

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**MICHEL MARTINEZ-HURTADO**

Petitioner

v.

**KRISTI NOEM**, Secretary of the U.S. Department of Homeland Security; **PAMELA BONDI**, Attorney General of the United States; **MARY DE ANDA-YBARRA**, Field Office Director of the El Paso Field Office of U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations; and **DORA CASTRO**, Warden of the Otero County Processing Center, in their official capacities

Respondents.

Case No. 2:26-cv-00297

**PETITION FOR WRIT OF  
HABEAS CORPUS**

**INTRODUCTION**

1. This is a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the legality of Petitioner’s continued civil immigration detention without a meaningful opportunity to seek release.
2. Petitioner is a noncitizen who has been detained by Immigration and Customs Enforcement (“ICE”) pursuant to the government’s interpretation of INA § 235(b)(2)(A), 8 U.S.C. § 1225(b)(2)(A), which the government claims mandates detention and strips Immigration Judges of jurisdiction to conduct bond hearings.

3. That interpretation is contrary to the Immigration and Nationality Act, inconsistent with longstanding practice, and unconstitutional as applied to noncitizens apprehended in the interior of the United States after long-term residence.

4. Petitioner has been detained for **sixty-two days** despite posing no danger to the community and no risk of flight.

5. Petitioner’s continued detention serves no legitimate governmental purpose and inflicts severe and ongoing harm on Petitioner and Petitioner’s family.

6. Petitioner seeks immediate release from custody, or in the alternative, an order requiring the government to provide a prompt, individualized bond hearing at which the government bears the burden of justifying continued detention by clear and convincing evidence

### **JURISDICTION AND VENUE**

7. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is “in custody” within the meaning of the habeas statute and challenges the legality of that custody. *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

8. This Court also has jurisdiction under 28 U.S.C. §§ 1331 and 2243. Venue is proper in this District because Petitioner is detained within the District of New Mexico, and Petitioner’s immediate custodian is located within this District. *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004).

### **PARTIES**

9. **Michel Martinez-Hurtado**, named Petitioner, is a 26-year-old citizen of Colombia who has lived in the United States since 2023. She is currently detained at the Otero County Processing Center in Chaparral, New Mexico.

10. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the INA and oversees ICE, which is responsible for Petitioner’s detention. Secretary Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

11. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, including EOIR and the immigration court system. She is sued in her official capacity.

12. Respondent Mary De Anda-Ybarra is named in her official capacity as the Field Office Director for the ICE El Paso Field Office. As Field Office Director, Respondent De Anda-Ybarra oversees ICE’s enforcement and removal operations in West Texas and New Mexico. As such, she is a legal custodian of Petitioner.

13. Respondent Dora Castro is named in her official capacity as Warden of the Otero County Processing Center, where Petitioner is currently being detained.

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

14. Petitioner is not required to exhaust administrative remedies because exhaustion is not jurisdictional in habeas proceedings and would be futile under the circumstances of this case.

15. Administrative exhaustion may be excused where “the agency’s position appears already set and recourse to administrative remedies is very likely futile.” *Vasquez-Rodriguez v. Garland*, 7 F.4th 888, 896 (9th Cir. 2021).

16. Here, the Board of Immigration Appeals has adopted a binding interpretation holding that noncitizens charged with entry without inspection are subject to mandatory detention under INA

§ 235(b)(2)(A) and that Immigration Judges lack authority to conduct bond hearings. *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025).

17. Because Immigration Judges are bound by that precedent, any attempt to seek administrative relief would be foreclosed as a matter of law. Exhaustion is therefore futile and excused.

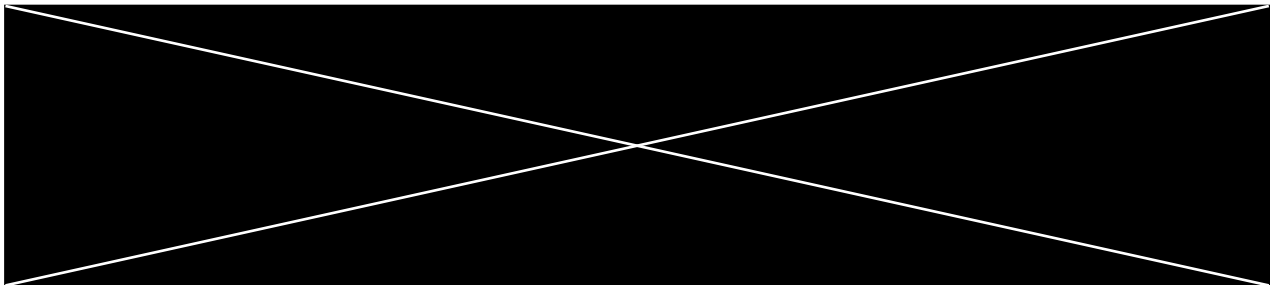
**STATEMENT OF FACTS**

18. Michel Martinez-Hurtado (“Petitioner”) is a native and citizen of Colombia who entered the United States in November 2022. She resided in the interior of the country, where she worked, paid taxes, and was a dedicated mother to her 19-month-old U.S. citizen daughter (Exhibit 1: Birth Certificate).

19. Petitioner was apprehended by immigration authorities on December 4, 2025, during a routine appointment with immigration. She was not apprehended at the border or in connection with any attempt to enter the United States.

20. Petitioner left Colombia because she was subjected to 





21. Prior to her detention, Petitioner was a primary caregiver whose absence has caused significant emotional and economic distress to her partner and young child.

22. Petitioner has no criminal history and has demonstrated respect for legal processes.

### **STATUTORY FRAMEWORK**

23. The Immigration and Nationality Act (“INA”) establishes multiple detention regimes, each governing a distinct category of noncitizens. Determining the legality of Petitioner’s detention requires identifying which statutory provision applies.

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

25. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an Immigration Judge. Individuals detained under § 1226(a) are generally entitled to a bond hearing at the outset of their detention. See 8 C.F.R. §§ 1003.19(a), 1236.1(d). Certain noncitizens who have been arrested, charged with, or convicted of specific crimes are subject to mandatory detention under § 1226(c).

26. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for certain other recent arrivals seeking admission under § 1225(b)(2).

27. Third, the INA provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings, under 8 U.S.C. § 1231(a)–(b).

28. This case concerns the detention provisions of §§ 1226(a) and 1225(b)(2).

29. 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).

30. Following enactment of IIRIRA, EOIR issued regulations explaining that, in general, noncitizens who entered the United States without inspection were not considered detained under § 1225 and 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).

31. Thus, for decades thereafter, most noncitizens who entered without inspection and were placed in standard removal proceedings received bond hearings unless their criminal history rendered them ineligible under § 1226(c). This practice was consistent with longstanding agency interpretation and congressional intent. See 8 U.S.C. § 1252(a) (1994); H.R. Rep. No. 104-469, pt. 1, at 229 (1996).

32. On July 8, 2025, ICE, “in coordination with” the Department of Justice, announced a new policy rejecting this long-standing statutory interpretation and reversing decades of practice.

33. The new policy, entitled “Interim Guidance Regarding Detention Authority for Applicants for Admission,” asserts that all individuals who entered the United States without inspection are subject to mandatory detention under § 1225(b)(2)(A), regardless of when they were apprehended or how long they have resided in the United States.

34. On September 5, 2025, the BIA adopted this same position in *Hurtado* holding that noncitizens who entered without admission or parole are subject to detention under § 1225(b)(2)(A) and are categorically ineligible for Immigration Judge bond hearings.

35. Since Respondents adopted these new policies, numerous federal courts have rejected this interpretation of the INA’s detention provisions and have rejected *Hurtado* as contrary to law. See *infra*.

36. Subsequently, courts across the country have consistently rejected ICE’s and EOIR’s new interpretation.<sup>1</sup>

37. Courts have uniformly held that the plain text of the INA demonstrates that § 1226(a), not § 1225(b), governs detention for individuals like Petitioner.

38. Section 1226(a) applies by default to persons “pending a decision on whether the [noncitizen] is to be removed from the United States,” and removal hearings are conducted under § 1229a.

39. The text of § 1226 expressly applies to individuals charged as inadmissible, including those who entered without inspection. See 8 U.S.C. § 1226(c)(1)(E).

40. By contrast, § 1225(b) applies to individuals arriving at ports of entry or apprehended shortly after entry. The Supreme Court has confirmed that this scheme applies “at the Nation’s borders and ports of entry.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

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<sup>1</sup> See, e.g., *See, e.g., Velasquez Salazar v. Dedos*, No. 1:25-cv-00835-DHU-JMR, 2025 U.S. Dist. LEXIS 183335 (D.N.M. Sept. 17, 2025); *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 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); *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); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 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); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224, at \*2 (D. Neb. Aug. 14, 2025)

41. Accordingly, § 1225(b)(2)(A) does not apply to individuals like Petitioner, who had already entered the United States and were residing here at the time of apprehension.

**A. INA § 236(a) Is the Default Detention Authority for Noncitizens in Removal Proceedings**

42. INA § 236(a), 8 U.S.C. § 1226(a), authorizes the detention of noncitizens “pending a decision on whether the alien is to be removed from the United States.” Individuals detained under § 1226(a) are eligible for release on bond or conditional parole following an individualized custody determination.

43. Removal proceedings under INA § 240, 8 U.S.C. § 1229a, are governed by § 1226(a) unless the noncitizen falls within a narrowly defined mandatory detention category. The statute expressly contemplates individualized custody determinations and discretionary release.

**B. INA § 235(b) Applies Only to Applicants for Admission at or Near the Border**

44. By contrast, INA § 235(b), 8 U.S.C. § 1225(b), governs “applicants for admission.” This provision applies primarily to noncitizens who are arriving at ports of entry or who are apprehended shortly after crossing the border and before effecting an entry into the interior of the United States.

45. The Supreme Court has repeatedly described § 1225(b) as applying “at the Nation’s borders and ports of entry.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018). The statute contemplates a preliminary inspection conducted by an immigration officer in close temporal and geographic proximity to entry.

**C. Interior Residents Are Not “Applicants Seeking Admission” Under § 1225(b)(2)(A)**

46. Noncitizens who entered the United States without inspection but were not apprehended at or near the border and who have resided in the interior of the country for extended periods are not “seeking admission” within the meaning of § 1225(b)(2)(A).

47. Although such individuals may be charged as inadmissible under INA § 212(a)(6)(A)(i), that charging ground does not automatically convert them into applicants for admission subject to § 1225(b). Rather, Congress intended § 1226(a) to govern detention for individuals placed in full removal proceedings after entry.

48. Federal courts have rejected the government’s attempt to extend § 1225(b)(2)(A) to noncitizens apprehended long after entry and far from the border, concluding that such an interpretation conflicts with the statutory structure and longstanding agency practice.

**D. Application of § 1225(b)(2)(A) to Interior Apprehensions Is Contrary to the INA**

49. Applying § 1225(b)(2)(A) to interior residents would collapse the distinction Congress drew between arriving noncitizens and those already present in the United States. It would also render § 1226(a) largely superfluous for noncitizens charged as inadmissible, a result Congress could not have intended.

50. As numerous courts have recognized, § 1226(a) governs detention for individuals like Petitioner who were apprehended after residing in the interior of the United States and placed in standard removal proceedings.<sup>2</sup>

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<sup>2</sup> See, e.g., *Velasquez Salazar v. Dedos*, No. 1:25-cv-00835-DHU-JMR, 2025 U.S. Dist. LEXIS 183335 (D.N.M. Sept. 17, 2025); *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 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-

**APPLICATION OF STATUTORY FRAMEWORK TO PETITIONER**

51. Petitioner’s detention is governed by **INA § 236(a)**, not **INA § 235(b)(2)(A)**, because Petitioner is an interior resident who was apprehended well after entry and placed in full removal proceedings.

52. Petitioner entered the United States in **November 2023** and has resided continuously in the United States since that time. Petitioner was not apprehended at a port of entry, was not subject to inspection upon arrival, and was not encountered at or near the border. Instead, Petitioner was arrested by immigration authorities in the interior of the United States on December 4, 2025, during a routine appointment, over two years after her initial entry.

53. These facts place Petitioner squarely outside the scope of **INA § 235(b)**, which governs arriving noncitizens and those apprehended shortly after entry. Section 235(b) contemplates a preliminary inspection process conducted in close temporal and geographic proximity to entry, not detention after entry following residence and community integration.

54. Although DHS has charged Petitioner as inadmissible under **INA § 212(a)(6)(A)(i)**, that charge alone does not mandate detention under **§ 235(b)(2)(A)**. Congress expressly contemplated that individuals charged as inadmissible could nevertheless be detained under **§ 1226(a)**, which applies by default to noncitizens “pending a decision on whether the alien is to be removed” .

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cv-03142-SRN-SGE, 2025 WL 2374411 (D. Minn. 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); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 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); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224, at \*2 (D. Neb. Aug. 14, 2025)

55. The government's reliance on *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), is misplaced. *Hurtado* does not compel mandatory detention here because Petitioner's circumstances differ materially. Unlike the respondent in *Hurtado*, Petitioner was apprehended in the interior of the United States after over two years living in this country and after building a life here, which includes the birth of her 19-month-old U.S. citizen daughter. Not in connection with an arrival or recent entry.

56. Federal courts have rejected the government's attempt to apply § 235(b)(2)(A) to long-term interior residents, holding that such individuals are detained pursuant to § 1226(a) and are entitled to individualized custody determinations. Extending § 235(b)(2)(A) to Petitioner would contravene the statutory scheme and raise serious constitutional concerns.

57. Accordingly, Petitioner is detained under INA § 236(a) and is entitled to seek release on bond or conditional parole following an individualized custody determination.

**ENTRY OF FINAL JUDGMENT IN**  
**MALDONADO BAUTISTA V. SANTA CRUZ (C.D. CAL)**

58. On December 18, 2025, the U.S. District Court for the Central District of California entered Final Judgment in the nationwide class action *Maldonado Bautista v. Santacruz*.

59. The Court in *Maldonado* rejected the Government's argument that the class certification was merely interlocutory. It entered Final Judgment on Counts I-III, certifying the class and declaring the policy unlawful and explicitly held that "the core holding of *Yajure-Hurtado* cannot be squared with the [Court's] Order... *Yajure-Hurtado* is no longer controlling; the legal conclusion underlying the decision is no longer tenable." (Exhibit N.)

60. Although Petitioner recognizes that this Court is not the issuing court in *Maldonado Bautista*, Petitioner is a member of the certified nationwide class and the named defendants in that

action include federal officials responsible for immigration detention nationwide. As a class member, Petitioner is entitled to the benefit of the declaratory relief granted in that action, and Respondent respectfully requests that this Court give effect to that Final Judgment in assessing the legality of Petitioner's detention.

61. Petitioner requests that this Court take judicial notice of this Final Judgment and grant the Writ of Habeas Corpus to enforce these established rights.

**CLAIMS FOR RELIEF**

**COUNT ONE**

***Violation of the Immigration and Nationality Act***

62. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

63. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

64. The application of § 1225(b)(2) to Petitioner unlawfully mandates her continued detention and violates the INA.

**COUNT TWO**

***Violation of Fifth Amendment Right to Due Process***

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

66. The Fifth Amendment to the United States Constitution prohibits the government from depriving any person of liberty without due process of law. Freedom from physical detention lies at the core of the liberty protected by the Due Process Clause. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

67. Petitioner has a fundamental liberty interest in being free from civil detention absent an individualized determination that such detention is necessary to serve a legitimate governmental purpose.

68. First, immigration detention must always “bear[] a reasonable relation to the purpose for which the individual was committed.” *Demore*, 538 U.S. at 527. (citing *Zadvydas*, 533 U.S. at 690). The Supreme Court has stated that the purpose of civil detention in this context is to “ensur[e] the appearance of aliens at future proceedings,” *Zadvydas*, 533 U.S. at 690, and to prevent flight, thereby “increasing the chances that, if ordered removed, the [noncitizens] will be successfully removed.” *Demore*, 538 U.S. at 528. Respondents have detained Petitioner for over 60 days but the binding precedent of *Hurtado* does not afford her any meaningful bond hearing or individualized assessment of flight risk, danger, or humanitarian factors.

69. The categorical denial of bond jurisdiction under *Hurtado*, as applied to Petitioner, has resulted in prolonged civil detention without any merits-based custody determination.

70. The government’s detention of Petitioner without a bond redetermination hearing to determine whether she is a flight risk or danger to others violates her right to due process.

**PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that this Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Order that Petitioner shall not be transferred outside the District of New Mexico while this habeas petition is pending;

- c. Issue an Order to Show Cause directing Respondents to show cause why the Petition should not be granted within three days;
- d. Issue a Writ of Habeas Corpus requiring Respondents to immediately release Petitioner from custody, or, in the alternative, to provide Petitioner with a constitutionally adequate bond hearing pursuant to 8 U.S.C. § 1226(a) within two days;
- e. Order that at such a bond hearing, the Respondents shall bear the burden of justifying Petitioner's continued detention by clear and convincing evidence that she is a flight risk or a danger to the community;
- f. Declare that Petitioner's continued detention is unlawful;
- g. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

s/Melissa M. Henry

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Dated: 2/4/2026

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

I represent Petitioner, **MICHEL MARTINEZ-HURTADO**, and submit this verification on her behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 4<sup>h</sup> day of February, 2026

s/Melissa M. Henry  
Melissa M. Henry