

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND**

Victor Hugo Castro-Aguilar)

A#: )

Petitioner,)

v.)

PETITION FOR WRIT
OF HABEAS CORPUS

NIKITA BAKER, Baltimore Field Office)
Director, Immigration and Customs)
Enforcement and Removal Operations)
(ICE / ERO); KRISTI NOEM, Secretary)
of the Department of Homeland Security;)
U.S. IMMIGRATION AND CUSTOMS)
ENFORCEMENT; U.S. DEPARTMENT OF)
HOMELAND SECURITY (DHS); PAMELA)
BONDI, Attorney General of the United States)
United States; and TODD LYONS, Director,)
Immigration and Customs Enforcement.)

CASE NO.: 1:26-cv-458

Respondents.)

**PETITION FOR WRIT OF HABEAS CORPUS
UNDER 28 U.S.C. § 2241 AND EMERGENCY RELIEF**

INTRODUCTION

1. This is a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 on behalf of Petitioner, Victor Hugo Castro-Aguilar also known as Victor Castro Aguilar (herein after “Petitioner”), who is a citizen and national of Peru.

2. Fearing for his life, Petitioner fled Peru and came to the United States entering without inspection on or about February 22, 2022 at or near Roma, Texas.

3. Petitioner was apprehended shortly after entry, briefly detained, and then released by DHS. Upon information and belief, he was paroled after this detention pursuant to 8 U.S.C. § 1182(d)(5)(A) so that he could apply for asylum.

4. Petitioner was issued a Notice to Appear on or about February 23, 2022 commanding that Petitioner appear before the Immigration Court. *See* Ex. A, Notice to Appear. An Order of Release on Recognizance was also issued that same day. *See* Ex. B, Order of Release on Recognizance.

5. Pursuant to the Notice to Appear, Respondents commenced removal proceedings against Petitioner in the Immigration Court, entitling Petitioner to present an asylum, withholding or removal, and protection under the Convention Against Torture claim (Form I-589) with due process rights under 8 U.S.C. § 1229a.

6. Petitioner has an upcoming Individual Hearing (final hearing) before the Immigration Court in Hyattsville, MD on May 20, 2026. *See* Ex. C, Notice of In-Person Hearing – Individual Hearing before Hyattsville Immigration Court on May 20, 2026.

7. Petitioner appeared for a scheduled Immigration and Customs Enforcement (ICE) check-in at the ICE office in Baltimore, MD on February 3, 2026 and was abruptly arrested by ICE. Petitioner has attended all scheduled ICE check-ins in the past having never missed or even been late for a check-in.

8. Petitioner was given no meaningful opportunity to contest his re-detention before he was detained. This is despite being permitted by Respondents to live at liberty in the interior of the United States for almost four (4) years, complying with all of DHS' requirements, and developing significant ties to the United States, and, therefore, a constitutionally protected liberty interest.

9. Petitioner is currently being detained at the ICE Baltimore Hold Room and his detention is unlawful.

10. Despite having pending immigration court proceedings with a scheduled Individual Hearing in less than four (4) months, Respondents now seek to detain Petitioner, to transfer Petitioner away from the District of Maryland, and to deport Petitioner.

11. Petitioner's detention rests on a newly adopted and fundamentally erroneous interpretation of the Immigration and Nationality Act ("INA") under which the Department of Homeland Security ("DHS") and the Executive Office for Immigration Review ("EOIR") have begun treating all noncitizens who entered without inspection at any time in the past as subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). Under this reinterpretation, such individuals are categorically barred from release on bond and immigration judges lack jurisdiction to review custody. The Board of Immigration Appeals ("BIA") endorsed this reinterpretation in *Matter of Q. Li*, 29 I. & N. Dec. 66 (BIA 2025), and *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

12. Petitioner is charged with entering the United States without inspection under 8 U.S.C. § 1182(a)(6)(A)(i) (INA § 212(a)(6)(A)(i)). For decades, individuals in Petitioner's circumstances have been detained under 8 U.S.C. § 1226(a), which authorizes release on bond and provides for custody re-determination by an immigration judge.

13. More than three hundred (300) federal district courts across the country, including within this District, have rejected DHS's new interpretation as contrary to the plain language and structure of the INA, the statute's legislative history, and three decades of consistent agency practice.

14. Petitioner asks this Court to find that Respondents' attempt to detain, transfer, and deport Petitioner are arbitrary and capricious and in violation of the law. Petitioner respectfully

requests that this Honorable Court immediately an issue an order to prevent his transfer out of this District.

15. Furthermore, Petitioner seeks a Writ of Habeas Corpus requiring his immediate release, or in the alternative, requiring Respondents to provide a custody redetermination hearing under § 1226(a) within seven (7) days.

JURISDICTION AND VENUE

16. The Honorable Court has subject-matter jurisdiction over this habeas petition pursuant to 28 U.S.C. § 2241, 28 U.S.C. § 1331, and the Suspension Clause, U.S. Const. art. I, § 9, cl. 2. Petitioner challenges the legality of his detention.

17. This Honorable Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et. seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et. seq., the all writs Act, 28 U.S.C. § 1651, and the Immigration and Nationality Act, 8 U.S.C. § 1252(e)(2).

18. Sections 1252(g) and 1252(b)(9) of Title 8 do not strip this Court of jurisdiction over Petitioner's claims, which are independent of and collateral to any challenge to his removal proceedings. As numerous recent decisions have held, claims challenging immigration detention, parole termination, and the procedures used to revoke release do not "arise from" decisions to commence, adjudicate, or execute removal and therefore remain within district court jurisdiction.

19. This Court also has authority to grant declaratory and injunctive relief under 28 U.S.C. §§ 2201-2202.

20. Venue lies in this District under 28 U.S.C. § 1391(e) and 28 U.S.C. § 2241 because Petitioner is detained within this District. At time of filing, Petitioner remains in the Baltimore Hold Room located at 31 Hopkins Plaza, 6th Floor, Baltimore, MD 21201.

PARTIES

21. Petitioner is a citizen and national of Peru, and an asylum seeker who suffered past persecution and fears future persecution and torture if returned to his country, Peru. He has lived in the United States since February 2022.

22. Respondent Nikita Baker is the Baltimore Field Office Director for Immigration and Customs Enforcement and Removal Operations (ICE / ERO). She has custody over Petitioner and is a proper respondent in this habeas action.

23. Respondent Kristi Noem is the Secretary of the U.S. Department of Homeland Security (DHS) and has ultimate responsibility for enforcement of the immigration laws and administration of ICE and Customs and Border Patrol (CBP).

24. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review (EOIR) and the immigration court system it operates is a component agency.

25. Respondent Todd M. Lyons is the Acting Director of ICE and is responsible for the administration and oversight of immigration detention and enforcement nationwide.

26. Respondent U.S. Department of Homeland Security is the federal agency that has authority over the actions of ICE and all other DHS Respondents.

27. Respondent U.S. Immigration and Customs Enforcement is the federal agency responsible for custody decisions relating to non-citizens charged with being removable from the United States, including the arrest, detention, and custody status of non-citizens.

28. All Respondents are sued in their official capacities.

REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243

29. This Honorable Court must grant this Petition for Writ of Habeas Corpus or issue an Order to Show Cause to Respondents “forthwith” unless Petitioner is not entitled to relief. 28 U.S.C. § 2243. If an Order to Show Cause is issued, the Court must require Respondents to file a return “within three days unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.*

30. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963).

31. Petitioner is “in custody” for the purpose of § 2241 because Petitioner was arrested and is being detained by Respondents.

EXHAUSTION AND RIPENESS

32. There is no statutory exhaustion requirement applicable to habeas challenges to immigration detention under 28 U.S.C. § 2241, and any attempt to exhaust administrative remedies would be futile. Petitioner has not been given any process at all to challenge his sudden re-detention.

33. Further, Respondents’ mandatory detention policy challenged here forecloses immigration judges from reviewing custody determinations for entrants without inspection. Seeking relief before the agency would be futile. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

LEGAL FRAMEWORK

34. The Refugee Act of 1980, the cornerstone of the U.S. asylum system, provides a right to apply for asylum to individuals seeking safe haven in the United States. The purpose of the Refugee Act is to enforce the historic policy of the United States to respond to the urgent needs of persons subject to persecution in their homelands. Refugee Act of 1980, § 101(a), Pub. L. No. 96-212, 94 Stat. 102 (1980).

35. The “motivation for the enactment of the Refugees Act” was the United Nations Protocol relating to the status of refugees, “to which the United States had been bound since 1968.” *INS v. Cardoza-Fonseca*, 480 U.S. 421, 424, 432-33 (1987). The Refugee Act reflects a legislative purpose “to give ‘statutory meaning to our national commitment to human rights and humanitarian concerns.’” *Duran v. INS*, 756 F.2d 1338, 1340 n.2 (9th Cir. 1985).

36. As such, the Refugee Act established the right to apply for asylum in the United States and defines the standards for granting asylum. It is codified in various sections of the INA.

37. The INA gives the Attorney General or the Secretary of Department of Homeland Security discretion to grant asylum to non-citizens who satisfy the definition of “refugee.” Under that definition, individuals generally are eligible for asylum if they have experienced past persecution or have a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion and if they are unable or unwilling to return to and avail themselves of the protection of their homeland because of that persecution or fear. 8 U.S.C. § 1101(a)(42)(A).

38. Although a grant of asylum may be discretionary, the right to apply for asylum is not. The Refugee Act broadly affords a right to apply for asylum to any noncitizen “who is physically present in the United States or who arrives in the United States[.]” 8 U.S.C. § 1158(a)(1).

39. Because of the life-or-death stakes, the statutory right to apply for asylum is robust. The right necessarily includes the right to counsel, at no expense to the government, *see* 8 U.S.C. § 1229a(b)(4)(A), § 1362, the right to notice of the right to counsel, *see* 8 U.S.C. § 1158(d)(4), and the right to access information in support of an application, *see* § 1158(b)(1)(B) (placing the burden on the applicant to present evidence to establish eligibility.).

40. Non-citizens seeking asylum are guaranteed Due Process under the Fifth Amendment to the U.S. Constitution. *Reno v. Flores*, 507 U.S. 292, 306 (1993).

41. Non-citizens who are applicants for asylum are entitled to a full hearing in immigration court before they can be removed from the United States. 8 U.S.C. § 1229a. Consistent with due process, non-citizens may seek administrative appellate review before the Board of Immigration Appeals (BIA) of removal orders entered against them and judicial review in federal court upon a petition for review. 8 U.S.C. § 1252(a) *et seq.*

42. The INA prescribes three basic forms of detention for the vast majority of non-citizens in removal proceedings.

43. The first is 8 U.S.C. § 1226, which governs the detention of individuals who are already physically present in the United States and are placed into standard removal proceedings before an immigration judge under 8 U.S.C. § 1229a. Section 1226(a) authorizes arrest and detention and expressly permits release on bond or conditional parole unless the individual is subject to mandatory detention under § 1226(c), which applies only to those arrested, charged with, or convicted of certain enumerated offenses.

44. The second detention framework is found in 8 U.S.C. § 1225(b), which governs the detention of individuals who are apprehended at or near the border and are seeking admission to the United States. Section 1225 provides that “in the case of an alien who is an applicant for

admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained.” Individuals detained under § 1225(b) are subject to mandatory detention pending the outcome of their proceedings.

45. Last, the INA also provides for detention of non-citizens who have been ordered removed, including individuals in withholding-only proceedings. *See* 8 U.S.C. § 1231(a)–(b).

46. Petitioner’s case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

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

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

49. For nearly three decades following those regulations, DHS, EOIR, and federal courts uniformly applied § 1226(a) to non-citizens who entered without inspection and were later apprehended in the interior of the United States. Individuals in this category routinely received bond hearings before immigration judges because their detention arose from interior enforcement under § 1226(a), not from border inspection under § 1225(b). This uniform practice reflects the INA’s structure and the distinction Congress drew between individuals seeking admission and

those who have long since entered the United States. Nothing in the statutory text, legislative history, administrative interpretation, or case law suggested that individuals in Petitioner's circumstances were to be treated as mandatory detainees under § 1225(b)(2)(A).

50. In July 2025, however, DHS abruptly adopted a new interpretation. ICE issued "Interim Guidance Regarding Detention Authority for Applicants for Admission," asserting that any individual who is present in the United States without admission—regardless of residence, circumstances of arrest, or time since entry—is subject to mandatory detention under § 1225(b)(2)(A). This interpretation effectively eliminates the statutory distinction between § 1225 and § 1226 and asserts that immigration judges lack authority to hear custody redetermination requests from anyone who entered the country unlawfully, without inspection. The policy applies regardless of when a person is apprehended and affects those who have resided in the United States for months, years, and even decades.

51. ICE's recent policy is supported by two decisions issued by the Board of Immigration Appeals (BIA): *Matter of Q. Li*, 29 I. & N. Dec. 66 (BIA 2025) and *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). In *Q. Li*, the BIA held that an "applicant for admission who is arrested and detained without a warrant while arriving in the United States," and later placed into removal proceedings is subject to mandatory detention under 8 U.S.C. § 1225(b). *Q. Li*, 29 I. & N. Dec. at 69. In *Yajure Hurtado*, the BIA expanded its holding in *Q. Li* to require mandatory detention for all non-citizens who are present in the United States without admission, regardless of manner of entry. *Yajure Hurtado*, 29 I. & N. Dec. at 216.

52. With these decisions, the BIA stripped immigration courts of the authority to hold bond hearings for any non-citizen who is present in the United States without having been admitted or paroled, subjecting these individuals to mandatory detention under § 1225(b)(2)(A).

53. Since Respondents adopted their new policies, dozens of federal courts have rejected their new interpretation of the INA's detention authorities. Courts have likewise rejected *Matter of Yajure Hurtado* and *Matter of Q. Li*, which adopted the same reading of the statute as ICE.

54. Subsequently, courts of this District and around the country have rejected this re-interpretation as contrary to the INA. These courts have concluded that § 1225(b)(2)(A) does not apply to individuals like Petitioner, who entered the United States long ago and were apprehended in the interior of the United States. *See, e.g., Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D.Md. Aug. 24, 2025); *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*, No. CV 25-11613-BEM, --- F. Supp. 3d, 2025 WL 2084238 (D. Mass. July 24, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), report and recommendation adopted, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-ODW (DFM), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051 (ECT/DJF), --- F.Supp. 3d, 2025 WL 2466670 (D. Minn. Aug. 27, 2025); *Lopez-Campos v. Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D.

Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass. Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court tends to agree” that § 1226(a) and not § 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same).

55. Courts have uniformly rejected DHS’s and EOIR’s new interpretation because it defies the INA. As this Honorable Court held in *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D.Md. Aug. 24, 2025), and countless others have explained, § 1226(a), not § 1225(b), applies to people like Petitioner.

56. These decisions rest on consistent reasoning grounded in the statutory text, structure, and the Supreme Court’s description of § 1225(b) as a regime governing “arriving aliens” who are stopped at the border and are seeking admission. The Supreme Court has explained that § 1225(b) is designed to govern processing “at the Nation’s borders and ports of entry.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018). This statutory framework presupposes a contemporaneous inspection at the time the individual seeks admission, which does not apply to individuals residing in the interior who are later apprehended.

57. The statutory structure confirms this interpretation. Section 1225 is titled “Inspection by immigration officers” and repeatedly refers to determinations made by the examining officer at the time an individual seeks admission. *See* 8 U.S.C. § 1225(a)(3), (b)(1)(A), (b)(2)(A). In contrast, § 1226 applies to arrests made “on a warrant issued by the Attorney General” after a person is already present in the United States. Congress thus created two separate detention

schemes—one for individuals at the border undergoing contemporaneous inspection, and one for individuals arrested in the interior. Petitioner plainly falls within the latter scheme without question.

58. Consequently, the new DHS and EOIR interpretation collapses the statutory distinction between border processing and interior arrest, undermines the express structure Congress enacted, and unlawfully eliminates bond hearings for a broad class of individuals, including Petitioner, whom Congress intended to be eligible for individualized custody determinations.

FACTUAL ALLEGATIONS

59. Petitioner entered the United States on or about February 22, 2022 by entering without inspection at or near Roma, Texas. He was apprehended shortly after entry, briefly detained, and then released by DHS. Upon information and belief, he was paroled after his detention pursuant to 8 U.S.C. § 1182(d)(9)(A) so that he could apply for asylum.

60. Petitioner was issued a Notice to Appear on or about February 23, 2022 commanding that Petitioner appear before the Immigration Court. *See* Ex. A, Notice of Appear. An Order of Release on Recognizance was also issued that same day. *See* Ex. A, Order of Release on Recognizance.

61. Pursuant to the Notice to Appear, Respondents commenced removal proceedings against Petitioner in the Immigration Court, entitling Petitioner to present an asylum, withholding or removal, and protection under the Convention Against Torture claim (Form I-589) with due process rights under 8 U.S.C. § 1229a.

62. Petitioner applied for asylum, withholding or removal, and protection under the Convention Against Torture, filing Form I-589 with the Immigration Court on February 21, 2023 (copy received by USCIS on July 10, 2023; USCIS Receipt ).

63. Petitioner has an upcoming Individual Hearing (final hearing) before the Immigration Court in Hyattsville, MD on May 20, 2026. *See* Ex. C, Notice of In-Person Hearing – Individual Hearing before Hyattsville Immigration Court on May 20, 2026.

64. Since being released in February 2022, Petitioner has complied with all conditions of his release including, but not limited to, attending all hearings before the Immigration Court and attending all scheduled ICE check-ins as directed.

65. Petitioner appeared for a scheduled ICE check-in at the ICE office in Baltimore as directed on February 3, 2026 and was abruptly arrested by ICE. In the past, Petitioner has never missed or even been late for a ICE check-in. Furthermore, it must be noted that Petitioner has never been arrested, charged, or convicted of an enumerated offense that would allow for mandatory detention under § 1226(c).

66. Over the last almost four (4) years, Petitioner has always been in full compliance, including, but not limited to, having attended all hearings before the Immigration Court and all scheduled ICE check-ins, and therefore, there was no basis for ICE to arrest and detain him during his routine check-in on February 3, 2026.

67. Petitioner was given no meaningful opportunity to contest his re-detention before he was detained. This is despite being permitted by Respondent to live at liberty in the interior of the United States for almost four (4) years, comply with all of DHS' requirements.

68. During the past four (4) years while living in the United States, Petitioner has developed significant ties to the United States, including, but not limited, to being the sole financial provider for his wife and children, who reside within him in Maryland, while his wife is actively undergoing treatment for breast cancer through her medical providers at Maryland Oncology Hematology.

69. Therefore, for all the reasons stated above, Petitioner has a constitutionally protected liberty interest.

CLAIMS FOR RELIEF

Count I

Violation of Fifth Amendment Right to Due Process

70. Petitioner incorporates the foregoing paragraphs by reference.

71. Petitioner has a protected liberty interest in remaining at liberty after his initial release almost four (4) years ago. DHS / ICE's initial decision to release him reflected a determination that he could safely live in the community while his case proceeded before the Immigration Court. The government's decision to release a noncitizen from custody creates an implicit promise that liberty will not be revoked absent failure to comply with conditions or other good cause, and that revocation will be accompanied by fair procedures.

72. The Fifth Amendment requires that before the government deprives a person of this liberty, it must provide at least basic procedural protections, including notice of the reasons for the deprivation and a meaningful opportunity to be heard. See *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

73. Due process requires that government action be rational and non-arbitrary. See *U.S. v. Trimble*, 487 F.3d 752, 757 (9th Cir. 2007).

74. ICE summarily re-detained Petitioner at his check-in appointment without a meaningful and individualized opportunity to contest his re-detention before or shortly after it occurred.

75. The government's refusal to provide Petitioner with an individualized custody determination, while holding him for a potentially prolonged period, violates substantive and

procedural due process. The blanket denial of a bond hearing based on an erroneous statutory interpretation does not comport with the fundamental requirements of fairness and individualized decision-making that due process demands.

76. The Fourth Circuit has likewise held that due process requires a meaningful opportunity for an individualized determination of whether continued civil immigration detention is justified. Petitioner has been afforded no such process here.

77. By detaining Petitioner without notice or a hearing on whether he is a flight risk or a danger to the community, ICE violated Petitioner's procedural due process rights under the Fifth Amendment.

78. The harm to Petitioner is ongoing and irreparable. He remains detained, separated from his family, his community and counsel, and is unable to effectively pursue his asylum case while in custody despite having his Individual Hearing (final hearing) before the Immigration Court in May 2026.

79. Furthermore, while Petitioner is detained, irreparable harm is also being done to his wife and children. Petitioner is the sole financial provider for his family as his wife has been undergoing treatment for breast cancer since the fall 2025. In addition to being the sole financial provider, since his wife's cancer treatment began several months ago, Petitioner has also had to take on more responsibility in caring for the their two (2) children, Adriana (twenty (20) years old) and  (thirteen (13) years old), and the family's home as his wife is often unable to do so due to the symptoms of her cancer and side effects from her ongoing medical treatment.

Count II

Violation of the INA

80. Petitioner incorporates all preceding paragraphs.

81. The application of 8 U.S.C. § 1225(b)(2)(A) to Petitioner is contrary to the text, structure, and purpose of the INA.

82. Petitioner is not an “arriving alien” encountered at or near the border who is seeking admission at the time of inspection. He is a noncitizen who has resided in the interior of the United States for more than three years.

83. Under longstanding agency practice and consistent judicial interpretation, individuals in these circumstances are detained under § 1226(a). Respondents’ application of § 1225(b)(2)(A) to Petitioner is therefore unlawful, and his continued detention without access to a bond hearing violates the INA.

Count III

Violation of the Bond Regulations

84. Petitioner incorporates all preceding paragraphs.

85. The regulations governing immigration detention, promulgated following the 1996 amendments to the INA, expressly provide for bond eligibility and bond redetermination for individuals who entered without inspection. These regulations were binding when issued and remain binding today. Respondents’ reliance on *Matter of Q. Li* and *Matter of Yajure Hurtado* to override these regulations is unlawful.

86. Respondents’ application of § 1225(b)(2)(A) to Petitioner directly contradicts the regulatory scheme codified at 8 C.F.R. §§ 236.1, 1236.1, and 1003.19, each of which presupposes the availability of custody redetermination for individuals detained under § 1226(a). Respondents’ refusal to afford Petitioner a bond hearing therefore violates the governing regulations.

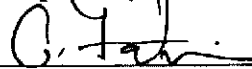
PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

- A. Assume jurisdiction over this matter;
- B. Expedite consideration of this Petition under 28 U.S.C. § 1657 (“the court shall expedite the consideration of any action brought under chapter 153”, which includes Petitions for Habeas Corpus);
- C. Issue a Writ of Habeas Corpus under 28 U.S.C. § 2241 ordering Petitioner’s immediate release from ICE custody under appropriate conditions of supervision, and do so promptly as required by 28 U.S.C. § 2243 (mandating a writ or Order to Show Cause be returned within three (3) days from filing, or twenty (20) days for good cause shown);
- D. Declare that Respondents’ re-detention of Petitioner without prior written notice and a meaningful opportunity to be heard violates the Fifth Amendment’s Due Process Clause;
- E. Enjoin Respondents from transferring Petitioner out of the jurisdiction of this Court during the pendency of these proceedings and/or without this Honorable Court’s approval;
- F. Award Petitioner reasonable attorneys’ fees and costs under the Equal Access to Justice Act and any other applicable authority; and
- G. Grant such other and further relief as the Court deems just and proper.

Dated this 4th day of February, 2026.

Respectfully submitted,

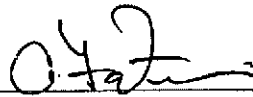


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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I, the undersigned, represent Petitioner, Victor Hugo Castro-Aguilar, and I submit this verification on his behalf as he is detained and unable to sign due to his detention. I hereby verify that the factual statements made in the foregoing "Petition for Writ of Habeas Corpus and Emergency Relief" are true and correct to the best of my knowledge.

Dated this 4th day of February, 2026.



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Fax: 301-519-2802
Email: afatemi@fatemilaw.com

CERTIFICATE OF SERVICE

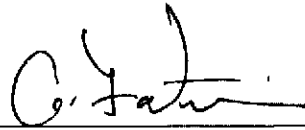
I hereby certify that on February 4, 2026, I caused a true and correct copy of the foregoing "Petition for Writ of Habeas Corpus and Emergency Relief" and all accompanying exhibits to be served by certified mail, return receipt requested, on the following:

U.S. Attorney's Office for the District of Maryland
36 S. Charles Street 4th Fl.
Baltimore, MD 21201

Baltimore Field Office Director for ICE/ERO, NIKITA BAKER
31 Hopkins Plaza, 6th Floor, Baltimore, MD 21201

Service on the United States Attorney constitutes service on all named federal Respondents in this matter, and service has also been made directly on the Baltimore Field Office Director for ICE/ERO as Petitioner's immediate custodian.

Dated this 4th day of February, 2026.

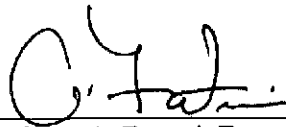


Anthony A. Fatemi, Esq.
Bar No.: 14468
Anthony A. Fatemi, LLC
18310 Montgomery Village Ave., Suite 250
Gaithersburg, MD 20879
Phone: 301-519-2801
Fax: 301-519-2802
Email: afatemi@fatemilaw.com

CERTIFICATION PURSUANT TO LOCAL STANDING ORDER 2025-01

I, the undersigned, hereby certify pursuant to Fed. R. Civ. P. 11, as follows: (1) I understand the Petitioner to be presently detained in Maryland based on the fact that Petitioner was arrested in Baltimore, Maryland yesterday (February 3, 2026) and the fact that after being detained, Petitioner called a family member, and also called undersigned counsel, from the ICE Baltimore Hold Room and clearly stated he was being detained at the ICE Baltimore Hold Room; (2) emergency relief is necessary because Petitioner is at risk of unlawful removal from this District and from the United States; and (3) this Court has subject-matter jurisdiction over the Petitioner pursuant to 28 U.S.C. §2241, and no jurisdiction stripping statute applies to prevent habeas corpus review of detention and unlawful removal.

Dated this 4th day of February, 2026.



Anthony A. Fatemi, Esq.
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EXHIBIT

A

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

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

Subject ID: [REDACTED]

FINS #: [REDACTED]

DOB: [REDACTED]

File No: [REDACTED]

Event No: [REDACTED]

In the Matter of:

VICTOR HUGO CASTRO-AGUILAR

Respondent: [REDACTED]

currently residing at:

(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 PERU and a citizen of PERU ;
3. You arrived in the United States at or near Roma, TX , on or about February 22, 2022 ;
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:

31 Hopkins Plaza, Room 440 Baltimore MD US 21201

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

on May 31, 2023 at 08:00 AM to show why you should not be removed from the United States based on the

charge(s) set forth above.

RICHARD FUNKE

RICHARD P FUNKE
 Date: 2023.02.23 10:26:49 -06:00
 Acting/Principal Charge
 077221082 CBP

(Signature and Title of Issuing Officer) (Sign in Ink)

Date: February 23, 2022

DONNA, TEXAS

(City and State)

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 205(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) (Sign in ink)

Border Patrol Agent

Date: 02/23/2022

(Signature and Title of Immigration Officer) (Sign in ink)

Certificate of Service

This Notice To Appear was served on the respondent by me on February 23, 2022, 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 SPANISH 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.

Refused to Sign

(Signature of Respondent if Personally Served) (Sign in ink)

KEVIN HARRISON, Border Patrol Agent

(Signature and Title of officer) (Sign in ink)

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 280 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.

EXHIBIT

B

U.S. Department of Homeland Security

Order of Release on Recognizance

File No:
 Date: February 23, 2022
 Event No:

Name: VICTOR HUGO CASTRO-AGUILAR

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:

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

☒ You must surrender for removal from the United States if so ordered.

☐ You must report in (writing) (person) to _____

(Name and Title of Case Officer)

at _____

on _____

at _____

(Location of DHS Office)

(Day of each week or month)

(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.

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

☒ You must not violate any local, State, or Federal laws or ordinances.

☒ You must assist the Department of Homeland Security in obtaining any necessary travel documents.

☐ Other: _____

☐ 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.

RICHARD P FUNKE
 Date: 2022.02.23 10:27:05 -06:00
 0772230382.CBP

(Signature of DHS Official)

RICHARD FUNKE
 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 SPANISH 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.

KEVIN HARRISON

(Signature of Immigration Officer Serving Order)

Refused to Sign

(Signature of Alien)

02/23/2022

(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)

File No.:

Date: Feb 23, 2022

☒ You must report in (writing) (person) to Duty officer at Baltimore Field Office on March 10, 2022, 10:00 AM
as directed.

☒ Other: Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.

If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.

☐ 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 Immigration and Customs Enforcement.

R. Ulrey, Supervisory Detention and Deportation Officer

(Name and Title of ICE Official)

Alien's Acknowledgement of Conditions of Release under an Order of Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the SPANISH language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

(Signature of ICE Official Serving Order)

Feb 23, 2022

Date _____

(Signature of Alien)

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 ICE Official Cancelling Order)

Date

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

**ORDER OF RELEASE ON RECOGNIZANCE
(ADDENDUM)**

File No.:



Date: Feb 23, 2022

Name: CASTRO-AGUILAR, VICTOR

- ☒ That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- ☐ That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- ☐ That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- ☐ That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- ☒ That you do not commit any crimes while on this Order of Release on Recognizance.
- ☒ That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- ☐ That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- ☒ That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- ☒ That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- ☒ Any violation of the above conditions will result in revocation of your employment authorization document.
- ☒ Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- ☐ Other:

X

(Signature of Alien)

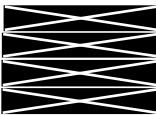
EXHIBIT

C

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

LEAD FILE: 
IN REMOVAL PROCEEDINGS
DATE: Mar 10, 2025

TO: Anthony A. Fatemi, LLC
Fatemi, Anthony A.
18310 Montgomery Village Avenue
Suite 250
Gaithersburg, MD 20879

RE:  CASTRO-AGUILAR, VICTOR
 PICHA-VERA, BETTY
 CASTRO-PICHA, 
 CASTRO-PICHA, 

Notice of In-Person Hearing

Your case has been scheduled for a INDIVIDUAL hearing before the immigration court on:

Date: May 20, 2026
Time: 1:30 P.M. ET
Court Address: 3311 TOLEDO ROAD, SUITE 105
6TH FLOOR, COURTROOM #1, HYATTSVILLE, MD 20782

Representation: You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

Failure to Appear: If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

Change of Address: The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33

either online at <https://respondentaccess.eoir.justice.gov/en/> or by completing the enclosed paper form and mailing it to the immigration court listed above.

Internet-Based Hearings: If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at <https://www.justice.gov/eoir/eoir-immigration-court-listing>.

In-Person Hearings: If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call 1-800-898-7180 (toll-free) or 304-625-2050.

The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL [M] PERSONAL SERVICE [P] ELECTRONIC SERVICE [E]
TO: [] Noncitizen | [] Noncitizen c/o Custodial Officer |
[E] Noncitizen ATT/REP | [E] DHS
DATE: 03/10/2025 BY: COURT STAFF APOLITO
Attachments: [] EOIR-33 [] Appeal Packet [] Legal Services List [] Other NH

Use a smartphone's camera to scan the code on this page to read the notice online.

Usa la cámara de un teléfono inteligente para escanear el código de esta página y leer el aviso en línea.

Use a câmara do smartphone para digitalizar o código nesta página e ler o manual de instruções online.

使用智能手机摄像头扫描本页面的代码，即可在线阅读该通知。

ਨੋਟਿਸ ਨੂੰ ਆਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੇਜ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে নোটিশ পড়ার জন্য এই পৃষ্ঠার কোডটি স্ক্যান করতে স্মার্টফোনের ক্যামেরা ব্যবহার করুন

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijan pou eskane kòd ki nan paj sa a pou li avi a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

Чтобы прочитать уведомление онлайн, отсканируйте код на этой странице с помощью камеры вашего смартфона.

Utilisez l'appareil photo d'un téléphone intelligent pour scanner le code sur cette page afin de lire l'avis en ligne.

