



Enforcement (“ICE”) or, alternatively, conduct or order a bond hearing in which the Respondents bear the burden of justifying Petitioner’s continued detention. Petitioner also requests that the Court set aside recent policies implemented by Respondents that are contrary to the statutory right of non-citizens like Petitioner to seek release and bail through an exercise of the Respondents’ discretion.

Mr. Hernandez Victoriano is a native of Dominican Republic seeking asylum in the United States. Mr. Hernandez Victoriano entered the United States on January 31, 2024, at the Arizona border and was encountered by the Department of Homeland Security and was released on his own recognizance.

A Master’s Hearing has been scheduled for February 5, 2026, before the Immigration Court in Elizabeth, New Jersey. See EOIR Case Automated Information attached as Exhibit “A”.

On January 1, 2026, Mr. Hernandez Victoriano attended a routine check-in at an ICE Office in Philadelphia, PA. ICE agents arrested Mr. Hernandez Victoriano without stated justification. Respondents arbitrarily detained, Mr. Hernandez Victoriano despite the requirement under 8 U.S.C. § 1226(a) and its implementing regulations that immigration officials make an individualized custody determination. Moreover, Respondents have adopted policies enshrined in administrative decisions

by the Board of Immigration Appeals (“BIA”) that subject non-citizens like Mr. Hernandez Victoriano to mandatory detention in violation of Section 1226(a).

Mr. Hernandez Victoriano is presently detained at the Federal Detention Center in Philadelphia. See Federal Bureau of Prison and ICE Detainee locators attached, collectively, as Exhibit “B”.

### **JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 2241 (habeas corpus); 28 U.S.C. § 1651 (All Writs Act); 28 U.S.C. § 1331 (federal question); 5 U.S.C. § 702 (Administrative Procedures Act); U.S. Const. amend. V (Due Process Clause); and U.S. Const. art. I, § 9, cl. 2 (Suspension Clause).

2. Venue is proper in the Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1391(b) and 28 U.S.C. § 2241(d), because at the time of filing his Petition for Writ of Habeas Corpus (Doc. 1), Mr. Hernandez Victoriano is imprisoned at the Federal Detention Center (“FDC”) in Philadelphia, Pennsylvania.

### **PARTIES**

3. Petitioner Mr. Hernandez Victoriano is a native of Dominican Republic seeking asylum and withholding from removal. He is detained at the Federal Detention Center in Philadelphia, PA.

4. Respondent J.L. Jamison is named in his official capacity as the Warden of FDC, Philadelphia, which detains individuals suspected of civil immigration violations. Respondent Jamison is the immediate physical custodian responsible for the detention of Petitioner.

5. Respondent Brian McShane is the Acting Philadelphia Field Office Director for Immigration and Customs Enforcement's ("ICE") Enforcement and Removal Operations. In this capacity he is responsible for the custody of all noncitizens detained by ICE at FDC, Philadelphia and has the authority to release Mr. Hernandez Victoriano or transfer him to a different facility. He is one of Mr. Hernandez Victoriano's immediate custodians and is sued in his official capacity.

6. Respondent Todd Lyons is the Acting Director of ICE. In this capacity he is responsible for enforcing immigration laws, and as such is a legal custodian of Mr. Hernandez Victoriano. He is sued in his official capacity.

7. Respondent Kristi Noem is Secretary of Homeland Security. In this capacity she runs the Department of Homeland Security, and is charged pursuant to 8 U.S.C. 1103(a)(1) with administering and enforcing immigration laws. She is the ultimate legal custodian of Mr. Hernandez Victoriano and is sued in her official capacity.

8. The Department of Homeland Security (“DHS”) is the agency of the federal government responsible for enforcing the immigration laws. DHS is also Mr. Hernandez Victoriano’s legal custodian.

9. Respondent Pamela Bondi is the Attorney General of the United States and the head of the U.S. Department of Justice, which encompasses the Board of Immigration Appeals (“BIA”) and immigration courts, known collectively as the Executive Office of Immigration Review (“EOIR”). Ms. Bondi shares responsibility for the implementation and enforcement of immigration laws along with Respondent Noem. Ms. Bondi is a legal custodian of Mr. Hernandez Victoriano. She is sued in her official capacity.

### **LEGAL FRAMEWORK**

10. For non-citizens attempting to enter the United States, the INA provides under 8 U.S.C. § 1225(b)(2)(A) that “in the case of [a non-citizen] who is an applicant for admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained.” “A noncitizen detained under Section 1225(b)(2) may be released only if he is paroled ‘for urgent humanitarian reasons or significant public benefit’ pursuant to 8 U.S.C. § 1182(d)(5)(A).” *Gomes v. Hyde*,

25 Civ. 11571, 2025 WL 1868288, at \*2 (D. Mass. July 7, 2025) (quoting *Jennings v. Rodriguez*, 583 U.S. 281, 300 (2018)).

11. In contrast, the Supreme Court has found that “U.S. immigration law authorizes the Government to detain certain [non-citizens] *already in the country* pending the outcome of removal proceedings under §§ 1226(a) and (c).” *Jennings*, 583 U.S. at 288-89.

12. Section 236 of the INA provides in relevant part as follows:

(a) Arrest, Detention, and Release. On a warrant issued by the Attorney General, *an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States*. Except as provided in subsection (c) and pending such decision, *the Attorney General—*

(1) *may continue to detain the arrested alien; and*

(2) *may release the alien on—*

(A) *bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or*

(B) *conditional parole ...*

13. The Supreme Court has interpreted similar “may” language in other provisions of the INA to require “some level of individualized determination.” *I.N.S. v. Nat’l Ctr. For Immigrants’ Rights*, 502 U.S. 183, 194 (1991). The regulation implementing Respondents’ authority to arrest non-citizens present in the United States reads:

*“Any officer authorized to issue a warrant of arrest may, in the officer's discretion, release an alien not described in [8 U.S.C. §*

1236(c)(1)] of the Act, under the conditions at section [8 U.S.C. § 1236(a)(2) and (3)]; *provided that the alien must demonstrate to the satisfaction of the officer that such release would not pose a danger to property or persons, and that the alien is likely to appear for any future proceeding.*”

8 U.S.C. § 1236.1(c)(8).

14. Noncitizens may request a review of an initial custody determination before an Immigration Judge (“IJ”). 8 C.F.R. § 1236.1(d)(1); 8 C.F.R. § 1002.19(a). At this hearing an IJ may make the decision “upon any information that is available to the [Immigration Judge] or that is presented to him or her by the [non-citizen] or the [government].” 8 C.F.R. § 1003.19(d); *see also Matter of Guerra*, 24 I&N Dec. 37, 39 (BIA 2006). Non-citizens may appeal a negative decision in a custody review before an IJ to the Board of Immigration Appeals. 8 C.F.R. § 1236.1(d)(3)(i). The current statutory scheme was created through the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”).

15. For the first time in nearly three decades, Respondents have taken the position through a series of precedential decisions by the Board of Immigration Appeals that non-citizens residing in the interior of the United States are not entitled to a custody redetermination (a “bond hearing”) before an Immigration Judge.

16. First, in *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025), the BIA held that a non-citizen who had been apprehended at the border and subsequently released into the United States is subject to mandatory detention without a possibility of bail upon re-detention, pursuant to 8 U.S.C. § 1225(b), even if that re-detention occurs years after their initial release from custody. The BIA reasoned that “an applicant for admission who is arrested and detained without a warrant while in the process of arriving in the United States, whether or not at a port of entry, and subsequently placed in removal proceedings is detained under section [1225(b)] [], and is ineligible for any subsequent release on bond under section [1226(a)].” *Q. Li*, 29 I&N Dec. at 74.

17. Then in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), the BIA stated that all non-citizens who are present in the United States without admission are subject to mandatory detention under Section 1225(b), regardless of how long they have been residing in the U.S. and absent any prior interaction with immigration authorities.

### **FACTS AND PROCEDURAL HISTORY**

18. Mr. Hernandez Victoriano is a native of Dominican Republic.

19. On January 31, 2024, Mr. Hernandez Victoriano entered the United States at the Arizona border. Officials from Customs and Border Patrol

(“CBP”), a sub-agency of DHS, detained Mr. Hernandez Victoriano upon entry into the United States and then released him on his own recognizance.

20. Mr. Hernandez Victoriano was issued a Notice to Appear charging him as removable from the United States pursuant to 8 U.S.C. § 1182(a)(6)(A)(i) (“A [non-citizen] present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney General, is inadmissible”).

21. Mr. Hernandez Victoriano has submitted his I-589, Application for Asylum, with the Department of Homeland Security. He has been issued a social security card and has a valid work permit.

22. Mr. Hernandez Victoriano settled in Hazelton, Pennsylvania where he was living before his incarceration.

23. On two occasions, Mr. Hernandez Victoriano has reported to the ICE office in Philadelphia, PA for his check-ins without incident.

24. On January 1, 2026, Mr. Hernandez Victoriano reported for his schedule ICE appointment, when, without prior warning, ICE officials took Mr. Hernandez Victoriano into custody. Mr. Hernandez Victoriano was transported to FDC, Philadelphia. He remains detained there.

**CLAIM FOR RELIEF**  
**COUNT ONE**

**VIOLATION OF DUE PROCESS, U.S. CONST. AMEND. V**

25. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

26. The Fifth Amendment’s Due Process Clause prevents the Government from depriving any person of “life, liberty, or property, without due process of law.” U.S. Const. amend. V.

27. The Due Process Clause extends to noncitizens residing in the United States, whether they have lawful status or not. *See Mathews v. Diaz*, 426 U.S. 67, 77 (1976); *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). Specifically, “[i]t is well established that the Fifth Amendment entitles [non-citizens] to due process of law in deportation proceedings. *Reno v. Flores*, 507 U.S. 292, 306 (1993); *see also Abdulai v. Ashcroft*, 239 F.3d 542, 549 (3d Cir. 2001) (“[Non-citizens] facing removal are entitled to due process”); *Calderon-Rosas v. Atty’ Gen.*, 957 F.3d 378, 386 (3d Cir. 2020) (“In sum, petitioners seeking discretionary relief are entitled to fundamentally fair removal proceedings, which constitutes a protected interest supporting a due process claim.”).

28. Evaluating the adequacy of the process provided to a non-citizen requires a balancing of factors. “First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.” *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

29. First, Mr. Hernandez Victoriano faces “the most significant liberty interest there is—the interest in being free from imprisonment.” *Velasco Lopez v. Decker*, 978 F.3d 842, 851 (2d Cir. 2020) (citing *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)). Second, Respondents have erroneously deprived Mr. Hernandez Victoriano of his liberty without any individualized assessment of his circumstances. Third, Respondents did not make any individualized finding that Mr. Hernandez Victoriano was a danger or flight risk, so there does not appear to be a significant government interest in detaining Mr. Hernandez Victoriano.

30. An application of these factors requires that Mr. Hernandez Victoriano should have been provided with additional process before being detained.

**COUNT TWO**

**VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. § 1226(a)**

31. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

32. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to grounds of inadmissibility. As, relevant here, it does not apply to those who have been residing in the United States at liberty after being briefly detained at or near the border. Such noncitizens, if detained, are done so under § 1226(a), and are generally eligible release on bond.

33. Respondents' authority to detain Mr. Hernandez Victoriano is derived from 8 U.S.C. § 1226(a) as Mr. Hernandez Victoriano is already present in the United States.

34. Respondents have detained Mr. Hernandez Victoriano without making an individualized determination regarding whether he posed a danger or flight risk as required by 8 U.S.C. § 1226(a) and its regulations.

35. Moreover, Respondents' current policies as set forth in the BIA's decisions in *Matter of Q. Li* and *Matter of Yajure Hurtado* unlawfully prevent Mr.

Hernandez Victoriano from obtaining a custody redetermination in front of an Immigration Judge as is his right by statute.

### **COUNT THREE**

#### **VIOLATION OF THE BOND REGULATIONS, 8 C.F.R. §236.1, 1236.1 and 1003.19**

36. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

37. In 1997, after Congress amended the INA through IIRIRA, EOIR the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and Detention of [Non-citizens],” the agencies explained that “[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) *will be eligible for bond and bond redetermination.*” 62 Fed. Reg. at 10323 (emphasis added). Thus, the agencies made clear that non-citizens present in the United States would be eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.

38. Yet, Respondents have adopted a policy and practice of applying § 1225(b)(2) to non-citizens like Mr. Hernandez Victoriano who are present in the United States without being admitted or paroled.

39. The application of § 1225(b)(2) to Mr. Hernandez Victoriano unlawfully mandates his continued detention in violation of 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

#### **COUNT FOUR**

#### **VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT (“APA”), 5 U.S.C. § 701, *et. seq.***

40. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

41. Mr. Hernandez Victoriano is aggrieved by agency action under the Administrative Procedure Act, 5 U.S.C. §§ 701 *et. seq.* Specifically, Respondents have acted arbitrarily in detaining Mr. Hernandez Victoriano without conducting an individualized determination into his circumstances. In other words, Respondents have not presented any indication that Mr. Hernandez Victoriano’s circumstances have changed such that he is now a danger or flight risk in a way that he was not when he was admitted into the United States at the border in August of 2022.

42. Additionally, Respondents’ recent policies announced through administrative decisions issued by the BIA unlawfully withhold the right to a bond hearing under 8 U.S.C. § 1226(a) to Mr. Hernandez Victoriano.

43. These policies are arbitrary, capricious, and not in accordance with the text of the INA.

**PRAYER FOR RELIEF**

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

1. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody immediately on his own recognizance or under parole, bond or reasonable conditions of supervision, on the ground that his continued detention by the Department of Homeland Security violates his Due Process rights;
2. Set aside Respondents' unlawful detention policy contained *Matter of Q. Li* and *Matter of Yajure Hurtado* under the APA, 5 U.S.C. § 706(2), as contrary to law, arbitrary and capricious, and contrary to constitutional right;
3. Issue a writ requiring an immediate, constitutionally adequate hearing before an Immigration Judge, at which: (i) DHS bears the burden to demonstrate, by clear and convincing evidence, that Petitioner's continued detention is necessary, and (ii) the immigration judge considers Petitioner's ability to pay a bond.

4. While this petition is pending, order Petitioner's immediate release pursuant to the Court's inherent authority to release habeas corpus petitioners on bail;

5. Enter a judgment declaring that Respondents' detention of Petitioner is unauthorized by statute and contrary to law and the U.S. Constitution;

6. Award Petitioner reasonable costs and attorneys' fees; and

7. Grant any further relief that this Court may deem fit and proper.

Dated: January 30, 2026

Respectfully submitted,

s/ Jose C. Campos, Esquire  
Jose C. Campos (PA Bar 207646)  
The Campos Firm  
251 East Broad Street  
Bethlehem, PA 18018  
p. (610) 868-2230  
jc@jccamposlaw.com  
ATTORNEY FOR PETITIONER

## **LIST OF EXHIBITS**

Exh. A. EOIR Case Automated Information

Exh. B. Federal Bureau of Prisons and ICE Detainee Case Locators

**EXHIBIT A**



An official website of the United States government

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**EOIR** | Automated Case Information

**Court Closures Today** January 30, 2026

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# Automated Case Information

Name: HERNANDEZ VICTORIANO, DAURY JOSE | A-Number:



| Docket Date: 4/10/2024



## Next Hearing Information

Your upcoming **MASTER** hearing is on **February 5, 2026** at **9:00 AM**.

**JUDGE**

Wilson, Tamar H.

**COURT ADDRESS**

625 EVANS STREET ROOM 148A

ELIZABETH, NJ 07201



## Court Decision and Motion Information



*This case is pending.*



## BIA Case Information

No appeal was received for this case.



## Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

### **COURT ADDRESS**

625 EVANS STREET ROOM 148A  
ELIZABETH, NJ 07201

### **PHONE NUMBER**

(908) 787-1355

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Department of Justice | Executive Office for Immigration Review  
5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041



**EOIR** | Automated Case Information

**EXHIBIT B**

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<input type="text" value="Daury"/>	<input type="text"/>	<input type="text" value="Hernandez Victo"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

1 Result for search **Daury Hernandez Victoriano**



**DAURY JOSE  
HERNANDEZ  
VICTORIANO**

Register Number

Age: 31  
Race: White  
Sex: Male

Located at: [Philadelphia FDC](#)

Release Date: UNKNOWN

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# U.S. Immigration and Customs Enforcement

Report



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## Facility Page

### Detention Information For:

**DAURY JOSE HERNANDEZ VICTORIANO**

Country of Birth: Dominican Republic

A-Number:

### Current Detention Facility:

Philadelphia Federal Detention Center  
700 Arch Street  
NA  
Philadelphia, PA 19106  
**Visitor Information:** (215) 521-4000

[MORE INFORMATION >](#)

## ERO Office Information

Family members and legal representatives may be able to obtain additional information about this individual's case by contacting this ERO office:

PHILADELPHIA, PA, DOCKET CONTROL OFFICE  
**Phone Number:** (215) 656-7164

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

DAURY JOSE HERNANDEZ VICTORIANO

(b) County of Residence of First Listed Plaintiff Philadelphia County (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Jose C. Campos, Esquire 251 E. Broad St. Bethlehem, PA 18018

DEFENDANTS

J.L. JAMISON, BRIAN MCSHANE, TODD LYONS, KRISTI NOEM, U.S. DHS, and PAMELA BONDI

County of Residence of First Listed Defendant Philadelphia (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

US Attorney's Office, Philadelphia, PA

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, 1 1, 2 2, 3 3, 4 4, 5 5, 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 210 Land Condemnation, 310 Airplane, 440 Other Civil Rights, 463 Alien Detainee, 625 Drug Related Seizure, 710 Fair Labor Standards Act, 820 Copyrights, 870 Taxes (U.S. Plaintiff or Defendant), 375 False Claims Act, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 2241. Brief description of cause: Petition for Writ of Habeas Corpus

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 01/30/2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Jose C. Campos, Esquire

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Federal Detention Center, Philadelphia PA

RELATED CASE IF ANY: Case Number: Judge:

- 1. Does this case involve property included in an earlier numbered suit? Yes
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes
5. Is this case related to an earlier numbered suit even though none of the above categories apply? Yes

I certify that, to the best of my knowledge and belief, the within case is / is not related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
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4. Antitrust
5. Wage and Hour Class Action/Collective Action
6. Patent
7. Copyright/Trademark
8. Employment
9. Labor-Management Relations
10. Civil Rights
11. Habeas Corpus
12. Securities Cases
13. Social Security Review Cases
14. Qui Tam Cases
15. Cases Seeking Systemic Relief \*see certification below\*
16. All Other Federal Question Cases. (Please specify):

B. Diversity Jurisdiction Cases:

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2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify):
7. Products Liability
8. All Other Diversity Cases: (Please specify):

I certify that, to the best of my knowledge and belief, that the remedy sought in this case does / does not have implications beyond the parties before the court and does / does not seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

[X] Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of \$150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

[ ] None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.



Todd Lyons, Acting Director  
Immigration and Customs Enforcement  
500 12th St. SW  
Washington, DC 20536

Kristi Noem, Secretary  
Department of Homeland Security  
245 Murray Lane  
Washington, DC 20528

The US Department of Homeland Security  
245 Murray Lane  
Washington, DC 20528

Pamela Bondi, Attorney General  
U.S. Department of Justice  
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