

LAW OFFICES OF SKLAR SMITH-SKLAR, LLC  
1901 N. OLDEN AVENUE, SUITE 22  
EWING, NEW JERSEY 08618  
(609) 882-9800 FAX: (609) 538-1399  
KEITH D. SKLAR, ESQ. (NJ ID# 4399-2000)  
CO-COUNSEL FOR PETITIONER  
Email: [mail@njpalaw.com](mailto:mail@njpalaw.com)

UNITED STATES DISTRICT COURT FOR  
EASTERN DISTRICT OF PENNSYLVANIA

JOSE LUIS MONTES RAMIREZ,  
Petitioner

v.

PAMELA BONDI, in her official capacity as  
Attorney General,

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

U.S. DEPARTMENT OF HOMELAND SECURITY:  
J.L. JAMISON, in his official capacity as  
Warden of Philadelphia FDC,  
ICE Detention Facility,  
701 Arch Street, Philadelphia, PA 19106

DAVID O'NEILL, in his official capacity as  
Philadelphia ICE Field Office Director,  
Respondents

CASE NO.:

VERIFIED PETITION FOR  
HABEAS CORPUS AND  
COMPLAINT FOR INJUNCTIVE  
AND DECLARATORY RELIEF

IMMIGRATION HABEAS CASE

ORAL ARGUMENT  
REQUESTED BY VIDEO

**INTRODUCTION**

This petition for a writ of habeas corpus is filed pursuant to 28 U.S.C. §2241 to challenge the ongoing and unlawful detention of Petitioner by United States Immigration and Customs Enforcement ("ICE"). Petitioner respectfully asserts that his continued detention violates the Constitution, federal law, and controlling precedent of the Third Circuit Court of Appeals. Petitioner seeks

immediate release from his detention as he was previously released and has not violated any portion of his conditions of release.

### **JURISDICTION AND VENUE**

This Court has jurisdiction over this matter under 28 U.S.C. § 2241 and Article I, Section 9, Clause 2 (Suspension Clause) of the United States Constitution. Jurisdiction is proper because Petitioner is currently detained within the territorial boundaries of the Eastern District of Pennsylvania. Venue is proper pursuant to 28 U.S.C. § 1391(e), as Respondent is an agency of the United States government and Petitioner is detained in this district. This Court also has jurisdiction over the present action pursuant to 28 U.S.C. § 1331, general federal question jurisdiction; 5 U.S.C. §§ 701 et seq., the Administrative Procedure Act (APA); 28 U.S.C. § 1651 (All Writs Act), 28 U.S.C. §§ 2201 (Declaratory Judgment Act); The Fourth and Fifth Amendments to the U.S. Constitution; and the common law. This action arises under the Due Process Clause of the Fifth Amendment of the U.S. Constitution and the INA. This Court may grant relief under the habeas corpus statutes, and the All-Writs Act, 28 U.S.C. § 1651.

### **STANDARD OF REVIEW**

The Constitution guarantees that the writ of habeas corpus is available to every individual detained within the United States. *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004) (citing U.S. Const. Art. I, § 9, cl. 2). District courts have the power to grant writs of habeas corpus. 28 U.S.C. § 2241(a). A district court's authority includes jurisdiction to hear habeas challenges to immigration-related

detention. Zadvydas v. Davis, 533 U.S. 678, 687 (2001). The burden is on petitioner to show that he is in custody in violation of the Constitution or federal law. 28 U.S.C. § 2241(c)(3); Walker v. Johnston, 312 U.S. 275, 286 (1941).

### PARTIES

**Petitioner:** Jose Luis Ramirez Montes, an individual presently detained by ICE at the ICE Detention Center located at FDC Philadelphia, 701 Arch Street, Philadelphia, Pennsylvania 19106, Eastern District of Pennsylvania.

**Respondents:** PAMELA BONDI, in her official capacity as Attorney General, KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, U.S. DEPARTMENT OF HOMELAND SECURITY, a governmental agent in charge of the detention of the Respondent, J.L. JAMISON, in his official capacity as Warden of FDC PHILADELPHIA, 701 Arch Street, Philadelphia, Pennsylvania 19106, DAVID O'NEILL, in his official capacity as Philadelphia ICE Field Office Director.

### STATEMENT OF FACTS

1. Petitioner is a citizen of Mexico, who has resided in the United States since 2008.
2. On or about January 23, 2026, Petitioner was taken into custody by ICE and was detained at ICE Field Office Philadelphia at 114 N. 8<sup>th</sup> Street and subsequently transferred to FDC Philadelphia where he is currently being held.
3. Petitioner was taken into custody based on a sham motor vehicle stop.

4. Petitioner has not been afforded a timely bond hearing nor has ICE demonstrated that continued detention is justified under the relevant statutes.
5. Petitioner has complied with all conditions of his prosecutorial discretionary dismissal of his immigration case in 2022 and has no history of flight risk or danger to the community.
6. Despite Petitioner's eligibility for release under applicable statutory and constitutional standards, ICE continues to detain Petitioner without adequate justification.
7. Respondent has stable employment and has resided at the same address in Dublin, Pennsylvania for the past eight (8) years.
8. The decision issued by the Board of Immigration Appeals, Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025), has stripped the ability of Immigration Judges to hear Motions for Bond. However, Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025), Restrepo v. J.L. Jamison, 2:25-cv-6518-JFL (E.D.Pa. Jan. 20, 2026) came to the opposite conclusion of Hurtado and has granted bond hearings.
9. This Petition for Writ of Habeas Corpus and request for Injunctive and Declaratory relief is the only redress the Petitioner has at this juncture for release from ICE custody.

### LEGAL GROUNDS FOR RELIEF

Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment and the Immigration and Nationality Act ("INA"). The primary Immigration and Nationality Act (INA) sections related to bond hearings are INA § 236(a) for discretionary detention, which allows an immigration judge to make a custody determination, and INA § 235 for mandatory detention of arriving aliens and those subject to expedited removal. The specific right to a bond hearing is often governed by these sections, as well as the related regulations found in 8 C.F.R. § 1003.19, which details the process for requesting and receiving a bond redetermination from an Immigration Judge. The U.S. District Court for the Eastern District of Pennsylvania has recognized that prolonged immigration detention without individualized review is unlawful absent a showing of flight risk or danger to the community. See Restrepo v. J.L. Jamison, 2:25-cv-6518-JFL (E.D.Pa. Jan. 20, 2026). Other courts have followed suit, most notably Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025).

The Supreme Court has held that noncitizens may not be detained indefinitely without adequate procedural protections. See Zadvydas v. Davis, 533 U.S. 678, 690 (2001). The U.S. District Court for the Eastern District of Pennsylvania has applied this principle to require a meaningful opportunity for release when detention extends beyond a reasonable period. See Restrepo.

ICE's failure to provide Petitioner with a bond hearing or individualized determination violates the standards articulated in Restrepo and constitutes an unlawful deprivation of liberty.

Hurtado supra at p.4, a decision by Board of Immigration Appeals (BIA) unconstitutionally deprives the Respondent of his Fifth Amendment due process rights. While immigration judges believe they are bound by it, this Court is not. Hurtado effectively takes the power of the immigration judge to conduct bond hearings as codified in the INA and guaranteed under a slew of decisions out of their hands and says that anyone who entered the United States illegally is not entitled to a bond hearing. This is *contra* to U.S. Supreme Court cases involving unlawful detention and this court's conclusion in Restrepo. Until Congress changes the law, Hurtado should not be enforced. It is only Congress that can change the INA not the BIA.

While the Third Circuit has been silent on this decision, U.S. District Court Judges in Pennsylvania, where the Respondent resides, have already released Respondents from ICE detention and not enforced Hurtado. I ask this Honorable Court to consider the well-reasoned decision of the Honorable Joseph F. Leeson, Jr., U.S.D.J. and follow it.

#### ARGUMENT

Petitioner's detention has exceeded a reasonable duration and lacks the individualized review required by both the Fifth Amendment and this Court's precedent. In Restrepo, this Court held that "prolonged detention under § 1226(c) without a bond hearing raises serious constitutional concerns."

Petitioner has been detained since January 23, 2026 without such a hearing. The government has not provided evidence of flight risk or dangerousness, as required by the United States Supreme Court.

The touchstone of due process is protection of the individual against arbitrary action of government," Wolff v. McDonnell, 418 U.S. 539,558 (1974), including "the exercise of power without any reasonable justification in the service of a legitimate government objective." Cnty. of Sacramento v. Lewis, 523 U.S. 833, 846 (1998). These protections extend to noncitizens facing detention, as "[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." United States v. Salerno, 481 U. S. 739, 755 (1987). Accordingly, "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." Zadvydas, 533 U.S. at 690. Substantive due process thus requires that all forms of civil detention—including immigration detention—bear a "reasonable relation" to a non-punitive purpose. See Jackson v. Indiana, 406 U.S. 715, 738 (1972).

The Supreme Court has recognized only two permissible non-punitive purposes for immigration detention: ensuring a noncitizen's appearance at immigration proceedings and preventing danger to the community. Zadvydas, 533 U.S. at 690-92; see also Demore v. Kim, 538 U.S. 510 at 519-20, 527-28, 31 (2003).

The procedural component of the Due Process Clause prohibits the

government from imposing even permissible physical restraints without adequate procedural safeguards. Generally, “the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property.” Zinermon v. Burch, 494 U.S. 113, 127 (1990).

**CAUSE OF ACTION  
VIOLATION OF THE FIFTH AMENDMENT TO THE UNITED STATES  
CONSTITUTION (SUBSTANTIVE DUE PROCESS - DETENTION)**

The Due Process Clause of the Fifth Amendment protects all “person[s]” from deprivation of liberty “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 Due Process] Clause protects.” Zadvydas, 533 U.S. at 690. Immigration detention is constitutionally permissible only when it furthers the government’s legitimate goals of ensuring the noncitizen’s appearance during removal proceedings and preventing danger to the community. *See id.* Petitioner is not a flight risk or danger to the community. Respondent’s detention of Petitioner is therefore unjustified and unlawful. Accordingly, Petitioner is being detained in violation of the Due Process Clause of the Fifth Amendment.

Accordingly, Petitioner is entitled to a writ of habeas corpus ordering his release or a showing by ICE to justify continued detention by clear and convincing evidence. *See Restrepo*.

### PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

- Issue a writ of habeas corpus ordering Petitioner's immediate release from ICE custody;
- Issue an injunction precluding ICE from re-arresting the Respondent without cause;
- Grant such other and further relief as the Court deems just and proper.

### VERIFICATION

I, Keith D. Sklar, Esquire, counsel for the declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Date: January 26, 2026

*/s/Keith D. Sklar, Esq.*

LAW OFFICES OF SKLAR SMITH-SKLAR, LLC  
1901 N. OLDEN AVENUE, SUITE 22  
EWING, NEW JERSEY 08618  
(609) 882-9800 FAX: (609) 538-1399  
KEITH D. SKLAR, ESQ. (PA Atty. #91524)  
COUNSEL FOR PETITIONER  
Email: [mail@njpalaw.com](mailto:mail@njpalaw.com)

LAW OFFICES OF SKLAR SMITH-SKLAR, LLC  
1901 N. OLDEN AVENUE, SUITE 22  
EWING, NEW JERSEY 08618  
(609) 882-9800 FAX: (609) 538-1399  
KEITH D. SKLAR, ESQ. (NJ ID# 4399-2000)  
CO-COUNSEL FOR PETITIONER  
Email: [mail@njpalaw.com](mailto:mail@njpalaw.com)

UNITED STATES DISTRICT COURT FOR  
EASTERN DISTRICT OF PENNSYLVANIA

JOSE LUIS MONTES RAMIREZ,  
Petitioner

CASE NO.:

v.

PAMELA BONDI, in her official capacity as  
Attorney General,

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

VERIFIED PETITION FOR  
HABEAS CORPUS AND  
COMPLAINT FOR INJUNCTIVE  
AND DECLARATORY RELIEF

U.S. DEPARTMENT OF HOMELAND SECURITY:  
J.L. JAMISON, in his official capacity as  
Warden of Philadelphia FDC,  
ICE Detention Facility,  
701 Arch Street, Philadelphia, PA 19106

IMMIGRATION HABEAS CASE

DAVID O'NEILL, in his official capacity as  
Philadelphia ICE Field Office Director,  
Respondents

IMMIGRATION HABEAS CASE  
PROPOSED ORDER

ORDER TO SHOW CAUSE

The Court, having reviewed the Petition for Writ of Habeas Corpus and all exhibits in support thereof, HEREBY ORDERS:

1. That Respondents appear before this Court on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. to show cause why the relief sought should not be granted.

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2026

\_\_\_\_\_  
United States District Court  
Eastern District of Pennsylvania

### CERTIFICATE OF SERVICE

Counsel hereby affirms that they caused to be served on the parties below a true and correct copy of this Habeas Petition and any associated documents in support thereof by U.S. Mail, First Class or email:

David Metcalf, Esq.  
United States Attorney for the Eastern District of Pennsylvania  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106

David O'Neill, Director  
Philadelphia Field Office (ICE/ERO)  
114 N. 8<sup>th</sup> Street  
Philadelphia, PA 19107

U.S. DEPARTMENT OF HOMELAND SECURITY  
J.L. Jamison, Warden ICE Detention Facility (FDC Philadelphia)  
701 Arch Street  
Philadelphia, PA 1906

PAM BONDI, ATTORNEY GENERAL OF THE UNITED STATES  
U.S Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001

Todd Lyons, Acting Director  
Immigration and Customs Enforcement  
500 12<sup>th</sup> Street SW  
MS 5900  
Washington, DC 20536

Kristi Noem, Secretary DHS  
2707 MLK Avenue SE  
Washington, DC 20528

Dated: January 26, 2026

*/s/Keith D. Sklar, Esq.*  
Keith D. Sklar, Esq.

## **TABLE DOCUMENTS**

### **Exhibit 'A'**

NTA

### **Exhibit 'B'**

Order of Prosecutorial Detention

### **Exhibit 'C'**

Recommendations

### **Exhibit 'D'**

2023 and 2024 Taxes

U.S. Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID : [Redacted] File No: [Redacted]
DOB: [Redacted] Event: [Redacted]

In the Matter of:

Jose Luis RAMIREZ MONTES AKA: RAMIREZ, JOSE ; MONTES, JOSE ;
VASQUEZ, CARLOS ;

Respondent: [Redacted] currently residing at:

NEW HOPE PENNSYLVANIA 18938

(315) 416-9294

(Number, street, city and ZIP code)

(Area code and phone number)

- 1. You are an arriving alien.
2. You are an alien present in the United States who has not been admitted or paroled.
3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

- 1. You are not a citizen or national of the United States;
2. You are a native of MEXICO and a citizen of MEXICO;
3. You entered in the United States at or near Unknown Place, on or about unknown date;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30(f)(2) 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:
970 Broad Street, Room 1200, 12th Floor Newark NEW JERSEY US 07102

(Complete Address of Immigration Court, including Room Number, if any)

on a date to be set at a time to be set to show why you should not be removed from the United States based on the charge(s) set forth above.

J #1024 H. FITZGERALD SDDO

(Signature and Title of Issuing Officer)

Date: August 26, 2013

Newark, NJ

(City and State)

See reverse for important information

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

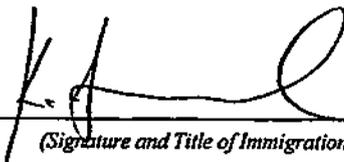
Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at <http://www.ice.gov/about/dro/contact.htm>. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Before:

  
(Signature and Title of Immigration Officer)

  
(Signature of Respondent)

Date: 10/29/13

Certificate of Service

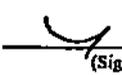
This Notice To Appear was served on the respondent by me on 10/29/13, in the following manner and in compliance with section 239(a)(1)(F) of the Act.

in person  by certified mail, returned receipt requested  by regular mail

Attached is a credible fear worksheet.

Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the Spanish/English language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

  
(Signature of Respondent if Personally Served)

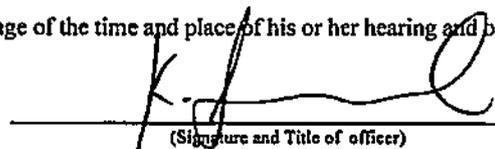
  
(Signature and Title of officer)

EXHIBIT 'B'

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
900 MARKET STREET, SUITE 504  
PHILADELPHIA, PA 19107

Law Offices of Sklar Smith-Sklar  
Sklar, Keith David  
1901 N. Olden Avenue  
Suite 22  
Ewing, NJ 08618

In the matter of  
RAMIREZ MONTES, JOSE LUIS . . .

File



DATE: Jun 28, 2022

- Unable to forward - No address provided.
- Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:  
Board of Immigration Appeals  
Office of the Clerk  
5107 Leesburg Pike, Suite 2000  
Falls Church, VA 22041
- Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242b(c) (3) of the Immigration and Nationality Act, 8 U.S.C. § 1252b(c) (3) in deportation proceedings or section 240(b) (5) (C), 8 U.S.C. § 1229a(b) (5) (C) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:  
IMMIGRATION COURT  
900 MARKET STREET, SUITE 504  
PHILADELPHIA, PA 19107
- Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. This is a final order. Pursuant to 8 C.F.R. § 1208.31(g) (1), no administrative appeal is available. However, you may file a petition for review within 30 days with the appropriate Circuit Court of Appeals to appeal this decision pursuant to 8 U.S.C. § 1252; INA §242.
- Attached is a copy of the decision of the immigration judge relating to a Credible Fear Review. This is a final order. No appeal is available.
- Other: ORDER ATTACHED

JAW  
COURT CLERK  
IMMIGRATION COURT

FF

cc: DHS OFFICE OF THE CHIEF COUNSEL  
900 MARKET STREET, SUITE 346  
PHILADELPHIA, PA, 19107



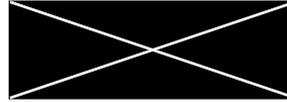


UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
PHILADELPHIA IMMIGRATION COURT

Respondent Name:  
RAMIREZ MONTES, JOSE LUIS

To:  
Sklar, Keith David  
1901 N. Olden Avenue  
Suite 22  
Ewing, NJ 08618

A-Number:



Riders:

In Removal Proceedings  
Initiated by the Department of Homeland Security

Date:  
06/28/2022

ORDER OF THE IMMIGRATION JUDGE

Respondent  The Department of Homeland Security has filed the following motion in these proceedings: Joint Motion to Dismiss without prejudice (Prosecutorial discretion).

After considering the facts and circumstances, the motion is  granted  denied for the following reason(s):

Joint motion.

Immigration Judge: Scott, Joseph 06/28/2022

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due:

**Certificate of Service**

This document was served:

Via:  Mail |  Personal Service |  Electronic Service

To:  Noncitizen |  Noncitizen c/o custodial officer |  Noncitizen's atty/rep. |  DHS

By: Scott, Joseph, Immigration Judge

Date: 06/28/2022

**Kellytown Builders Inc**

Po Box 425  
New Hope Pa 18938  
cell – 215-399-6605  
kellytown1@verizon.net

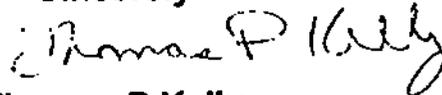
January 26, 2026

Dear Immigration

**Subject \* Jose Lewis Ramirez**

My name is Thomas P Kelly and I own and operate Kellytown Builders Inc for approximately 15 years. I met Jose Ramirez on a job about 4.5 years ago. I have worked with him 6 days a week and sometimes 7 days for the last 4 ½ years. He is my right hand man and has exhibited great responsibility on a daily basis. He is honest, great problem solver, and just a phenomenal worker. He is not just a worker, he has become my good friend and he is very active in church community and helps many people on a regular basis. He is not a violent criminal by any means. Great family man to a wife and three beautiful children. We need more people like Jose in our lives, hard working, honest, reasonable, loving, and just a good person. Jose will have continuing employment from me and will take nothing for free. I am pleading to whomever to let Jose continue his residence in US and contribute to our beautiful country.

Sincerely



Thomas P Kelly

JR CONTRACTOR LLC.  
1/24/2026

I want to inform you that Jose Luis Ramirez Montes has been working for my company for approximately 6 years.

Jose is a very efficient worker and he continues working for my company.

If you have any question, do not hesitate to contact me at 

JR CONTRACTOR LLC

Noe Cruz R.

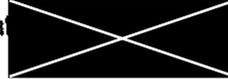


January 24, 2026

To whom it might concern,

Please note that Jose Ramirez Montes has been renting my property at 112 Middle Road Dublin, Pa 18917 since 2018. He has been living there with his wife and three children and his rent is currently \$2000 per month plus utilities. He is current with all payments.

If there are any questions, please contact me at



Respectfully,

Joseph Nappi

A handwritten signature in cursive script that reads "Joseph Nappi".