

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Greenbelt Division)

BYRON DE LEON ROSALES	*	
Petitioner,	*	Case No. 8:26-cv-00393-BAH
v.	*	
VERNON LIGGINS, <i>et al.</i> ,	*	
Respondents.	*	
* * * * *		

JOINT NOTICE

Petitioner, Byron De Leon Rosales, and Respondents, Immigration and Customs Enforcement (“ICE”) Baltimore Field Office Acting Field Office Director Vernon Liggins, ICE Acting Director Todd Lyons, United States Department of Homeland Security Secretary Kristi Noem, and United States Attorney General Pamela Bondi, by and through their respective undersigned counsel, submit this Joint Notice and state:

The Parties submit that the factual and legal issues presented in the instant habeas petition are related to some of those presented in *Cardona y Cardona v. Noem*, Case No. 25-cv-02262-ABA, and *Lopez Lopez v. Noem*, Case No. 26-cv-00008-BAH.<sup>1</sup> Specifically, the Petition here

<sup>1</sup> In *Cardona y Cardona*, the petitioners were charged as inadmissible under Immigration and Nationality Act (“INA”) § 212(a)(6)(A)(i) (8 U.S.C. § 1182(a)(6)(A)(i)) and placed into removal proceedings. *See Cardona y Cardona v. Noem*, Case No. 25-cv-02262, ECF No. 9. The Court (Abelson, J.) granted the Government’s motion to dismiss in *Cardona y Cardona*, finding that it lacked jurisdiction to consider the petitioners’ Fourth Amendment unlawful arrest claims under 8 U.S.C. § 1252(g). *See Case No. 25-cv-02262-ABA*, ECF No. 12. Notably, the Court did *not* address whether an individual charged as inadmissible under INA § 212(a)(6)(A)(i) (8 U.S.C. § 1182(a)(6)(A)(i)) is entitled to a bond hearing under 8 U.S.C. § 1226(a). *See id.* The Parties note that Petitioner does not raise a Fourth Amendment unlawful arrest claim here and that *Cardona y Cardona* was decided before *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

*Lopez Lopez* also involved a petitioner who was charged as inadmissible under INA § 212(a)(6)(A)(i) (8 U.S.C. § 1182(a)(6)(A)(i)), but in that case, the petitioner was released from custody pursuant to an Alternatives to Detention (“ATD”) agreement, had her release revoked under 8 U.S.C. § 1226(b) due to alleged ATD violations, and was subsequently re-detained during the pendency of her removal proceedings. *Lopez Lopez*, Case No. 26-cv-00008-

concerns whether a noncitizen who has been charged as inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i) and placed into removal proceedings is entitled to a bond hearing under 8 U.S.C. § 1226(a). As such, unless the Court prefers further briefing on that issue, the Parties submit that this Court should incorporate the identified arguments from Respondents' filings in *Cardona y Cardona*<sup>2</sup> and *Lopez Lopez*<sup>3</sup> into the record of this habeas action in lieu of further briefing.

Should the Court be inclined to grant relief to Petitioner in this case, the Parties request that the Court enter an Order:

1. Finding that Petitioner is detained under 8 U.S.C. § 1226(a) and is entitled to, and shall seek, a bond hearing pursuant to the regulations provided at 8 C.F.R. § 236.1(d), 8 C.F.R. § 1003.19, and 8 C.F.R. § 1236.1(d);
2. Requiring that the bond hearing occur within ten days of Petitioner's filing such request and the bond hearing be conducted pursuant to 8 U.S.C. § 1226(a);
3. Requiring that any bond hearing for Petitioner be conducted in an Immigration Court with jurisdiction, or administrative control, over Petitioner's detention;

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BAH, ECF Nos. 9, 13. In this case, ICE issued Petitioner a Notice to Appear charging him as inadmissible under INA § 212(a)(6)(A)(i) (8 U.S.C. § 1182(a)(6)(A)(i)) and has initiated removal proceedings. Petitioner was *not* previously placed on ATD and released, nor has he been detained due to alleged ATD violations. Thus, the issues in *Lopez Lopez* concerning revocation of release due to alleged ATD violations are not applicable here.

<sup>2</sup> In *Cardona y Cardona*, the Government raised jurisdictional arguments based on 8 U.S.C. § 1252(b)(9) and 8 U.S.C. § 1252(g). See Case No. 25-cv-02262-ABA, ECF No. 9. Respondents ask this Court to incorporate those arguments here.

<sup>3</sup> In *Lopez Lopez*, the Government contended, *inter alia*, that because the petitioner was charged as inadmissible under INA § 212(a)(6)(A)(i) (8 U.S.C. § 1182(a)(6)(A)(i)), which corresponds to discretionary detention under 8 U.S.C. § 1226, she was free to request a bond hearing pursuant to 8 C.F.R. § 236.1(d). See Case No. 26-cv-00008-BAH, ECF No. 9 at 11. Respondents ask the Court to incorporate that argument here. The remaining arguments raised by the Government in *Lopez Lopez* are not applicable in this case and should not be incorporated.

4. Providing that, if bond is granted and Petitioner is released, nothing in the Court's Order precludes ICE from imposing reasonable conditions of release;

5. Providing that, if Petitioner is not provided with a bond hearing before an Immigration Judge in compliance with the Order, Respondents shall release Petitioner from custody, with reasonable conditions, which may include the requirement that Petitioner appear for a bond hearing at Immigration Court in Maryland;

6. Directing that the Parties shall provide the Court with a Joint Status Report within 20 days of the date of the Court's Order; and

7. Denying any request for attorney's fees and costs.

Dated: February 2, 2026

Respectfully submitted,

/s/ Margaret T. Noll  
Margaret T. Noll (Bar No. 31943)  
Zachary Abraham Kohn (Bar No. 07211)  
Haynes Novick Kohn Immigration  
1616 P Street NW, Suite 400  
Washington, D.C. 20036  
Phone: 202-558-2546  
Fax: 202-293-6230  
[greta@dcimmigrationattorney.com](mailto:greta@dcimmigrationattorney.com)  
[zachary@dcimmigrationattorney.com](mailto:zachary@dcimmigrationattorney.com)

*Counsel for Petitioner*

Kelly O. Hayes  
United States Attorney

By: /s/ Megan L. Micco  
Megan L. Micco (Bar No. 20936)  
Assistant United States Attorney  
U.S. Attorney's Office, District of Maryland  
36 S. Charles Street, Suite 400  
Baltimore, Maryland 21201  
Telephone: (410) 209-4800  
[Megan.Micco@usdoj.gov](mailto:Megan.Micco@usdoj.gov)

*Counsel for Respondents*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2nd day of February, 2026, a copy of the foregoing Joint Notice was served electronically on all parties and counsel receiving service via CM/ECF in this case.

/s/ Megan L. Micco  
Megan L. Micco (Bar No. 20936)  
Assistant United States Attorney