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IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

RAJAT SHARMA

Petitioner,

v.

Michael T. ROSE, Field Office Director of
Enforcement and Removal Operations,
Philadelphia Field Office, IMMIGRATION
AND CUSTOMS ENFORCEMENT;

Kristi NOEM, Secretary, U.S. Department of
Homeland Security; U.S. DEPARTMENT OF
HOMELAND SECURITY;

Pamela BONDI, U.S. Attorney General;
EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW;

Jamal LAWRENCE, Warden of
PHILADELPHIA FEDERAL DETENTION
CENTER.

Respondents.

Case No. 2:26-cv-00641

**PETITION FOR WRIT OF
HABEAS CORPUS**

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1 INTRODUCTION

2 1. Petitioner Rajat Sharma is in the physical custody of Respondents at the Federal
3 Detention Center in Philadelphia. He now faces unlawful detention because the Department of
4 Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have
5 concluded Petitioner is subject to mandatory detention.

6 2. Petitioner is charged with, inter alia, having entered the United States without
7 admission or inspection. *See* 8 U.S.C. § 1182(a)(6)(A)(i).

8 3. Based on this allegation in Petitioner’s removal proceedings, DHS denied
9 Petitioner’s release from immigration custody, consistent with a new DHS policy issued on July
10 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider
11 anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without
12 admission or inspection—to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and
13 therefore ineligible to be released on bond.

14 4. Similarly, on September 5, 2025, the Board of Immigration Appeals (BIA or
15 Board) issued a precedent decision, binding on all immigration judges, holding that an
16 immigration judge has no authority to consider bond requests for any person who entered the
17 United States without admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).
18 The Board determined that such individuals are subject to detention under 8 U.S.C. §
19 1225(b)(2)(A) and therefore ineligible to be released on bond.

20 5. Petitioner’s detention on this basis violates the plain language of the Immigration
21 and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who
22 were detained pursuant to an administrative warrant under § 1226(a) when they were
23 apprehended by ICE. Instead, upon arrest and detention by ICE of someone already residing in
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1 the interior of the United States, such individuals are still subject to § 1226(a), that allows for
2 release on conditional parole or bond. That statute expressly applies to people who, like
3 Petitioner, are charged as inadmissible for having entered the United States without inspection
4 and are residing inside the United States.

5 6. Respondents' new legal interpretation is plainly contrary to the statutory
6 framework and contrary to decades of agency practice applying § 1226(a) to people like
7 Petitioner.

8 7. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be
9 immediately released, as his detention was unlawful from the start, or in the alternative, that
10 Respondents provide a bond hearing under § 1226(a) within seven days.

11 JURISDICTION

12 8. Petitioner is in the physical custody of Respondents. Petitioner is detained at the
13 Philadelphia Federal Detention Center in Philadelphia, Pennsylvania.

14 9. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28
15 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States
16 Constitution (the Suspension Clause).

17 10. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory
18 Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

19 VENUE

20 11. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-
21 500 (1973), venue lies in the United States District Court for the Eastern District of
22 Pennsylvania, the judicial district in which Petitioner currently is detained.

1 12. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
2 Respondents are employees, officers, and agencies of the United States, and because a
3 substantial part of the events or omissions giving rise to the claims occurred in the Eastern
4 District.

5 **REQUIREMENTS OF 28 U.S.C. § 2243**

6 13. The Court must grant the petition for writ of habeas corpus or order Respondents
7 to show cause “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an
8 order to show cause is issued, Respondents must file a return “within three days unless for good
9 cause additional time, not exceeding twenty days, is allowed.” *Id.*

10 14. Habeas corpus is “perhaps the most important writ known to the constitutional
11 law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or
12 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the
13 writ usurps the attention and displaces the calendar of the judge or justice who entertains it and
14 receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208
15 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

16 **PARTIES**

17 15. Petitioner Sharma is a citizen of India who has been in immigration detention
18 since January 28, 2026. ICE agents arrested Petitioner at his scheduled ICE appointment in
19 Philadelphia, Pennsylvania. ICE did not conduct a custody re-determination or set bond, and
20 Petitioner is unable to obtain review of his custody by an IJ, pursuant to the Board’s decision in
21 *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

22 16. Respondent Michael T. Rose is the Director of the Philadelphia Field Office of
23 ICE’s Enforcement and Removal Operations division. As such, Michael T. Rose is Petitioner’s
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1 immediate custodian and is responsible for Petitioner’s detention and removal. He is named in
2 his official capacity.

3 17. Respondent Kristi Noem is the Secretary of the Department of Homeland
4 Security. She is responsible for the implementation and enforcement of the Immigration and
5 Nationality Act (INA), and oversees ICE, which is responsible for Petitioner’s detention. Ms.
6 Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

7 18. Respondent Department of Homeland Security (DHS) is the federal agency
8 responsible for implementing and enforcing the INA, including the detention and removal of
9 noncitizens.

10 19. Respondent Pamela Bondi is the Attorney General of the United States. She is
11 responsible for the Department of Justice, of which the Executive Office for Immigration Review
12 and the immigration court system it operates is a component agency. She is sued in her official
13 capacity.

14 20. Respondent Executive Office for Immigration Review (EOIR) is the federal
15 agency responsible for implementing and enforcing the INA in removal proceedings, including
16 for custody redeterminations in bond hearings.

17 21. Respondent Jamal Lawrence is employed by the Bureau of Prisons as Warden of
18 the Federal Detention Center where Petitioner is detained. Mr. Lawrence has immediate physical
19 custody of Petitioner. He is sued in his official capacity.

20 **FACTS**

21 22. Petitioner is a 30-year-old citizen and national of India.

22 23. Petitioner has resided in the United States since January 1, 2024, and lives in
23 Philadelphia, Pennsylvania.

1 24. Petitioner fled India to seek asylum and related protections from persecution and
2 torture in the United States.

3 25. On or about December 29, 2023, Petitioner crossed the border into the United
4 States, and shortly thereafter was apprehended by immigration officials. On December 31, 2023,
5 he was released on his own recognizance pursuant to § 1226(a) of the INA. *See* Exh. A. He was
6 required to attend routine check-ins with ICE and attended all check-ins with ICE successfully.
7 After entering the United States, Petitioner filed his asylum application.

8 26. ICE has charged Petitioner with, *inter alia*, being inadmissible under 8 U.S.C. §
9 1182(a)(6)(A)(i) as someone who entered the United States without inspection.

10 27. On January 28, 2026, Petitioner was at the ICE office during his scheduled check
11 in at Philadelphia, PA.

12 28. Petitioner had attended check-ins without incident since he was required to do so.

13 29. Petitioner is now detained at the Federal Detention Center in Philadelphia, PA.

14 30. Additionally, DHS already determined that Petitioner was not a danger to the
15 community or risk of flight when they released him on his own recognizance in December 31,
16 2023. Nothing has occurred between that initial determination and Petitioner's detention on
17 January 28, 2026 that would render him a danger to the community or a flight risk, and
18 Respondents have not furnished any explanation as to changed circumstances that would warrant
19 Petitioner's re-detention, outside of their own change in policy based on an incorrect
20 interpretation of the statute.

21 31. ICE detained him without explanation on January 28, 2026. Respondent's
22 removal proceedings and potential relief, including his asylum application, remain pending with
23 the immigration court.

1 32. Petitioner is gainfully employed at 7-11 and built a community of friends in the
2 United States. He lives with his wife and his 4-year-old son, in addition to several family
3 members, who rely on his income to support the household. He has never been criminally
4 arrested or apprehended by law enforcement, apart from his immigration arrest, and has become
5 a valued member of his community. Petitioner filed an application for asylum that remains
6 pending before the immigration court, evincing his eligibility for relief before the court.
7 Petitioner is neither a flight risk nor a danger to the community.

8 33. Pursuant to *Matter of Yajure Hurtado*, the immigration judge is unable to consider
9 Petitioner's bond request because he entered the United States without inspection.

10 34. As a result, Petitioner remains in detention. Without relief from this court, he
11 faces the prospect of months, or even years, in immigration custody, separated from his wife,
12 young child, and community.

13 LEGAL FRAMEWORK

14 **I. Section 1226(a) Governs the Detention of People Like Petitioner Who are Detained in 15 the United States and Have Not Previously Been Admitted**

16 35. The INA prescribes three basic forms of detention for the vast majority of
17 noncitizens in removal proceedings.

18 36. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal
19 proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally
20 entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d),
21 while noncitizens who have been arrested, charged with, or convicted of certain crimes are
22 subject to mandatory detention, *see* 8 U.S.C. § 1226(c).
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1 37. Second, the INA provides for mandatory detention of noncitizens subject to
2 expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission
3 referred to under § 1225(b)(2).

4 38. Last, the INA also provides for detention of noncitizens who have been ordered
5 removed, including individuals in withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b).

6 39. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

7 40. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the
8 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No.
9 104–208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section
10 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119-1,
11 139 Stat. 3 (2025).

12 41. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining
13 that, in general, people who entered the country without inspection were not considered detained
14 under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited
15 Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings;
16 Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

17 42. Thus, in the decades that followed, most people who entered without inspection
18 and were placed in standard removal proceedings received bond hearings, unless their criminal
19 history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent
20 with many more decades of prior practice, in which noncitizens who were not deemed “arriving”
21 were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a)
22 (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply
23 “restates” the detention authority previously found at § 1252(a)). Even individuals who were
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1 apprehended at the border and not immediately detained but placed in standard removal
2 proceedings under 8 U.S.C. § 1229a, would historically have been considered detained under
3 § 1226(a) should they alter been detained in the interior of the U.S., and thus eligible for bond
4 before an immigration judge.

5 43. On July 8, 2025, ICE Director Todd M. Lyons, “in coordination with” DOJ,
6 announced a new policy that rejected well-established understanding of the statutory framework
7 and reversed decades of practice. The policy states DHS had “revisited” its legal position and
8 believed that § 1225, not § 1226, governs the detention of noncitizens who are present in the
9 United States without having been admitted. *Diaz Martinez, Hyde*, No. 25-11613, 2025 WL
10 2084238, -- F. Supp. 3d --, at *4 (D. Mass. July 24, 2025).

11 44. The new policy, entitled “Interim Guidance Regarding Detention Authority for
12 Applicants for Admission,” claims that all persons who entered the United States without
13 inspection shall now be subject to mandatory detention provision under § 1225(b)(2)(A). The
14 policy applies regardless of when a person is apprehended and affects those who have resided in
15 the United States for months, years, and even decades.

16 45. On September 5, 2025, the BIA adopted this same position in a published
17 decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the
18 United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are
19 ineligible for IJ bond hearings.

20 46. This followed a May 15, 2025, decision by the BIA holding an applicant for
21 admission arrested without a warrant while arriving in the United States and subsequently placed
22 into removal proceedings is detained under 8 U.S.C. § 1225(b). *Matter of Q. Li*, 29 I&N Dec. 66
23 (BIA 2025).

1 47. Since Respondents adopted their new policies, dozens of federal courts have
2 rejected their new interpretation of the INA's detention authorities. Courts have likewise rejected
3 *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE.

4 48. Subsequently, court after court has adopted the same reading of the INA's
5 detention authorities and rejected ICE and EOIR's new interpretation. *See, e.g., Rodriguez*
6 *Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025); *Gomes v. Hyde*, No. 1:25-CV-
7 11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*, No. CV 25-
8 11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025); *Rosado v.*
9 *Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025),
10 *report and recommendation adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133
11 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL
12 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025
13 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-ODW
14 (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-BEM,
15 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025
16 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF,
17 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-
18 JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-
19 KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051
20 (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v.*
21 *Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025);
22 *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3,
23 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D.

1 Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D.
2 Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass.
3 Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2
4 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court tends to agree” that § 1226(a) and not §
5 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL
6 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-
7 RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same). This is just a sample of the
8 courts who have ruled on this issue. To date, there are at least 283 judges in courts across the
9 country who have found in favor of the petitioner on this issue. *See also* Exh. E.

10 49. This includes at least seven judges sitting in the Eastern District of Pennsylvania,
11 where this case arises. *See Demirel v. FDC Philadelphia, et al.*, No. 25-cv-05488 at *6 (E.D. Pa.
12 Nov. 18, 2025) (Diamond, J.); *Kashranov v. Jamison*, No. 25-cv-5555, 2025 WL 3188399 at *4
13 (E.D. Pa. Nov. 14, 2025) (Wolson, J.); *Cantu-Cortes v. O’Neill, et al.*, No. 25-cv-6338, 2025 WL
14 3171639, at *1 (E.D. Pa. Nov. 13, 2025) (Kenney, J.); *Patel v. McShane, et al.*, No. 25-cv-5975
15 (E.D. Pa. Nov. 20, 2025) (Brody, J.); *Ndiaye v. Jamison, et al.*, No. 25-cv-6007 (E.D. Pa. Nov.
16 19, 2025) (Sanchez, J.); *Centeno-Ibarra v. Warden of the Federal Detention Center*
17 *Philadelphia, et al.*, No. 25-cv-06312 (E.D. Pa. Nov. 25, 2025) (Rufe, J.); *Juarez Velasquez v.*
18 *O’Neill, et al.*, No. 25-cv-06191 (E.D. Pa. Dec. 3, 2025) (Henry, J.).

19 50. Courts have uniformly rejected DHS’s and EOIR’s new interpretation, including
20 the BIA’s position in *Matter of Yajure Hurtado*, because it defies the INA. As the *Rodriguez*
21 *Vazquez* court and others have explained, the plain text of the statutory provisions demonstrates
22 that § 1226(a), not § 1225(b), applies to people like Petitioner. DHS and DOJ’s longstanding
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1 practice or providing bond hearing to individuals in this position further counsels against the
2 BIA's abrupt change in policy. *Maldonado*, 2025 WL 2374411, at *11.

3 51. Section 1226(a) applies by default to all persons "pending a decision on whether
4 the [noncitizen] is to be removed from the United States." These removal hearings are held under
5 § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

6 52. The text of § 1226 also explicitly applies to people charged as being inadmissible,
7 including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph
8 (E)'s reference to such people makes clear that, by default, such people are afforded a bond
9 hearing under subsection (a). As the *Rodriguez Vazquez* court explained, "[w]hen Congress
10 creates 'specific exceptions' to a statute's applicability, it 'proves' that absent those exceptions,
11 the statute generally applies." *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove*
12 *Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also* *Gomes*, 2025
13 WL 1869299, at *7.

14 53. Section 1226 therefore leaves no doubt that it applies to people who face charges
15 of being inadmissible to the United States, including those who are present without admission or
16 parole.

17 54. Under the BIA's interpretation, all noncitizens subject to inadmissibility grounds
18 are detained without the opportunity for a bond hearing under 8 U.S.C. § 1225(b). *Matter of*
19 *Yajure Hurtado*, 29 I&N Dec. at 220; *see* 8 U.S.C. § 1182(a)(6) (making people who are present
20 without having been admitted inadmissible); 8 U.S.C. § 1101(a)(14) (defining an admission).
21 Therefore, this interpretation would render all the grounds of mandatory detention in § 1226(c)
22 applying to inadmissible noncitizens, including the recently passed Laken Riley Act,
23 superfluous. *Gomes*, 2025 WL 1869299, at *7; *Rodriguez*, 779 F. Supp. 3d at 1258; *see Marx v.*
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1 *Gen. Revenue Corp.*, 568 U.S. 371, 386 (2103) (“[T]he canon against surplusage is strongest
2 when an interpretation would render superfluous another part of the same statutory scheme.”).
3 This statutory structure demonstrates that Congress did not intend to make § 1226(a)
4 inapplicable to all inadmissible noncitizens but rather viewed it as the default bond provision for
5 people arrested within the United States.

6 55. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who
7 recently entered the United States. The statute’s entire framework is premised on inspections at
8 the border of people who are “seeking admission” to the United States. 8 U.S.C.
9 § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme
10 applies “at the Nation’s borders and ports of entry, where the Government must determine
11 whether a[] [noncitizen] seeking to enter the country is admissible.” *Jennings v. Rodriguez*, 583
12 U.S. 281, 287 (2018).

13 56. The BIA’s interpretation “would render the phrase ‘seeking admission’ in 8
14 U.S.C. § 1225(b)(2)(A) mere surplusage.” *Lopez Benitez*, 2025 WL 2371588, at *6. That section
15 applies to people who are (1) applicants for admission; (2) seeking admission; and (3) not clearly
16 and beyond a doubt entitled to be admitted. 8 U.S.C. § 1225(b)(2)(A); *Lopez Benitez*, 2025 WL
17 2371588, at *6; *Diaz Martinez*, 2025 WL 2084238, at *2. The BIA’s interpretation makes all
18 applicants for admission subject to mandatory detention, leaving the “seeking admission”
19 criterion unnecessary and violating the rule against surplusage. *Lopez Benitez*, 2025 WL
20 2371588, at *6; *Diaz Martinez*, 2025 WL 2084238, at *6.

21 57. Instead, the phrase “seeking admission” indicates that § 1225(b)(2)(A) applies to
22 people who are taking “some sort of present-tense action,” in other words, coming or attempting
23 to come into the United States. *Diaz Martinez*, 2025 WL 2084238, at *6; *see also Matter of M-C-*
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1 *D-V-*, 28 I&N Dec. 18, 23 (BIA 2020) (stating that “the use of the present progressive tense . . .
2 denotes an ongoing process”). Therefore, § 1226(a), not § 1225(b)(2)(A), governs the detention
3 of people detained within the United States who are not actively seeking admission, as required
4 by the statute.

5 58. Immigration officials and the Department of Justice (DOJ) have long taken the
6 position that immigration officials have broad discretion not to apply the detention and expedited
7 removal procedures § 1225(b), and whether to classify individuals encountered inside the United
8 States shortly after crossing the border as subject to § 1225(b) detention or § 1226(a) detention.
9 *See* Brief for Petitioners at 4-7 (No. 21-954), *Biden v. Texas*, 597 U.S. 785 (2022). The DOJ has
10 stated, “[t]he INA affords DHS multiple options for processing applications for admission,” and
11 that includes arrest and detention pursuant to § 1226(a). *See id.* at 4-5.

12 59. Finally, as discussed below, the BIA’s interpretation of § 1225(b)(2)(A) to
13 mandate detention without a bond hearing for all noncitizens present in the United States without
14 having been admitted presents serious constitutional concerns. Therefore, to the degree that the
15 statute remains ambiguous, the Court should presume that Congress “did not intend the
16 alternative which raises serious constitutional doubts” and reject that construction. *Clark v.*
17 *Martinez*, 543 U.S. 371, 381-82 (2005). Therefore, § 1226(a), which permits bond hearings, not
18 § 1225(b)(2)(A), which does not, governs the detention of people like Petitioner.

19 **II. The BIA’s Application of Mandatory Detention to Noncitizens Like Petitioner** 20 **Violates Substantive and Procedural Due Process**

21 60. “It is well established that the Fifth Amendment entitles [noncitizens] to due
22 process of law in deportation proceedings.” *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting
23 *Reno v. Flores*, 507 U.S. 292, 306 (1993)). “Freedom from imprisonment—from government
24 custody, detention, or other forms of physical restraint—lies at the heart of the liberty” that the

1 Due Process Clause protects. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also id.* at 718
2 (Kennedy, J., dissenting) (“Liberty under the Due Process Clause includes protection against
3 unlawful or arbitrary personal restraint or detention.”). This fundamental due process protection
4 applies to all noncitizens within the United States, including both removable and inadmissible
5 noncitizens. *See id.* at 693; *Plyler v. Doe*, 457 U.S. 202, 212 (1982); *Wong Wing v. United States*,
6 163 U.S. 228, 238 (1896).

7 61. Absent adequate procedural protections, substantive due process requires a
8 “special justification” that “outweighs the individual’s constitutionally protected interest in
9 avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690; *accord, e.g., Torralba v. Knight*, No.
10 2:25-cv-1366, 2025 WL 2581792, at *12 (D. Nev. Sept. 5, 2025) (describing the standard for a
11 substantive due process violation); *Fernandez v. Lyons*, No. 8:25-cv-506, 2025 WL 2531539, at
12 *4 (D. Neb. Sept. 3, 2025) (same). In the immigration context, the Supreme Court has
13 recognized only two valid purposes for civil detention—to mitigate the risks of danger to the
14 community and to prevent flight. *Id.*; *Demore*, 538 U.S. at 528. Thus, to withstand constitutional
15 scrutiny, the nature and duration of mandatory immigration detention must be reasonably related
16 to these purposes.

17 62. In *Demore*, the Supreme Court upheld the constitutionality of § 1226(c) against a
18 facial challenge, specifically citing evidence that had been before Congress about noncitizens
19 with criminal convictions. 538 U.S. at 518-520. This justification does not apply, however, to
20 noncitizens with no criminal record whatsoever who have lived in the community for years. The
21 broad policy set forth in *Matter of Yajure Hurtado* is not reasonably related to the purposes of
22 prevent danger to the community or flight risk and violates substantive due process.

1 63. Additionally, procedural due process protects noncitizens against deprivation of
2 liberty without adequate procedural protections, including notice and the opportunity to be heard.
3 *A.A.R.P. v. Trump*, 145 S. Ct. 1364, 1367 (2025); *Trump v. J.G.G.*, 145 S. Ct. 1003, 1006 (2025);
4 *Velasco Lopez v. Decker*, 978 F.3d 842, 851 (2d Cir. 2020). In determining the proper procedure
5 to protect a detained noncitizen’s procedural due process rights under the Fifth Amendment,
6 courts apply the three-part balancing test in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976),
7 weighing (1) “the private interest that will be affected by the official action;” (2) “the risk of an
8 erroneous deprivation of such interest through the procedures used, and the probable value, if
9 any, of additional or substitute procedural safeguards;” and (3) “the Government’s interest,
10 including the function involved and the fiscal and administrative burdens that the additional or
11 substitute procedural requirement would entail.” *Black v. Decker*, 103 F.4th 133, 147-48 (2d Cir.
12 2024); *Gayle v. Warden Monmouth C’ty Corr. Facility*, 12 F. 4th 321, 331 (3d Cir. 2021);
13 *Hernandez-Lara*, 10 F.4th at 28; *Velasco Lopez*, 978 F.3d at 851 (all quoting *Mathews*, 424 U.S.
14 at 335). Here, the BIA’s interpretation of the statute to require detention of all people in the
15 United States without having been admitted deprives them of their liberty without any
16 individualized process to determine whether such detention is necessary to prevent flight risk or
17 danger to the community, and therefore violates due process.

18 64. First, the “importance and fundamental nature” of an individual’s liberty interest
19 is well-established. *United States v. Salerno*, 481 U.S. 739, 750 (1987); *see also Ashley*, 288 F.
20 Supp. at 670 (“[F]reedom from confinement is a liberty interest of the highest constitutional
21 import.”). For people “who can face years of detention before resolution of their immigration
22 proceedings, ‘the individual interest at stake is without doubt particularly important.’” *Linares*
23 *Martinez v. Decker*, No. 18-cv-6527 (JMF), 2018 WL 5023946 at *3 (S.D.N.Y. Oct. 17, 2018).

1 65. Weighing this factor in *Velasco Lopez*, the Second Circuit found the private
2 interest to be “on any calculus, substantial,” observing that the petitioner, “could not maintain
3 employment or see his family or friends or others outside normal visiting hours. The use of a cell
4 phone was prohibited, and he had no access to the internet or email and limited access to the
5 telephone.” 978 F.3d at 851-52. Similarly, the First Circuit found a substantial private liberty
6 interest for the petitioner in *Hernandez-Lara*, noting that the petitioner there was incarcerated
7 “alongside criminal inmates” at a jail where “she was separated from her fiancé and unable to
8 maintain her employment.” 10 F.4th at 28.

9 66. Second, absent any individualized bond hearing, people will be detained despite
10 not being a danger to the community or a flight risk, because there is no mechanism to determine
11 whether their detention is necessary. *See, e.g., Günaydin v. Trump*, No. 25-cv-1151, 2025 WL
12 1459154, -- F. Supp. 3d --, at *8 (D. Minn. May 21, 2025) (noting that lack of consideration of
13 “individualized or particularized facts . . . increases the potential for erroneous deprivation of
14 individuals’ private rights”); *Ashley*, 28 F. Supp. 2d at 670 (finding a procedural due process
15 violation because “the Government has not proved that Petitioner presents an identified and
16 articulable threat to an individual or the community so as to justify his continued detention”). A
17 bond hearing would have significant value because it is designed to assess the individualized
18 facts of each case and determine whether less restrictive measures can fulfill the same goals.

19 67. Finally, the burden on the government of returning to the longstanding practice of
20 holding bond hearings for people like Petitioner does not outweigh the liberty interest at stake.
21 To the contrary, the government has an interest in “minimizing the enormous impact of
22 incarceration in cases where it serves no purpose.” *Velasco Lopez*, 978 F.3d at 854; *see also*
23 *Hernandez-Lara*, 10 F.4th at 33 (noting that “limiting the use of detention to only those
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1 noncitizens who are dangerous or a flight risk may save the government, and therefore the
2 public, from expending substantial resources on needless detention”). Additionally, “unnecessary
3 detention imposes substantial societal costs. . . . The needless detention of those individuals thus
4 separates families and removes from the community breadwinners, caregivers, parents, siblings
5 and employees. Those ruptures in the fabric of communal life impact society in intangible ways
6 that are difficult to calculate in dollars and cents.” *Hernandez-Lara*, 10 F.4th at 33 (citation and
7 internal quotation marks omitted). The cost to the government and society of detaining people
8 unnecessarily for long periods of time is greater than the cost of providing individualized
9 hearings, and weighs in favor of additional procedural protections.

10 68. At these bond hearings, due process requires that the Government bear the burden
11 of proof by clear and convincing evidence. *See Gayle*, 12 F.4th at 332 (“[W]hen such a severe
12 deprivation is at issue, the Government must bear the burden of proof.”). “A standard of proof
13 serves to allocate the risk of error between the litigants and reflects the relative importance
14 attached to the ultimate decision.” *German Santos v. Warden Pike C’ty Corr. Facility*, 965 F.3d
15 203, 213 (citing *Addington v. Texas*, 441 U.S. 418, 423 (1979)). Therefore, when the Third
16 Circuit has ordered a constitutionally required bond hearing, it is placed the burden on the
17 government by clear and convincing evidence. *German Santos*, 965 F.3d at 214; *Guerrero-*
18 *Sanchez v. Warden York C’ty Prison*, 905 F.3d 208, 224 & n.12 (3d Cir. 2018), *abrogated on*
19 *other grounds by Johnson v. Arteaga-Martinez*, 596 U.S. 572 (2022). Other circuit courts have
20 similarly held that due process requires this allocation of the burden in bond hearings for
21 noncitizens like petitioner, who were then detained under § 1226(a). *Hernandez-Lara*, 10 F.4th
22 at 39-40; *Velasco Lopez*, 978 F.3d at 855-56. Thus, even if the statute requires detention without
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1 a bond hearing, due process requires a hearing at which the government bears the burden by
2 clear and convincing evidence.

3 69. Once released from immigration custody, due process requires that a person like
4 Petitioner receive a hearing before a neutral decisionmaker to determine whether any re-
5 detention is justified, and whether the person is a flight risk or danger to the community.

6 70. Consistent with this principle, individuals released on parole or other forms of
7 conditional release have a liberty interest in their “continued liberty.” *Morrissey v. Brewer*, 408
8 U.S. 471, 482 (1972).

9 71. Such liberty is protected by the Fifth Amendment because, “although
10 indeterminate, [it] includes many of the core values of unqualified liberty,” such as the ability to
11 be gainfully employed and live with family, “and its termination inflicts a ‘grievous loss’ on the
12 [released individual] and often on others.” *Id.*

13 72. To guarantee against arbitrary re-detention and to guarantee the right to liberty,
14 due process requires “adequate procedural protections” that ensure the government’s asserted
15 justification for a noncitizen’s physical confinement “outweighs the individual’s constitutionally
16 protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690 (citation modified).

17 73. Due process thus guarantees notice and an individualized hearing before a neutral
18 arbitrator to assess danger or flight risk before the revocation of an individual’s release.
19 *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) (“The fundamental requisite of due process of law
20 is the opportunity to be heard at a meaningful time in a meaningful manner.” (citation
21 modified)); see also, e.g., *Morrissey*, 408 U.S. at 485 (requiring “preliminary hearing to
22 determine whether there is probable cause or reasonable ground to believe that the arrested
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1 parolee has committed ... a violation of parole conditions” and that such determination be made
2 by someone not directly involved in the case.” (citation modified)).

3 74. Several courts have recognized that these principles apply with respect to the re-
4 detention of the many noncitizens that DHS has begun taking back into custody, often after such
5 persons have been released for months and years.

6 75. In *E.A. T.-B.*, the district court in the Western District of Washington applied the
7 test set forth in *Mathews v. Eldridge* to hold that even in a case where the government argued
8 mandatory detention applied, a person’s re-detention required a hearing and that the petitioner
9 had “undoubtedly [been] deprive[d] ... of an established interest in his liberty.” *E.A. T.-B. v.*
10 *Wamsley*, No. 25-cv-1192, 2025 WL 2402130, at *3 (W.D. Washington). The Court further
11 explained that even if detention was mandatory, the risk of erroneous deprivation of liberty
12 without a hearing was high because a hearing serves to ensure that the purposes of detention—
13 the prevention of danger and flight risk—are properly served. *Id.* at *4–5.

14 76. Finally, the Court explained that “the Government’s interest in re-detaining non-
15 citizens previously released without a hearing is low: although it would have required the
16 expenditure of finite resources (money and time) to provide Petitioner notice and hearing on
17 [ISAP] violations before arresting and re-detaining him, those costs are far outweighed by the
18 risk of erroneous deprivation of the liberty interest at issue.” *Id.* at *5. As a result, this Court
19 ordered the petitioner’s immediate release. *Id.* at *6.

20 77. The decision in *E.A. T.-B.* is consistent with many other district court decisions
21 addressing similar situations. *See, e.g., Valdez v. Joyce*, No. 25 CIV. 4627 (GBD), 2025 WL
22 1707737 (S.D.N.Y. June 18, 2025) (ordering immediate release due to lack of pre-deprivation
23 hearing); *Pinchi v. Noem*, --- F. Supp. 3d ---, No. 5:25-CV-05632-PCP, 2025 WL 2084921 (N.D.

1 Cal. July 24, 2025) (similar); *Maklad v. Murray*, No. 1:25-CV-00946 JLT SAB, 2025 WL
2 2299376 (E.D. Cal. Aug. 8, 2025) (similar); *Garcia v. Andrews*, No. 1:25-CV-01006 JLT SAB,
3 2025 WL 2420068 (E.D. Cal. Aug. 21, 2025) (similar); *Mata Velasquez v. Kurzdorfer*, ---
4 F.Supp.3d ----, 2025 WL 1953796, *17 (W.D.N.Y. July 16, 2025) (detention of parolee without
5 a reasoned explanation or changed circumstances and without a meaningful opportunity to be
6 heard violates due process); *Rodriguez Cabrera v. Mattos*, 2025 WL 3072687 (D Nev. Nov. 3,
7 2025); *Fernandez Lopez v. Wofford*, 2025 WL 2959319, *4 (E.D. Ca. Oct. 17, 2025)
8 (unpub) (finding a non-citizen granted parole at the border has a liberty interest in her
9 conditional release and that such a parolee has a implicit right entitlement to remain at liberty if
10 she complies with the conditions of her parole); *Noori v. Larose*, 2025 WL 2800149, *10 (S.D.
11 Ca. Oct. 1, 2025) (unpub) (parolee developed a private interest in remaining free in the one year
12 he has resided in the United States since entry); *Munoz Materano v. Arteta*, 2025 WL 2630826,
13 *13 (S.D.N.Y. Sept. 12, 2025) (unpub); *Ramirez Tesara v. Wamsley*, --- F.Supp.3d ----, 2025
14 WL 2637663, *3 (W.D. Wash. Sept. 12, 2025) (finding that parolee's liberty interest did not
15 expire with his parole agreement); *see also Y-Z-L-H- v. Bostock*, --- F.Supp.3d ----, 2025 WL
16 1898025, *14 (D. Ore. July 9, 2025) (finding detention of a parolee who had not completed his
17 asylum process to be arbitrary and capricious and ordering immediate release).

18 78. The same framework and principles apply here and compel Petitioner's
19 immediate release.

20 CLAIMS FOR RELIEF

21 COUNT I 22 Violation of the INA

23 79. Petitioner incorporates by reference the allegations of fact set forth in the
24 preceding paragraphs.

1 80. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all
2 noncitizens residing in the United States who are subject to the grounds of inadmissibility. As
3 relevant here, it does not apply to Petitioner, who previously entered the country and was
4 apprehended by ICE, was both released on recognizance pursuant to § 1226 and paroled out of
5 immigration custody at the border, was subsequently placed into removal proceedings, and has
6 been residing inside the United States before their detention. Such noncitizens are detained under
7 § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

8 81. The fact that Petitioner was previously detained and released at the border does
9 not undermine this conclusion.

10 82. In any event, that initial arrest “is not what is at issue in this case,” rather it is his
11 2025 arrest and detention. *See Lopez Benitez*, 2025 WL 2371588. Even if Petitioner was
12 “seeking admission” within the meaning of § 1252(b)(2)(A) at the time of his entry and initial
13 apprehension, he was no longer engaged in that “present-tense action” when he was arrested in
14 Philadelphia on January 28, 2026, and therefore no longer meets the requirements of §
15 1252(b)(2)(A) discussed above. *See Diaz Martinez*, 2025 WL 2084238, at *6.

16 83. Petitioner is detained under § 1226(a) and is eligible for release on bond.
17 Respondents’ unlawful application of § 1225(b)(2) to Petitioner violates the INA.

18 **COUNT II**
19 **Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1, and 1003.19**

20 84. Petitioner incorporates by reference the allegations of fact set forth in preceding
21 paragraphs.

22 85. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-
23 Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA.
24 Specifically, under the heading of “Apprehension, Custody, and Detention of [Noncitizens],” the

1 agencies explained that “[d]espite being applicants for admission, [noncitizens] who are present
2 without having been admitted or paroled (formerly referred to as [noncitizens] who entered
3 without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. at 10323
4 (emphasis added). The agencies thus made clear that individuals who had entered without
5 inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. §
6 1226 and its implementing regulations.

7 86. Nonetheless, pursuant to *Matter of Yajure Hurtado*, EOIR has a policy and
8 practice of applying § 1225(b)(2) to individual like Petitioner.

9 87. The regulation at 8 C.F.R. § 1003.19 lays out bond procedures, and
10 § 1003.19(h)(2) delineates categories of noncitizens who are subject to mandatory detention and
11 not entitled to a bond hearing. The fact that noncitizens within the United States who are subject
12 to inadmissibility grounds are not included on this list shows that the agencies did not intend
13 them to be subject to mandatory detention. The BIA’s interpretation thus violates the regulations
14 and unlawfully denies Petitioner a bond hearing.

15 88. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued
16 detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

17 **COUNT III**

18 **Violation of Substantive Due Process under the Fifth Amendment**

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

21 90. The government may not deprive a person of life, liberty, or property without due
22 process of law. U.S. Const. amend. V. “Freedom from imprisonment—from government
23 custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the
24 Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Substantive due process requires

1 that immigration detention without a bond hearing be reasonably related to the goals of ensuring
2 the appearance of noncitizens at future proceedings and preventing danger to the community.

3 *Zadvydas*, 533 U.S. at 690.

4 91. The BIA's application of mandatory detention under § 1225(b)(2) is not
5 reasonably related to those goals and thus violates substantive due process. Petitioner has a
6 fundamental interest in liberty and being free from official restraint. Petitioner has routinely
7 appeared at ICE for his check-ins since his arrival in the United States, has never missed a
8 required check-in, interview, or court hearing, and has kept his address updated with ICE and the
9 immigration court. He has also never been criminally arrested anywhere in the world, and there
10 is no evidence his release would pose a danger to the community.

11 92. The government's detention of Petitioner without a bond redetermination hearing
12 to determine whether he is a flight risk or danger to others violates his right to due process.

13 **COUNT IV**

14 **Violation of Procedural Due Process under the Fifth Amendment**

15 93. Petitioner re-alleges and incorporates by reference the above paragraphs.

16 94. The Due Process Clause of the Fifth Amendment forbids the government from
17 depriving any "person" of liberty "without due process of law." U.S. Const. amend. V. Courts
18 apply the *Mathews v. Eldridge* balancing test to determine what procedures the due process
19 clause requires. *Gayle*, 12 F.4th at 331.

20 95. The first factor is the private interest that will be affected by the official action. *Id.*
21 Here, the deprivation of Petitioner's liberty is a particularly weighty interest. It is well
22 established that individuals have a liberty interest in their continued liberty and freedom from
23 restraint. *Salerno*, 481 U.S. at 750; *see also Ashley*, 288 F. Supp. at 670. This is especially true
24 given the fact that Petitioner was already determined to not be a danger to the community or a

1 risk of flight when he was initially paroled from ICE detention. He relied on this interest in his
2 liberty by finding gainful employment, renting a house to live in, and becoming a value member
3 of his community. This freedom from unlawful restraint is the heart of the liberty interest
4 protected by the Fifth Amendment.

5 96. The second factor is the risk of erroneous deprivation of such interest through the
6 procedures used, and the probable value, if any, of additional safeguards. *Id.* Here, there is a
7 great risk of unnecessary detention because the BIA's interpretation of the statute does not
8 permit any individualized determination of whether detention during removal proceedings is
9 necessary. *See Ashley*, 288 F. Supp. 2d at 670. At a hearing, Petitioner could show that his
10 detention is not necessary because he is not a danger to the community and is not a flight risk.
11 He has appeared for all required check-ins, appointments, and hearings since his arrival in the
12 United States, has relief pending before the court, and has never been criminally arrested thus
13 poses no danger to the community. A hearing at which the government bears the burden of proof
14 by clear and convincing evidence would protect the substantial liberty interest at stake. *German*
15 *Santos*, 965 F.3d at 213-14.

16 97. The final factor is the Government's interest. *Gayle*, 12 F.4th at 331. The
17 government has no legitimate interest in detaining Petitioner when detention is not necessary to
18 ensure appearance at future hearings or protect the community, and less restrictive measures like
19 continued ICE check-ins or a reasonable bond would serve those purposes. *Hernandez-Lara*, 10
20 F.4th at 32-33; *see Ousman D. v. Decker*, No. 20-9646, 2020 WL 5587441, at *4 (holding that
21 due process requires consideration of less restrictive alternatives to detention that would address
22 the government's legitimate purpose); *Hechavarria v. Whitaker*, 358 F. Supp. 3d 227, 241-42
23 (W.D.N.Y. 2019) (same). Therefore, the government does not have an interest in detaining
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1 Petitioner without a bond hearing that outweighs his substantial liberty interest in such an
2 individualized determination.

3 98. Due process does not permit the government to strip Petitioner of his liberty
4 without written notice and a hearing before a neutral decisionmaker to determine whether re-
5 detention is warranted based on danger or flight risk. *See Morrissey*, 408 U.S. at 487–88. Such
6 written notice and a hearing must occur *prior* to any re-detention.

7 99. Respondents revoked Petitioner’s release and deprived him of liberty without
8 providing him any written notice or meaningful opportunity to be heard by neutral
9 decisionmaker prior to his re-detention.

10 100. Accordingly, Petitioner’s re-detention without any hearing to determine whether
11 that detention is necessary violates the Due Process clause of the Fifth Amendment and warrants
12 his immediate release from detention without the need for a bond hearing.

13 **PRAYER FOR RELIEF**

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

- 15 a. Assume jurisdiction over this matter;
- 16 b. Order that Petitioner shall not be transferred outside the Eastern District of
17 Pennsylvania while this habeas petition is pending;
- 18 c. Order that the Petitioner not be ordered removed from United States during the
19 pendency of these proceedings;
- 20 d. Issue an Order to Show Cause ordering Respondents to show cause why this
21 Petition should not be granted within three days;
- 22 e. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner from
23 custody immediately and permanently enjoining his re-detention absent written
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1 notice and a hearing prior to re-detention where Respondents must prove by clear
2 and convincing evidence that he is a flight risk or danger to the community and
3 that no alternatives to detention would mitigate those risks, or, in the alternative,
4 provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) within
5 seven days;

6 f. Declare that Petitioner is detained pursuant to 8 U.S.C. § 1226(a);

7 g. Declare that Petitioner’s detention violates the Immigration and Nationality Act
8 and/or the Due Process Clause of the Fifth Amendment to the U.S. Constitution;

9 h. Award Petitioner attorney’s fees and costs under the Equal Access to Justice Act
10 (“EAJA”), as amended, 28 U.S.C. § 2412, and on any other basis justified under
11 law; and

12 i. Grant any other and further relief that this Court deems just and proper.

13
14 **VERIFICATION BY SOMEONE ACTING ON PETITIONER’S BEHALF PURSUANT**
15 **TO 28 U.S.C. § 2242**

16 I am submitting this verification on behalf of the Petitioner because I am one of Petitioner’s
17 attorneys, and I have discussed the claims with Petitioner’s legal team. Based on those discussions,
18 I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are
19 true and correct to the best of my knowledge.

20 DATED this 30th of January 2026.

21 /s/ Erin O’Brien
22 Erin O’Brien, Esq. (PA 332093)
23 Global Immigration Legal Team
24 150 Strafford Avenue, Suite 115
Wayne, PA 19087
Telephone: 610-975-4599

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Fax: 610-687-2100
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IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

RAJAT SHARMA

v.

EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW, ET AL.

Case No. 2:26-cv-00641

**PETITION FOR WRIT OF
HABEAS CORPUS**

EXHIBIT LIST

<u>Exhibit</u>	<u>Page</u>
A. December 31, 2023 Order of Release on Recognizance, stating Petitioner was arrested and placed in removal proceedings, but is being released on his own recognizance in accordance with section 236 of the INA;	1
B. December 31, 2023 Form OREC G-56, of Petitioner’s wife, Teena Kumar Kamlash, requiring Ms. Kamlash to report to report to the local ICE office within 60 days of her release on her own recognizance; ¹	2
C. Notice to Appear, dated December 31, 2023, stating Petitioner is an alien present without admission or parole;	3-5
D. Printout of ICE Detainee Locator, evincing Petitioner is housed at the Federal Detention Center in Philadelphia, PA;	6

¹Ms. Kamlash and Petitioner were both Released on their Recognizance on the same day and received the same ICE reporting requirement. Petitioner’s Form OREC G-56 was in his possession when he was detained at his ICE appointment on January 28, 2026. For this reason, Ms. Kamlash’s OREC G-56 is filed temporarily in place of Petitioner’s Form OREC G-56.

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E. Appendix of District Court Cases having heard this issue.

7-20

10/2024

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: 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
If yes, attach an explanation.

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

<p>A. Federal Question Cases:</p> <p><input type="checkbox"/> 1. Indemnity Contract, Marine Contract, and All Other Contracts)</p> <p><input type="checkbox"/> 2. FELA</p> <p><input type="checkbox"/> 3. Jones Act-Personal Injury</p> <p><input type="checkbox"/> 4. Antitrust</p> <p><input type="checkbox"/> 5. Wage and Hour Class Action/Collective Action</p> <p><input type="checkbox"/> 6. Patent</p> <p><input type="checkbox"/> 7. Copyright/Trademark</p> <p><input type="checkbox"/> 8. Employment</p> <p><input type="checkbox"/> 9. Labor-Management Relations</p> <p><input type="checkbox"/> 10. Civil Rights</p> <p><input checked="" type="checkbox"/> 11. Habeas Corpus</p> <p><input type="checkbox"/> 12. Securities Cases</p> <p><input type="checkbox"/> 13. Social Security Review Cases</p> <p><input type="checkbox"/> 14. Qui Tam Cases</p> <p><input type="checkbox"/> 15. Cases Seeking Systemic Relief *see certification below*</p> <p><input type="checkbox"/> 16. All Other Federal Question Cases. (Please specify): _____</p>	<p>B. Diversity Jurisdiction Cases:</p> <p><input type="checkbox"/> 1. Insurance Contract and Other Contracts</p> <p><input type="checkbox"/> 2. Airplane Personal Injury</p> <p><input type="checkbox"/> 3. Assault, Defamation</p> <p><input type="checkbox"/> 4. Marine Personal Injury</p> <p><input type="checkbox"/> 5. Motor Vehicle Personal Injury</p> <p><input type="checkbox"/> 6. Other Personal Injury (Please specify): _____</p> <p><input type="checkbox"/> 7. Products Liability</p> <p><input type="checkbox"/> 8. All Other Diversity Cases: (Please specify) _____</p>
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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:

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.

JS 44 (Rev. 04/21)

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

Raj + SHARMA

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

Global Immigration Legal Team
150 Strafford Ave Suite 115, Wayne, PA
19087, 610-975-4599

DEFENDANTS Michael T. ROSE, Field Office Director ICE/ERO Philadelphia; Kristi NOEM, Sec. of FHS; DHS; Pam Bondi, Atty Gen; EOIR; Jamal LAWRENCE, Warden of Federal Detention Center Philadelphia
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)

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

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

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

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander		INTELLECTUAL PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	LABOR	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 495 Securities/Commodities/Exchange
		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	IMMIGRATION	
		<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 462 Naturalization Application	
		<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 465 Other Immigration Actions	
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

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 USC 2241

Brief description of cause:

Habeas Corpus challenging detention of noncitizen

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

1/30/2026

SIGNATURE OF ATTORNEY OF RECORD

Erin OBrien

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

U.S. Department of Homeland Security

Order of Release on Recognizance

File No: [Redacted]
Date: December 31, 2023
Event No: [Redacted]

Name: RAJAT SHARMA

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

[X] You must report for any hearing or interview as directed by the Department of Homeland Security or the Executive Office for Immigration Review.

[X] You must surrender for removal from the United States if so ordered.

[X] You must report in (writing) (person) to AS INDICATED ON THE ATTACHED OREC G-56 (Name and Title of Case Officer) at (Location of DHS Office) on (Day of each week or month) at (Time)

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

[X] You must not change your place of residence without first securing written permission from the immigration officer listed above.

[X] You must not violate any local, State, or Federal laws or ordinances.

[X] You must assist the Department of Homeland Security in obtaining any necessary travel documents.

[] Other: [Redacted]

[] See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Department of Homeland Security.

DAVID J MATHIE
Date: 2023.12.31 16:15:04-07:00
0758292906.CBP

(Signature of DHS Official)

Acting/Patrol Agent in Charge
(Printed Name and Title of Official)

Alien's Acknowledgment of Conditions of Release on Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the ENGLISH language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Department of Homeland Security may revoke my release without further notice.

FERNANDO BOTELLO
(FERNANDO E BOTELLO
Date: 2023.12.31 16:39:26-07:00
0430451945.CBP)
(Signature of Immigration Officer Serving Order)

[Signature]
(Signature of Alien)

12/31/2023
(Date)

Cancellation of Order

I hereby cancel this order of release because: [] The alien failed to comply with the conditions of release.

[] The alien was taken into custody for removal.
(Signature of Immigration Officer Cancelling Order) (Date)



DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

OREC G-56

Subject ID: [REDACTED]

File Number: [REDACTED]

Name: TEENA KUMAR KAMLESH

Date: 12/31/2023


Home Address: [REDACTED]


Please present this notice to your local ICE office upon request


OFFICE LOCATION	Find ICE reporting locations by visiting our website at www.ice.gov/check-in or by scanning the below provided QR Code. If you need additional assistance with finding an ICE office location, please contact us at 1-888-351-4024.
DEADLINE	Within 60 days of your release, you must schedule a date to report to your local ICE office using the ICE Appointment Scheduler. Instructions for accessing this Scheduler are listed below.
REQUEST	ICE Deportation Officer for continued processing and consideration for enrollment in ATD.
REASON FOR APPOINTMENT	You have been released into the United States at the discretion of the U.S. Customs and Border Protection and are now subject to certain reporting requirements. Once you schedule a report date with ICE, you will then be required to report in person, as indicated through the scheduler. Once you report to ICE, ICE will evaluate and advise you of future reporting requirements.
BRING WITH YOU	Identification document (birth certificate, government-issued identity documents such as a driver's license or cédula) and all immigration documents.


One Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.


FAILURE TO CONTACT THE LOCAL ICE OFFICE AS INSTRUCTED MAY RESULT IN YOUR ARREST AND/OR A LOSS OF THE RIGHT TO ANY POSSIBLE RELIEF. THANK YOU FOR YOUR COOPERATION.

 To find information about ICE office locations, scheduling appointments to appear at an ICE office, check court dates with EOIR and registering a change of address, visit: www.ice.gov/check-in


 To schedule an appointment (if needed), visit: www.ice.gov/check-in and select "Schedule or Change Appointment"

 Address changes must be made within 5 business days of moving. To change your address, visit: www.ice.gov/check-in and follow instructions for "Update Address"

 Bring all your immigration documents to your appointment. I-94, I-862, or I-385 if you have them.

 Bring a form of identification to your appointment. Driver's license, passport, or birth certificate if you have them.

Scan for ICE ERO Check-in Page



DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

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

Subject ID: [Redacted]

FINS: [Redacted]

File No: [Redacted]

In the Matter of:

DOB: [Redacted]

Respondent:

RAJAT SHARMA

currently residing at:

[Redacted Address Line]

(Number, street, city, state and ZIP code)

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- 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 INDIA and a citizen of INDIA ;
3. You arrived in the United States at or near LUKEVILLE, AZ , on or about December 29, 2023 ;
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 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

900 MARKET STREET, SUITE 504 PHILADELPHIA PA 19107

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

on October 15, 2025 at 01:00 PM to show why you should not be removed from the United States based on the

(Date)

(Time)

charge(s) set forth above.

Acting/Patrol Agent in Charge

DAVID J MATHIE
Date: 2023.12.31 16:55:07:00
0758292906.CBP

(Signature and Title of Issuing Officer)

Date: December 31, 2023

TUCSON, ARIZONA

(City and State)

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 in 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 1003.16. 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 that 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, including that you are inadmissible or removable. 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 voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS 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 your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 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 your 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 Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on December 31, 2023, in the following manner and in compliance with section 239(a)(1) 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 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)

FERNANDO BOTELLO, BORDER
PATROL AGENT

(Signature and Title of officer)

FERNANDO E BOTELLO
Date: 2023.12.31 16:50:28 -07:00
0130451945 CRP

Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

Official Website of the Department of Homeland Security



U.S. Immigration and Customs Enforcement

Report Crimes: Email or Call 1-866-DHS-2-ICE

Home Who We Are **What We Do** Newsroom Information Library Contact ICE

Search Results: 1

RAJAT SHARMA

Country of Birth : India

A-Number:

Status : In ICE Custody

State: PA

Current Detention Facility , Philadelphia Federal Detention Center

** Click on the Detention Facility name to obtain facility contact information*

[BACK TO SEARCH >](#)

Related Information

Helpful Info

[Status of a Case](#)

[About the Detainee Locator](#)

[Brochure](#)

[ICE ERD Field Offices](#)

[ICE Detention Facilities](#)

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External Links

[Bureau of Prisons Inmate Locator](#)



[DHS.gov](#) [USA.gov](#) [OIG](#) [Open Gov](#) [FOIA](#) [Metrics](#) [No Fear Act](#) [Site Map](#) [Site Policies & Plug-ins](#)

APPENDIX

FIRST CIRCUIT

District of Maine

1. Chogillo Chaffla v. Scott, No. 25-00437, 2025 WL 2688541 (D. Me. Sept. 22, 2025)
2. Chang Barrios v. Shepley, No. 25-00406, 2025 WL 2772579 (D. Me. Sept. 29, 2025)
3. Chiliquina Yumbillo v. Stammer, No. 25-00479, 2025 WL 2783642 (D. Me. Sept. 30, 2025)
4. Aguilar Guerra v. Joyce, No. 25-00534, 2025 WL 2999042 (D. Me. Oct. 24, 2025)
5. Petion v. Hyde, No. 25-00535, 2025 WL 3072567 (D. Me. Nov. 3, 2025)

District of Massachusetts

6. Gomes v. Hyde, No. 25-11571, 2025 WL 1869299 (D. Mass. July 7, 2025)
7. Martinez v. Hyde, No. 25-11613, — F. Supp. 3d —, 2025 WL 2084238 (D. Mass. July 24, 2025)
8. dos Santos v. Ivons, No. 25-12052, 2025 WL 2370988 (D. Mass. Aug. 14, 2025)
9. Romero v. Hyde, No. 25-11631, — F. Supp. 3d —, 2025 WL 2403827 (D. Mass. Aug. 19, 2025)
10. Diaz Diaz v. Mattiello, No. 25-12226, 2025 WL 2457610 (D. Mass. Aug. 27, 2025)
11. Doe v. Moniz, No. 25-12094, 2025 WL 2576819 (D. Mass. Sept. 5, 2025)

12. Encarnacion v. Moniz, No. 25-12237, Doc. No. 5 (D. Mass. Sept. 5, 2025)
13. Sampiao v. Hyde, No. 25-11981, 2025 WL 2607924 (D. Mass. Sept. 9, 2025)
14. Hilario Rodriguez v. Moniz, No. 12-12358, Doc. No. 22 (D. Mass. Sept. 18, 2025)
15. Locon Cordero v. Hyde, No. 25-12802, Doc. No. 15 (D. Mass. Sept. 28, 2025)
16. Inlago Tocagon v. Moniz, No. 25-12453, — F. Supp. 3d —, 2025 WL 2778023 (D. Mass. Sept. 29, 2025)
17. Romero-Nolasco v. McDonald, No. 25-12492, 2025 WL 2778036 (D. Mass. Sept. 29, 2025)
18. Romero-Nolasco v. McDonald, No. 25-12584, Doc. No. 9 (D. Mass. Oct. 2, 2025)
19. Elias Escobar v. Hyde, No. 25-12620, 2025 WL 2823324 (D. Mass. Oct. 3, 2025)
20. Cuerrero Orellana v. Moniz, No. 25-12664, — F. Supp. 3d —, 2025 WL 2809996 (D. Mass. Oct. 3, 2025)
21. Pereira de Souza v. Hyde, No. 25-12532, Doc. No. 13 (D. Mass. Oct. 6, 2025)
22. de Andrade v. Moniz, No. 25-12455, 2025 WL 2841844 (D. Mass. Oct. 7, 2025)

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| <p>23. <u>de Los Reyes Gonzalez v. McDonald</u>, No. 25-12644, Doc. No. 10 (D. Mass. Oct. 9, 2025)</p> <p>24. <u>Landaverde v. Hyde</u>, No. 25-12552, Doc. No. 16 (D. Mass. Oct. 10, 2025)</p> <p>25. <u>Pineda-Chavez v. Hyde</u>, No. 25-12932, Doc. No. 9 (D. Mass. Oct. 16, 2025)</p> <p>26. <u>Garcia Guaman v. Hyde</u>, No. 25-12879, Doc. No. 7 (D. Mass. Oct. 17, 2025)</p> <p>27. <u>Nogueira da Silva v. Hyde</u>, No. 25-12931, Doc. No. 10 (D. Mass. Oct. 17, 2025)</p> <p>28. <u>Lema Zamora v. Noem</u>, No. 25-12750, 2025 WL 2958879 (D. Mass. Oct. 17, 2025)</p> <p>29. <u>Custodio de Souza v. Muniz</u>, No. 25-12636, Doc. No. 14 (D. Mass. Oct. 18, 2025)</p> <p>30. <u>Hercules Acosta v. Hyde</u>, No. 25-13011, Doc. No. 10 (D. Mass. Oct. 20, 2025)</p> <p>31. <u>Monzon v. Hyde</u>, No. 25-12594, Doc. No. 15 (D. Mass. Oct. 20, 2025)</p> <p>32. <u>da Silva v. Bondi</u>, No. 25-12672, 2025 WL 2969163 (D. Mass. Oct. 21, 2025)</p> <p>33. <u>Coelho Gomes v. Moniz</u>, No. 25-13021, Doc. No. 8 (D. Mass. Oct. 22, 2025)</p> <p>34. <u>Cortez Rivera v. Hyde</u>, No. 25-12390, 2025 WL 2977900 (D. Mass. Oct. 22, 2025)</p> | <p>35. <u>Moreira Aguiar v. Moniz</u>, No. 25-12706, 2025 WL 2987656 (D. Mass. Oct. 22, 2025)</p> <p>36. <u>Maza Maza v. Hyde</u>, No. 25-13013, Doc. No. 8 (D. Mass. Oct. 23, 2025)</p> <p>37. <u>Cesario Souza v. Hyde</u>, No. 25-12461, 2025 WL 2997670 (D. Mass. Oct. 24, 2025)</p> <p>38. <u>Chavez Castillo v. Moniz</u>, No. 25-13091, Doc. No. 8 (D. Mass. Oct. 27, 2025)</p> <p>39. <u>de Moura v. Moniz</u>, No. 25-13058, Doc. No. 10 (D. Mass. Oct. 27, 2025)</p> <p>40. <u>Mejia Arias v. Moniz</u>, No. 25-13019, Doc. No. 8 (D. Mass. Oct. 27, 2025)</p> <p>41. <u>Zolakio v. Hyde</u>, No. 25-13040, Doc. No. 8 (D. Mass. Oct. 28, 2025)</p> <p>42. <u>Ramirez Ramirez v. Moniz</u>, No. 25-13048, Doc. No. 23 (D. Mass. Oct. 29, 2025)</p> <p>43. <u>Gamez Martinez v. Moniz</u>, No. 25-13008, Doc. No. 8 (D. Mass. Oct. 30, 2025)</p> <p>44. <u>Zavala Rivera v. McDonald</u>, No. 25-13070, Doc. No. 8 (D. Mass. Nov. 3, 2025)</p> <p>45. <u>de Souza Filho v. Hyde</u>, No. 25-13207, Doc. No. 8 (D. Mass. Oct. 30, 2025)</p> <p>46. <u>Orrego Marin v. Moniz</u>, No. 25-13032, Doc. No. 9 (D. Mass. Nov. 4, 2025)</p> <p>47. <u>Portillo Martinez</u>, No. 25-11909, 2025 WL 3152847 (D. Mass. Nov. 12, 2025)</p> |
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48. Anselmo v. Moniz, No. 25-13309, 2025 WL 3171137 (D. Mass. Nov. 13, 2025)

49. Caguana-Caguana v. Moniz, No. 25-13142, 2025 WL 3171043 (D. Mass. Nov. 13, 2025)

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50. Jimenez v. FCI Berlin, Warden, No. 25-00326, 2025 WL 2639390 (D.N.H. Sept. 8, 2025)

51. Malan Quizhpi v. Brackett, No. 25-389, Doc. No. 2 (D.N.H. Oct. 9, 2025)

52. Lamidi v. FCI Berlin, Warden, No. 25-00297, Doc. No. 14 (D.N.H. Sept. 15, 2025)

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53. Rodriguez v. Bondi, No. 25-406, 2025 WL 2899769 (D.R.I. Oct. 10, 2025)

54. Tomas Elias v. Hyde, No. 25-540, 2025 WL 3004437 (D.R.I. Oct. 27, 2025)

55. Astudillo v. Hyde, No. 25-551, 2025 WL 3035083 (D.R.I. Oct. 30, 2025)

56. Herrera Martinez v. Hyde, No. 25-575, 2025 WL 3124025 (D.R.I. Nov. 7, 2025)

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57. J.U. v. Maldonado, No. 25-04836, 2025 WL 2772765 (E.D.N.Y. Sept. 29, 2025)

58. Artiga v. Genalo, No. 25-5208, 2025 WL 2829434 (E.D.N.Y. Oct. 5, 2025)

59. Hippolite v. Noem, No. 25-4304, 2025 WL 2829511 (E.D.N.Y. Oct. 6, 2025)

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60. Lopez Benitez v. Francis, No. 25-5937, — F. Supp. 3d —, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025)

61. Samb v. Joyce, No. 25-6373, 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025)

62. Gonzalez v. Joyce, No. 25-8250, 2025 WL 2961626 (S.D.N.Y. Oct. 19, 2025)

63. Romero Perez v. Francis, No. 25-8112, 2025 WL 3110459 (S.D.N.Y. Nov. 6, 2025)

64. Rueda Torres v. Francis, No. 25-8408, 2025 WL 3168759 (S.D.N.Y. Nov. 13, 2025)

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65. Barbosa da Cunha v. Moniz, No. 25-06532, Doc. No. 25 (W.D.N.Y. Oct. 20, 2025)

66. Alvarez Ortiz v. Freden, No. 25-960, — F. Supp. 3d —, 2025 WL 3085032 (W.D.N.Y. Nov. 4, 2025)

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67. Zunha v. Bondi, No. 25-14626, 2025 WL 2753496 (D.N.J. Sept. 26, 2025)

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68. Castillo v. Lyons, No. 25-16219, 2025 WL 2940990 (D.N.J. Oct. 10, 2025)
69. Buestan v. Chu, 2025 WL 2972252 (D.N.J. Oct. 21, 2025)
70. Bethancourt Soto v. Soto, No. 25-16200, — F. Supp. 3d —, 2025 WL 2976572 (D.N.J. Oct. 22, 2025)
71. Contreras Maldonado v. Cabezas, No. 25-13004, 2025 WL 2985256 (D.N.J. Oct. 23, 2025)
72. Lomeu v. Soto, No. 25-16589, 2025 WL 2981296 (D.N.J. Oct. 23, 2025)
73. Contreras Amaya v. Bondi, No. 25-16742, Doc. No. 7 (D.N.J. Oct. 26, 2025)
74. Patel v. Almodovar, No. 25-15345, 2025 WL 3012323 (D.N.J. Oct. 28, 2025)
75. Alava Amaya v. Bondi, No. 25-16428, 2025 WL 3033880 (D.N.J. Oct. 30, 2025)
76. Mboup v. Field Off. Dir. of New Jersey Immigr. & Customs Enf't, No. 25-16882, 2025 WL 3062791 (D.N.J. Nov. 3, 2025)
77. Vincenz-Marquez v. Soto, No. 25-16906, 2025 WL 3097496 (D.N.J. Nov. 6, 2025)
78. Guaman Naula v. Noem, No. 25-16792, 2025 WL 3158490 (D.N.J. Nov. 12, 2025)
79. Moreira da Silva v. LaForge, No. 25-17095, 2025 WL 3173859 (D.N.J. Nov. 13, 2025)

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80. Cantu-Cortes v. O'Neill, No. 25-6338, 2025 WL 3171639 (E.D. Pa. Nov. 13, 2025)
81. Kashranov v. Jamison, No. 25-05555, 2025 WL 3188399 (E.D. Pa. Nov. 14, 2025)

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82. del Cid v. Bondi, No. 25-00304, 2025 WL 2985150 (W.D. Pa. Oct. 23, 2025)

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83. Leal-Hernandez v. Noem, No. 25-02428, 2025 WL 2430025 (D. Md. Aug. 24, 2025)
84. Maldonado de Leon v. Baker, No. 25-3084, 2025 WL 2968042 (D. Md. Oct. 21, 2025)
85. Pineda Velasquez v. Sec'y Noem, No. 25-3215, 2025 WL 3003684 (D. Md. Oct. 27, 2025)

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86. S.D.B. v. Johnson, No. 25-882, 2025 WL 2845170 (M.D.N.C. Oct. 7, 2025)

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87. Hasan v. Crawford, No. 25-01408, — F. Supp. 3d —, 2025 WL 2682255 (E.D. Va. Sept. 19, 2025)
88. Quispe v. Crawford, No. 25-01471, 2025 WL 2783799 (E.D. Va. Sept. 29, 2025)

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90. Gomez Alonzo v. Simon, No. 25-01587, Doc. No. 16 (E.D. Va. Oct. 1, 2025)
91. Perez Bibiano v. Lyons, No. 25-01590, Doc. No. 8 (E.D. Va. Oct. 1, 2025)
92. Vargas Nunez v. Lyons, No. 25-01574, Doc. No. 10 (E.D. Va. Oct. 1, 2025)
93. Ibarra Garcia v. Simon, No. 25-01663, Doc. No. 6 (E.D. Va. Oct. 3, 2025)
94. Guerra Leon v. Noem, No. 25-01634, Doc. No. 12 (E.D. Va. Oct. 8, 2025)
95. Maldonado Merlos v. Noem, No. 25-01645, Doc. No. 11 (E.D. Va. Oct. 9, 2025)
96. Singh v. Lyons, No. 25-01606, 2025 WL 2932635 (E.D. Va. Oct. 14, 2025)
97. Hernandez v. Crawford, No. 25-01565, 2025 WL 2940702 (E.D. Va. Oct. 16, 2025)
98. Flores Pineda v. Simon, No. 25-01616, 2025 WL 2980729 (E.D. Va. Oct. 21, 2025)
99. Gregorio Lapon v. Noem, No. 25-01666, 2025 WL 2997507 (E.D. Va. Oct. 24, 2025)
100. Duarte Escobar v. Perry, No. 25-00758, 2025 WL 3006742 (E.D. Va. Oct. 27, 2025)
101. Sanchez-Lopez v. Crawford, No. 25-01721, Doc. No. 6 (E.D. Va. Oct. 27, 2025)
102. Sanchez Saire v. Elliston, No. 25-01808, Doc. No. 7 (E.D. Va. Oct. 27, 2025)
103. García Guardado v. Lyons, No. 25-01741, Doc. No. 5 (E.D. Va. Oct. 28, 2025)
104. Montejo v. Lyons, No. 25-01751, Doc. No. 7 (E.D. Va. Oct. 28, 2025)
105. Velasquez Lozano v. Simon, No. 25-01731, Doc. No. 5 (E.D. Va. Oct. 28, 2025)
106. Torres Torres v. Noem, No. 25-01866, Doc. No. 10 (E.D. Va. Nov. 3, 2025)
107. Vicente v. U.S. Immigr. & Customs Enft., No. 25-01836, Doc. No. 6 (E.D. Va. Nov. 3, 2025)
108. Lopez Sarmiento v. Perry, No. 25-01644, 2025 WL 3091140 (E.D. Va. Nov. 5, 2025)
109. Diaz Garcia v. Noem, No. 25-1712, 2025 WL 3111223 (E.D. Va. Nov. 6, 2025)
110. Servellon Martínez v. Lyons, No. 25-01792, Doc. No. 7 (E.D. Va. Nov. 7, 2025)
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111. Kostak v. Trump, No. 25-01093, 2025 WL 2472136 (W.D. La. Aug. 27, 2025)

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114. Silva Oliveira v. Patterson, No. 25-01463, 2025 WL 3095972 (W.D. La. Nov. 4, 2025)

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115. Buenrostro-Mendez v. Bondi, No. 25-3726, 2025 WL 2886346 (S.D. Tex. Oct. 7, 2025)

116. Covarrubias v. Vergara, No. 25-112, 2025 WL 2950097 (S.D. Tex. Oct. 8, 2025)

117. Angel Fuentes v. Lyons, No. 25-00153, Doc. No. 15 (S.D. Tex. Oct. 16, 2025)

118. Almanzan Tapia v. Vergara, No. 25-00174, Doc. No. 3 (S.D. Tex. Oct. 17, 2025)

119. Torres-Rodriguez v. Noem, No. 25-05035, Doc. No. 5 (S.D. Tex. Nov. 3, 2025)

120. Montoya Cabanas v. Bondi, No. 25-04830, 2025 WL 3171331 (S.D. Tex. Nov. 13, 2025)

121. Cruz Gutierrez v. Warden Thompson, No. 25-4695, 2025 WL 3187521 (S.D. Tex. Nov. 14, 2025)

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122. Barrera v. Tindall, No. 25-00541, 2025 WL 2690365 (W.D. Ky. Sept. 19, 2025)

123. Singh v. Lewis, No. 25-00096, 2025 WL 2699219 (W.D. Ky. Sept. 22, 2025)

124. Ballestros v. Noem, No. 25-594, 2025 WL 2880831 (W.D. Ky. Oct. 9, 2025)

125. Martinez-Elvir v. Olson, No. 25-589, — F. Supp. 3d —, 2025 WL 3006772 (W.D. Ky. Oct. 27, 2025)

126. Orellana v. Noem, No. 25-112, — F. Supp. 3d —, 2025 WL 3006763 (W.D. Ky. Oct. 27, 2025)

127. Hernandez-Alonso v. Tindall, No. 25-652, 2025 WL 3083920 (W.D. Ky. Nov. 4, 2025)

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128. Lopez-Campos v. Raverati, No. 25-12486, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025)

129. Pizarro Reyes v. Raverati, No. 25-12546, 2025 WL 2609425 (E.D. Mich. Sept. 9, 2025)

130. Diaz Sandoval v. Raverati, No. 25-12987, 2025 WL 2977517 (E.D. Mich. Oct. 17, 2025)

131. Pacheco Maben v. Raverati, No. 25-13056, 2025 WL 2978529 (E.D. Mich. Oct. 17, 2025)

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132. Casio-Mejia v. Raverati, No. 25-13032, 2025 WL 2976737 (E.D. Mich. Oct. 21, 2025)
133. Santos Franco v. Raverati, No. 25-13188, 2025 WL 2977118 (E.D. Mich. Oct. 21, 2025)
134. Gimenez Gonzalez v. Raverati, No. 25-13094, 2025 WL 3006185 (E.D. Mich. Oct. 27, 2025)
135. Hernandez Capote v. Sec'y of U.S. Dep't of Homeland Sec., No. 25-13128, 2025 WL 3089756 (E.D. Mich. Nov. 5, 2025)
136. Diego v. Raverati, No. 25-13288, 2025 WL 3159106 (E.D. Mich. Nov. 12, 2025)
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137. Sanchez Alvarez v. Noem, No. 25-1090, 2025 WL 2942648 (W.D. Mich. Oct. 17, 2025)
138. Rodriguez Carmona v. Noem, No. 25-1131, 2025 WL 2992222 (W.D. Mich. Oct. 24, 2025)
139. Puerto-Hernandez v. Lynch, No. 25-1097, 2025 WL 3012033 (W.D. Mich. Oct. 28, 2025)
140. Marin Garcia v. Noem, No. 25-1271, 2025 WL 3017200 (W.D. Mich. Oct. 29, 2025)
141. Rodriguez v. Noem, No. 25-1196, 2025 WL 3022212 (W.D. Mich. Oct. 29, 2025)
142. de Jesus Ramirez v. Noem, No. 25-1261, 2025 WL 3039266 (W.D. Mich. Oct. 31, 2025)
143. Escobar-Ruiz v. Raverati, No. 25-1232, 2025 WL 3039255 (W.D. Mich. Oct. 31, 2025)
144. Salgado Mendoza v. Noem, No. 25-1252, 2025 WL 3077589 (W.D. Mich. Nov. 4, 2025)
145. Hernandez Garcia v. Raverati, No. 25-1281, 2025 WL 3122800 (W.D. Mich. Nov. 7, 2025)
146. Rodriguez Serrano v. Noem, No. 25-1320, 2025 WL 3122825 (W.D. Mich. Nov. 7, 2025)
147. Contreras Alvarez v. Noem, No. 25-1313, 2025 WL 3151948 (W.D. Mich. Nov. 12, 2025)
148. Lucero Lucero v. Noem, No. 25-1295, 2025 WL 3165235 (W.D. Mich. Nov. 12, 2025)
149. Ginez Hernandez v. Noem, No. 25-1307, 2025 WL 3170872 (W.D. Mich. Nov. 13, 2025)
150. Madrid Gonzalez v. Noem, No. 25-1315, 2025 WL 3170879 (W.D. Mich. Nov. 13, 2025)
151. Mora Lara v. Noem, No. 25-1332, 2025 WL 3170876 (W.D. Mich. Nov. 13, 2025)
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156. Launa Espinoza v. Dir. of Detroit Field Off., No. 25-02107, 2025 WL 2878173 (N.D. Ohio Oct. 9, 2025)
157. Moraiez Chavez v. Dir. of Detroit Field Off., No. 25-02061, 2025 WL 2959617 (N.D. Ohio Oct. 20, 2025)
158. E.V. v. Raverafi, No. 25-02069, 2025 WL 3122837 (N.D. Ohio Nov. 7, 2025)
159. Morales Chavez v. Dir. of Detroit Field Off., No. 25-02061, 2025 WL 3187080 (N.D. Ohio Nov. 14, 2025)
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160. Godinez-Lopez v. Ladwig, No. 25-02962, 2025 WL 3047889 (W.D. Tenn. Oct. 31, 2025)
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161. Ochoa Ochoa v. Noem, No. 25-10865, 2025 WL 2938779 (N.D. Ill. Oct. 16, 2025)
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163. G.Z.F. v. Smith, No. 25-12802, Doc. No. 14 (N.D. Ill. Oct. 21, 2025)
164. Miguel v. Noem, No. 25-11137, 2025 WL 2976480 (N.D. Ill. Oct. 21, 2025)
165. Padilla v. Noem, No. 25-12462, 2025 WL 2977742 (N.D. Ill. Oct. 22, 2025)
166. Maldonado v. Crowley, No. 25-12762, Doc. No. 16 (N.D. Ill. Oct. 24, 2025)
167. Patel v. Crowley, No. 25-11180, 2025 WL 2996787 (N.D. Ill. Oct. 24, 2025)
168. Amigon Sanchez v. Olson, No. 25-12453, 2025 WL 3004580 (N.D. Ill. Oct. 27, 2025)
169. Corona Diaz v. Olson, No. 25-12141, 2025 WL 3022170 (N.D. Ill. Oct. 29, 2025)
170. Rosales Ponce v. Olson, No. 25-13037, 2025 WL 3049785 (N.D. Ill. Oct. 31, 2025)
171. Valencia v. Noem, No. 25-12829, 2025 WL 3042520 (N.D. Ill. Oct. 31, 2025)
172. D.F.C.T. v. Noem, No. 25-12463, 2025 WL 3063650 (N.D. Ill. Nov. 3, 2025)
173. Flores v. Olson, No. 25-12916, 2025 WL 3063540 (N.D. Ill. Nov. 3, 2025)
174. Galvis Cortes v. Olson, No. 25-6293, 2025 WL 3063636 (N.D. Ill. Nov. 3, 2025)
175. Reves Arizmendi v. Noem, No. 25-13041, 2025 WL 3089107 (N.D. Ill. Nov. 5, 2025)

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177. Pacheco Carrillo v. Noem, No. 25-12963, 2025 WL 3101993 (N.D. Ill. Nov. 6, 2025)
178. Garcia Rios v. Olson, No. 25-13180, 2025 WL 3124173 (N.D. Ill. Nov. 7, 2025)
179. Munoz Arredondo v. Olson, No. 25-12882, 2025 WL 3124149 (N.D. Ill. Nov. 7, 2025)
180. Perez v. Noem, No. 25-13441, 2025 WL 3140692 (N.D. Ill. Nov. 10, 2025)
181. Ramirez Martinez v. Noem, No. 25-12029, 2025 WL 3145103 (N.D. Ill. Nov. 11, 2025)
182. Vasquez Gonzalez v. Olson, No. 25-13162, 2025 WL 3158191 (N.D. Ill. Nov. 12, 2025)
183. Cabrera v. Noem, No. 25-12160, 2025 WL 3171288 (N.D. Ill. Nov. 13, 2025)
184. Mariscal Serrano v. Salazar, No. 23-13170, 2025 WL 3171354 (N.D. Ill. Nov. 13, 2025)
185. Rodriguez Loreda v. Forestal, No. 25-12758, 2025 WL 3187319 (N.D. Ill. Nov. 14, 2025)
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186. Campos Leon v. Forestal, No. 25-01774, 2025 WL 2694763 (S.D. Ind. Sept. 22, 2025)
187. Alejandro v. Olson, No. 25-02027, 2025 WL 2896348 (S.D. Ind. Oct. 11, 2025)
188. Singh v. Bondi, No. 25-02101, 2025 WL 3029524 (S.D. Ind. Oct. 30, 2025)
189. Delgado Avila v. Crowley, No. 25-00533, — F. Supp. 3d —, 2025 WL 3171175 (S.D. Ind. Nov. 13, 2025)
190. Quishne-Guaman v. Noem, No. 25-00211, 2025 WL 3201072 (S.D. Ind. Nov. 17, 2025)
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192. Garcia Picazo v. Sheehan, No. 25-4057, 2025 WL 3006188 (N.D. Iowa Oct. 27, 2025)
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194. Barrajas v. Noem, No. 25-00322, 2025 WL 2717650 (S.D. Iowa Sept. 23, 2025)
195. Helbrum v. Williams Olson, No. 25-00349, 2025 WL 2840273 (S.D. Iowa Sept. 30, 2025)
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196. Aguilar Maldonado v. Olson, No. 25-3142, — F. Supp. 3d —, 2025

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197. J.O.E. v. Bondi, No. 25-03051, — F. Supp. 3d —, 2025 WL 2466670 (D. Minn. Aug. 27, 2025)
198. Francisco T. v. Bondi, No. 25-03219, 2025 WL 2629839 (D. Minn. Aug. 29, 2025)
199. Belsai D.S. v. Bondi, No. 25-03682, 2025 WL 2802947 (D. Minn. Oct. 1, 2025)
200. Eliseo A.A. v. Olson, No. 25-3381, 2025 WL 2886729 (D. Minn. Oct. 8, 2025)
201. Herrera Avila v. Bondi, No. 25-3741, 2025 WL 2976539 (D. Minn. Oct. 21, 2025)
202. E.M. v. Noem, No. 25-975, 2025 WL 3157839 (D. Minn. Nov. 12, 2025)
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204. García Jimenez v. Kramer, No. 25-03162, 2025 WL 2374223 (D. Neb. Aug. 14, 2025)
205. Carmona-Lorenzo v. Trump, No. 25-3172, 2025 WL 2531521 (D. Neb. Sept. 3, 2025)
206. Palma Perez v. Berg, No. 25-494, — F. Supp. 3d —, 2025 WL 2531566 (D. Neb. Sept. 3, 2025)
207. Genchi Palma v. Trump, No. 25-3176, 2025 WL 2624385 (D. Neb. Sept. 11, 2025)
208. Ozuna Carlton v. Kramer, No. 25-3178, 2025 WL 2624386 (D. Neb. Sept. 11, 2025)
209. Perez v. Kramer, No. 25-03179, 2025 WL 2624387 (D. Neb. Sept. 11, 2025)
210. Duenas Arce v. Trump, No. 25-520, Doc. No. 33 (D. Neb. Sept. 18, 2025)
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212. Rosado v. Figueroa, No. 25-02157, 2025 WL 2337099 (D. Ariz. Aug. 11, 2025)
213. Echevarria v. Bondi, No. 25-3252, 2025 WL 2821282 (D. Ariz. Oct. 3, 2025)
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214. Bautista v. Santacruz, No. 25-01873, 2025 WL 2670875 (C.D. Cal. July 28, 2025)
215. Gonzalez v. Noem, No. 25-02054, 2025 WL 2633187 (C.D. Cal. Aug. 13, 2025)
216. Benitez v. Noem, No. 25-02190, Doc. No. 11 (C.D. Cal. Aug. 26, 2025)
217. Mosqueda v. Noem, No. 25-02394, 2025 WL 2591530 (C.D. Cal. Sept. 8, 2025)

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218. Arrazola-Gonzalez v. Noem, No. 25-1789, 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025)
219. Santiago Flores v. Noem, No. 25-02490, 2025 WL 3050062 (C.D. Cal. Sept. 29, 2025)
220. Lopez Pop. v. Noem, No. 25-02589, 2025 WL 3050095 (C.D. Cal. Oct. 3, 2025)
221. Garcin v. Noem, No. 25-02771, 2025 WL 2986672 (C.D. Cal. Oct. 22, 2025)
222. Ruiz Yarloque v. Noem, No. 25-02836, 2025 WL 3043936 (C.D. Cal. Oct. 31, 2025)
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223. Guzman v. Andrews, No. 25-01015, 2025 WL 2617256 (E.D. Cal. Sept. 9, 2025)
224. Lepo v. Andrews, No. 25-01163, — F. Supp. 3d —, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025)
225. Ortiz Donis v. Chestnut, No. 25-01228, 2025 WL 2879514 (E.D. Cal. Oct. 9, 2025)
226. J.S.H.M. v. Wofford, No. 25-01309, 2025 WL 2938808 (E.D. Cal. Oct. 16, 2025)
227. Sabi Polo v. Chestnut, No. 25-01342, 2025 WL 2959346 (E.D. Cal. Oct. 17, 2025)
228. C.A.R.V. v. Wofford, No. 25-01395, 2025 WL 3059549 (E.D. Cal. Nov. 3, 2025)
229. F.M.V. v. Wofford, No. 25-01381, 2025 WL 3083934 (E.D. Cal. Nov. 4, 2025)
230. Menjivar Sanchez v. Wofford, No. 25-1187, 2025 WL 3089712 (E.D. Cal. Nov. 5, 2025)
231. O.P.A.M. v. Wofford, No. 25-01423, 2025 WL 3120552 (E.D. Cal. Nov. 7, 2025)
232. M.V.I. v. Andrews, No. 25-01440, 2025 WL 3154403 (E.D. Cal. Nov. 12, 2025)
233. Estuardo Marin v. Andrews, No. 25-01422, 2025 WL 3171484 (E.D. Cal. Nov. 13, 2025)
234. Morillo v. Albarran, No. 25-01533, 2025 WL 3190899 (E.D. Cal. Nov. 15, 2025)
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235. Hernandez Nieves v. Kaiser, No. 25-6921, 2025 WL 2533110 (N.D. Cal. Sept. 3, 2025)
236. Hinestroza v. Kaiser, No. 25-07559, 2025 WL 2606983 (N.D. Cal. Sept. 9, 2025)
237. Salcedo Aceros v. Kaiser, No. 25-06924, 2025 WL 2637503 (N.D. Cal. Sept. 12, 2025)
238. Roa v. Albarran, No. 25-07802, 2025 WL 2732923 (N.D. Cal. Sept. 25, 2025)
239. Valencia Zanata v. Kaiser, No. 25-07492, — F. Supp. 3d —, 2025 WL 2741654 (N.D. Cal. Sept. 26, 2025)

240. Cordero Pellico v. Kaiser, No. 25-07286, 2025 WL 2822876 (N.D. Cal. Oct. 3, 2025)
241. Chavez v. Kaiser, No. 25-06984, 2025 WL 2909526 (N.D. Cal. Oct. 9, 2025)
242. Pablo Sequen v. Albarran, No. 25-06487, 2025 WL 2935630 (N.D. Cal. Oct. 15, 2025)
243. J.A.C.P. v. Wofford, No. 25-01354, 2025 WL 3013328 (E.D. Cal. Oct. 27, 2025)
244. J.A.E.M. v. Wofford, No. 25-01380, 2025 WL 3013377 (E.D. Cal. Oct. 27, 2025)
245. Ramandi v. Off. Dir., ICE ERO San Francisco, No. 25-01462, 2025 WL 3182732 (E.D. Cal. Nov. 14, 2025)
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246. Vasquez Garcia v. Noem, No. 25-02180, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025)
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248. Esquivel-Ipina v. LaRose, No. 25-2672, 2025 WL 2998361 (S.D. Cal. Oct. 24, 2025)
249. Lopez v. Warden, Otay Mesa Det. Ctr., No. 25-2527, 2025 WL 3005346 (S.D. Cal. Oct. 27, 2025)
250. Martinez Lopez v. LaRose, No. 25-2717, 2025 WL 3030457 (S.D. Cal. Oct. 30, 2025)
251. Carmelo Beltran v. Noem, No. 25-2650, 2025 WL 3078837 (S.D. Cal. Nov. 4, 2025)
252. Garcia Magadan v. Noem, No. 25-2889, 2025 WL 3090089 (S.D. Cal. Nov. 5, 2025)
253. Aquino v. LaRose, No. 25-2904, 2025 WL 3158676 (S.D. Cal. Nov. 12, 2025)
254. Pellico Calel v. LaRose, No. 25-02883, 2025 WL 3171898 (S.D. Cal. Nov. 13, 2025)
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255. Rico-Tapia v. Smith, No. 25-00379, 2025 WL 2950089 (D. Haw. Oct. 10, 2025)
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256. Maldonado Vazquez v. Feeley, No. 25-01542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025)
257. Sanchez Roman v. Noem, No. 25-01684, 2025 WL 2710211 (D. Nev. Sept. 23, 2025)
258. Carlos v. Noem, No. 25-01900, 2025 WL 2896156 (D. Nev. Oct. 10, 2025)
259. E.C. v. Noem, No. 25-01789, 2025 WL 2916264 (D. Nev. Oct. 14, 2025)
260. Aparicio v. Noem, No. 25-01919, 2025 WL 2998098 (D. Nev. Oct. 23, 2025)
261. Dominguez-Lara v. Noem, No. 25-01553, 2025 WL 2998094 (D. Nev. Oct. 24, 2025)

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262. Bautista-Avalos v. Bernacke, No. 25-1987, 2025 WL 3014023 (D. Nev. Oct. 27, 2025)

263. Arce-Cervera v. Noem, No. 25-01895, 2025 WL 3017866 (D. Nev. Oct. 28, 2025)

264. Rodriguez Cabrera v. Mattos, No. 25-01551, 2025 WL 3072687 (D. Nev. Nov. 3, 2025)

265. Hernandez-Luna v. Noem, No. 25-01818, 2025 WL 3102039 (D. Nev. Nov. 6, 2025)

266. Mendez v. Noem, No. 25-02062, 2025 WL 3124285 (D. Nev. Nov. 7, 2025)

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267. L.A.E. v. Wamsley, No. 25-01975, 2025 WL 3037856 (D. Or. Oct. 30, 2025)

268. J.Y.L.C. v. Bostock, No. 25-02083, Doc. No. 15 (D. Or. Nov. 12, 2025)

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269. Rodriguez v. Bostock, No. 25-05240, 2025 WL 2782499 (W.D. Wash. Sept. 30, 2025)

270. Torres v. Wamsley, No. 25-5772, 2025 WL 2855379 (W.D. Wash. Oct. 8, 2025)

271. Cantero Garcia v. Wamsley, No. 25-02092, 2025 WL 3123996 (W.D. Wash. Nov. 7, 2025)

272. Marcia Navarrete v. Wamsley, No. 25-02150, 2025 WL 3134712 (W.D. Wash. Nov. 10, 2025)

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274. Mendoza Gutierrez v. Baltazar, No. 25-2720, 2025 WL 2962908 (D. Colo. Oct. 17, 2025)

275. Loa Caballero v. Baltazar, No. 25-03120, 2025 WL 2977650 (D. Colo. Oct. 22, 2025)

276. Nava Hernandez v. Baltazar, No. 25-03094, 2025 WL 2996643 (D. Colo. Oct. 24, 2025)

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277. Velasquez Salazar v. Dedos, No. 25-00835, — F. Supp. 3d —, 2025 WL 2676729, (D.N.M. Sept. 17, 2025)

278. Garcia Domingo v. Castro, No. 25-00979, — F. Supp. 3d —, 2025 WL 2941217 (D.N.M. Oct. 15, 2025)

279. Pu Sacvin v. de Anda-Ybarra, No. 25-01031, 2025 WL 3187432 (D.N.M. Nov. 14, 2025)

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280. Garcia v. Noem, No. 25-00879, 2025 WL 3041895 (M.D. Fla. Oct. 31, 2025)

281. Hernandez Loney v. Hardin, No. 25-00830, 2025 WL 3022245 (M.D. Fla. Oct. 29, 2025)

- 282. Vásquez Carcamo v. Noem, No. 25-00922, 2025 WL 3119263 (M.D. Fla. Nov. 7, 2025)
- 283. Erazo v. Hardin, No. 25-00891, 2025 WL 3187136 (M.D. Fla. Nov. 14, 2025)

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- 284. Merino v. Rina, No. 25-23845, 2025 WL 2941609 (S.D. Fla. Oct. 15, 2025)
- 285. Puga v. Assistant Field Off. Dir., Krome N. Serv. Processing Ctr., No. 25-24535, 2025 WL 2938369 (S.D. Fla. Oct. 15, 2025)

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- 286. J.A.M. v. Streeval, No. 25-342, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025)

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- 287. Aguirre Villa v. Warden Normand, No. 25-89, 2025 WL 3095969 (S.D. Ga. Nov. 4, 2025)
- 288. Villa v. Warden Normand, No. 25-100, 2025 WL 3188406 (S.D. Ga. Nov. 14, 2025)