and were long residing in the United States at the time they were apprehended by immigration authorities and detained. Because § 1226(a), not § 1225(b), is the applicable statute, Petitioner’s detention without eligibility for bond is unlawful.
75. Petitioner seeks relief from this Court because any months-long appeal to the BIA of an IJ’s decision denying bond would be futile. A request for a bond hearing is likewise futile. First, the agency’s position is clear: both IJs and future panels of the BIA must follow the Yajure Hurtado decision. Further, the new governmental policy was issued “in coordination with DOJ,” which oversee the immigration courts, including the BIA—up to and including the ability of the Attorney General to modify or overrule decisions of the BIA, see 8 C.F.R. §1003.1(h). It is therefore unsurprising that the BIA has (erroneously) held that persons like Petitioner are subject to mandatory detention under § 1225(b)(2)(A), rather than being bond-eligible under § 1226(a). Moreover, in the numerous identical habeas corpus petitions that have been filed nationwide, EOIR and the Attorney General

are often respondents and have consistently affirmed via briefing and oral argument that individuals like Petitioner are applicants for admission and subject to detention under § 1225(b)(2)(A).

76. Second, by the time the BIA could even issue an appeal—a process that typically takes at least six months, *Rodriguez*, 779 F. Supp. 3d at 1245, and in many cases roughly a year, *id.*—the harm of Petitioner’s unlawful detention will be impossible to remediate. Nor will the downstream effects of continued detention be remediable: Petitioner’s family and community will be left without a caretaker and contributor for months.
77. Third, neither IJs nor the BIA have the authority to decide constitutional claims. See *Sterkaj v. Gonzales*, 439 F.3d 273, 279 (6th Cir. 2006). Here, Petitioner claims not only that Respondents are unlawfully detaining him without bond hearings under an inapplicable statute, but also that such detention violates Petitioner’s constitutional right to due process if the government seeks to deprive him of his liberty.

CLAIMS FOR RELIEF

COUNT I

Violation of the INA

78. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
79. Respondents are unlawfully detaining Petitioner without bond pursuant to the mandatory detention provision at 8 U.S.C. § 1225(b)(2).
80. Section 1225(b)(2) does not apply to Petitioner, who was previously paroled into the country and has long been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents.
81. Instead, Petitioner should be subject to the detention provisions of §1226(a) and are therefore entitled to a custody determination by ICE, and if custody is continued, to a custody redetermination (i.e., a bond hearing) by an immigration judge.
82. Respondents’ application of 8 U.S.C. § 1225(b)(2) to Petitioner results in Petitioner’s unlawful detention without the opportunity for a bond hearing and violates the INA.

COUNT II

Violation of Due Process

83. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

84. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
85. Petitioner has a fundamental interest in liberty and being free from official restraint.
86. The government’s detention of Petitioner without an opportunity for a custody determination or bond hearing to decide whether he is a flight risk or danger violates Petitioner’s right to due process.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Issue a writ of habeas corpus requiring that Respondents release Petitioner from custody unless forthwith.
- c. Enjoin Respondents from transferring Petitioner from the jurisdiction of this District pending these proceedings;
- d. Declare that 8 U.S.C. § 1226(a)—and not 8 U.S.C. § 1225(b)(2)(A)—is the appropriate statutory provision that governs Petitioner’s detention and eligibility for bond because Petitioner is not a recent arrival “seeking admission” to the United States, and instead was already residing in the United States when apprehended and charged as inadmissible for having allegedly entered the United States without inspection;
- e. Award Petitioner fees and costs under the Equal Access to Justice Act (“EAJA”), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- f. Grant any other and further relief that this Court deems just and proper.

Dated: 1/21/2026.

Respectfully submitted,

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Local counsel

*Pro hac vice admission pending

Exhibit list

- A. Copy of Parole Approvals
- B. Notice to Appear
- C. Application for asylum, Form I-589
- D. Copy of work authorization card
- E. Copy of bond denial order (lack of jurisdiction finding).
- F. Hearing Notice for March 20, 2026.
- G. Place of Detention