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

ADELSO FIGUEROA LOPEZ	:	
Petitioner,	:	
v.	:	Civil Action No. 2:26-cv-771
BRIAN MCSHANE, ET AL.,	:	
Respondents.	:	

RESPONSE IN OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS

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Dated: February 23, 2026

I. INTRODUCTION

Petitioner seeks a writ of habeas corpus, challenging the authority of the Secretary of the U.S. Department of Homeland Security (DHS) to detain him under the Immigration and Nationality Act (INA). **This petition is distinguishable from the numerous petitions recently considered by this Court in the wake of the Board of Immigration Appeals' (BIA) decision in *Matter of Hurtado*, 29 I&N Dec. 216 (BIA 2025), which is not implicated here**.[1] *See e.g., Cantu-Cortes v. O'Neill, et al.*, No. 25-cv-6338, 2025 WL 3171639, at *1-2 (E.D. Pa. Nov. 13, 2025) (Kenney, J.); *Anirudh v. McShane, et al.*, No. 25-cv-6458 (E.D. Pa. Dec. 8, 2025) (Bartle, J.); *Juarez Velazquez v. O'Neill, et al.*, No. 25-cv-6191 (E.D. Pa. Dec. 3, 2025) (Henry, J.). The cases cited above involved **aliens detained under 8 U.S.C. § 1225(b)(2)(A)** because they are removable and present in the United States without inspection and admission or parole.

Petitioner in this case is subject to mandatory detention under the Laken Riley Act, 8 U.S.C. § 1226(c)(1)(E), given his arrest on December 11, 2025, by the Philadelphia Police Department for Aggravated Assault, Simple Assault and related offenses. As discussed below, because Petitioner's detention comports with the INA and the Fifth Amendment to the U.S. Constitution, the Court should deny the petition for writ of habeas corpus.

[1] Similarly, the claims here would not implicate the recent class-certification and partial-summary-judgment rulings issued by the U.S. District Court for the Central District of California. *See Bautista v. Santacruz*, 2025 WL 3289861, *4 (C.D. Cal. Nov. 20, 2025) (addressing arguments that 8 U.S.C. § 1226, not § 1225, should apply to detention claims).

II. FACTUAL AND PROCEDURAL HISTORY

Petitioner, a native and citizen of Venezuela, entered the United States without inspection on or about April 27, 2023. *See* Exh. A – Form I-862, Notice to Appear (dated Feb. 4, 2026). Customs and Border Protection thereafter served Petitioner with a Notice to Appear (NTA) and released him into the United States pending completion of his removal proceedings under 8 U.S.C. § 1229a. *See* Exh. B – Form I-213, Record of Deportable/Inadmissible Alien (dated Apr. 30, 2023). However, that NTA was never filed with an immigration court, meaning Petitioner's removal proceedings under 8 U.S.C. § 1229a never commenced. ECF 1 ¶ 41; *see also* Exh. C – Form I-213, Record of Deportable/Inadmissible Alien (dated Feb. 4, 2026) (confirming that the initial NTA went into "failure to prosecute status").

On December 11, 2025, Petitioner was arrested by the Philadelphia Police Department and charged for the following offenses: (i) Aggravated Assault in violation of 18 Pa C.S.A. § 2702(a)(1); (ii) Carrying a Firearm without a License in violation of 18 Pa. C.S.A. § 6106(a)(1); (iii) Possessing an Instrument of Crime in violation of 18 Pa C.S.A. § 907(a); (iv) Simple Assault in violation of 18 Pa C.S.A. § 2701(a); and (v) Terroristic Threats in violation of 18 Pa C.S.A. § 2706(a)(1). *See* Exh. D – Criminal Complaint (dated Dec. 10, 2025); Exh. E – Municipal Court of Philadelphia County Criminal Docket Sheet. The charges stemmed from an altercation on October 1, 2025, where Petitioner pointed a gun at the victim's face and threatened to kill him. *See* Exh. D. The Aggravated Assault charge was

dismissed on January 29, 2026; the other criminal charges remain pending. *See* Exh. E.

On February 4, 2026, ICE arrested and detained Petitioner pending initiation and completion of his removal proceedings under 8 U.S.C. § 1229a. ECF 1 ¶ 43; *see also* Exh. C – Form I-213.[2] Prior to Petitioner's arrest, officers attempted to conduct a vehicle stop utilizing emergency lights and sirens, which Petitioner disregarded and continued driving. *See* Exh. C. After driving around the block, Petitioner exited the vehicle—while it was still running and in drive—and fled into his residence before eventually exiting the residence on his own accord. *Id.*

Following his arrest, ICE concurrently served Petitioner with a NTA, charging him as removable under 8 U.S.C. § 1182(a)(6)(A)(i) and § 1182(a)(7)(A)(i)(I) given his prior unlawful entry into the United States. ECF 1 ¶ 44; *see also* Exh. A. That NTA was filed with the immigration court on February 4, 2026, thereby commencing his removal proceedings under 8 U.S.C. § 1229a. Exh. A.

III. LEGAL STANDARD

A writ of habeas corpus is an "extraordinary remedy." *Shinn v. Ramirez*, 596 U.S. 366, 377 (2022). The petitioner bears the burden of showing his confinement is

[2] The Form I-213, Record of Deportable/Inadmissible Alien is a presumptively reliable government document that memorializes, among other information, the facts and circumstances surrounding an alien's encounter with DHS or other law enforcement agencies. *See e.g., Matter of Barcenas*, 19 I&N Dec. 609. 611 (BIA 1988) (finding that a Form I-213 is an inherently trustworthy document and admissible as evidence to prove alienage and deportability in removal proceedings); *Matter of J-C-H-F-*, 27 I&N Dec. 211, 212 (BIA 2018) ("Generally, there is a presumption of reliability of Government documents.").

unlawful. *Hawk v. Olson*, 326 U.S. 271, 279 (1945); *accord Cullen v. Pinholster*, 563 U.S. 170, 181 (2011) (habeas petitioner "carries the burden of proof"); *see also* 28 U.S.C. § 2241.

Judicial review of immigration matters, including of detention issues, is limited. *INS v. Aguirre-Aguirre*, 526 U.S. 415, 425 (1999); *Reno v. Am.-Arab Anti-Discrimination Comm.* (*AADC*), 525 U.S. 471, 489–92 (1999); *Miller v. Albright*, 523 U.S. 420, 434 n.11 (1998); *Fiallo v. Bell*, 430 U.S. 787, 792 (1977); *Reno v. Flores*, 507 U.S. 292, 305 (1993); *Hampton v. Mow Sun Wong*, 426 U.S. 88, 101 n.21 (1976) ("[T]he power over aliens is of a political character and therefore subject only to narrow judicial review."). The Supreme Court has "underscore[d] the limited scope of inquiry into immigration legislation," and "has repeatedly emphasized that over no conceivable subject is the legislative power of Congress more complete than it is over the admission of aliens." *Fiallo*, 430 U.S. at 792 (internal quotation omitted); *Mathews v. Diaz*, 426 U.S. 67, 79–82 (1976); *Galvan v. Press*, 347 U.S. 522, 531 (1954).

The plenary power of Congress and the Executive Branch over immigration necessarily encompasses immigration detention, because the authority to detain is elemental to the authority to deport and because public safety is at stake. *See Shaughnessy v. United States*, 345 U.S. 206, 210 (1953) ("Courts have long recognized the power to expel or exclude aliens as a fundamental sovereign attribute exercised by the Government's political departments largely immune from judicial control."); *Carlson v. Landon*, 342 U.S. 524, 538 (1952) ("Detention is

necessarily a part of this deportation procedure."); *Demore v. Kim*, 538 U.S. 510, 531 (2003) ("Detention during removal proceedings is a constitutionally permissible part of that process."); *Jennings v. Rodriguez*, 583 U.S. 281, 286 (2018) ("Congress has authorized immigration officials to detain some classes of aliens during the course of certain immigration proceedings. Detention during those proceedings gives immigration officials time to determine an alien's status without running the risk of the alien's either absconding or engaging in criminal activity before a final decision can be made.").

Petitioner must make a strong showing to demonstrate that his continued detention violates the Constitution or laws of the United States. *See United States v. Five Gambling Devices*, 346 U.S. 441, 449 (1953) ("This Court does and should accord a strong presumption of constitutionality to Acts of Congress. This is not a mere polite gesture. It is a deference due to deliberate judgment by constitutional majorities of the two Houses of Congress that an Act is within their delegated power or is necessary and proper to execution of that power").

IV. ARGUMENT

The Court should deny the petition because: (1) Petitioner's detention is lawful under 8 U.S.C. § 1226(c)(1)(E); (2) Petitioner's detention is separately lawful under 8 U.S.C. § 1225(b)(2)(A); and (iii) Petitioner's detention under either statutory provision comports with constitutional due process.

A. Petitioner's detention is lawful under 8 U.S.C. § 1226(c)(1)(E).

Petitioner's argument that his detention violates the INA and accompanying regulations is without merit because ICE's current detention of Petitioner is authorized and, indeed, mandated by statute. An alien loses his eligibility for release on bond if he committed one of the statutorily enumerated criminal offenses set forth in 8 U.S.C. § 1226(c). *See* 8 U.S.C. § 1226(c)(1)(A)-(E) (explaining that the Attorney General "*shall* take into custody any alien" who falls into one of the enumerated categories) (emphasis added). The Attorney General "may release" these categories of aliens in only one narrow instance: if the Attorney General decides that doing so is necessary for witness-protection purposes and that the alien will not pose a danger or flight risk. *Id.* § 1226(c)(4). Absent this narrow exception, aliens detained under § 1226(c) are ineligible for release on bond or, alternatively, parole under 8 U.S.C. § 1182(d)(5)(A). *Id.*

On January 29, 2025, the President signed into law the Laken Riley Act. *See* Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025). Among other things, the Act amended 8 U.S.C. § 1226(c) to provide that the Attorney General:

> **[S]hall** take into custody any alien who . . . (i) is inadmissible under paragraph 6(A), 6(C), or (7) of section 1182(a) of this title; and (ii) **is charged with, is arrested for,** is convicted of, admits having committed, or admits committing acts which constitute the essential elements of any burglary, theft, larceny, shoplifting, or assault of a law enforcement officer offense, or **any crime that results in death or serious bodily injury to another person**.

8 U.S.C. § 1226(c)(1)(E)(ii) (emphasis added). Under the plain text of the statute, an arrest or charge for a qualifying crime, even if that charge did not

result in a conviction, is sufficient to trigger mandatory detention during the pendency of removal proceedings. *Id.* (listing the qualifying conduct disjunctively with separation by the word "or"). For purposes of detention under § 1226(c)(1)(E)(ii), "the terms 'burglary,' 'theft,' 'larceny,' 'shoplifting,' 'assault of a law enforcement officer,' and 'serious bodily injury' have the meanings given to such terms in the jurisdiction in which the acts occurred." *Id.* § 1226(c)(2).

Petitioner falls squarely within the mandatory detention provision of § 1226(c)(1)(E)(ii). Petitioner is charged as inadmissible under 8 U.S.C. §§ 1182(a)(6)(A)(i) and 1182(a)(7)(A)(i)(I) following his unlawful entry into the United States in April 2023. *See* ECF 1 ¶ 44; *see also* Exh. A. Furthermore, he was arrested for and later charged with Aggravated Assault—a crime which by its elements involves serious bodily injury. Aggravated Assault under § 2702(a)(1) is graded as a first degree felony and provides that a person is guilty if he "attempts to cause serious bodily injury to another, or causes such injury intentionally, knowingly, or recklessly under circumstances manifesting extreme indifference to the value of human life." 18 Pa. C.S.A § 2702(a)(1),(b). Pennsylvania in turn defines "serious bodily injury" as "bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ." *See id.* § 2301. Accordingly, by the plain language of the statue under which Petitioner was arrested and charged, his offense

necessarily involved serious bodily injury, thus triggering mandatory detention under § 1226(c)(1)(E)(ii).

Petitioner may argue that his arrest and charge for Aggravated Assault did not involve serious bodily injury because the statute under which he was charged also encompasses an *attempt* to cause serious bodily injury. The government concedes that § 1226(c)(1)(E)(ii) does not specifically include attempt or conspiracy offenses. *Compare* 8 U.S.C. § 1226(c)(1)(E)(ii) *with* 8 U.S.C. § 1101(a)(43)(U) (including such offenses) *and* 8 U.S.C. § 1182(a)(2)(A)(i)(II) (same). Under general principles of statutory construction, [w]here Congress includes particular language in one section of a statute but omits it in another section of the same Act, it is generally presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion." *Rusello v. United States*, 464 U.S. 16, 23 (1983). However, as the BIA has made clear, that presumption may be overcome if certain factors are met. *See Matter of D. Rodriguez*, 28 I&N Dec. 815, 817 (BIA 2024).

Here, each of the four factors identified in *D. Rodriguez* for overcoming that presumption is present here: separate acts of Congress created the disparity; the disparate provisions are not adjacent to each other; the disparate provisions address distinct subject matters; and the provisions mentioning attempts and conspiracies are formulated differently. *See id.* at 817–19. Therefore, the fact that § 1226(c)(1)(E)(ii) fails to specifically reference attempt or conspiracy offenses is not dispositive on the issue of whether they are in fact included. *See also Cruz v. Garland,* 101 F.4th 361, 365–368 (4th Cir. 2025) (holding that the definition of a

"crime of child abuse" under 8 U.S.C. § 1227(a)(2)(E)(i) "logically extends" to attempt offense, despite the language of the statute not expressly including attempt offenses); *Sandoval Argueta v. Bondi*, 137 F.4th 265, 273–275 (5th Cir. 2025) (same).

Here, Congress amended § 1226(c) through the Laken Riley Act to specifically include a broader range of criminal dispositions, including those not resulting in convictions, related to a broader range of criminal activity, including "any crime" involving death or serious bodily injury to another person. Given this broad sweep, it logically follows that the term "serious bodily injury" should also include the *attempt* to inflict that same injury. To be sure, an attempt offense necessarily involves the "intent to commit a specific crime" and, in turn, "any act which constitutes a substantial step toward the commission of that crime." *See* Pa C.S.A. § 901(a).

In the context of Petitioner's arrest and charge for Aggravated Assault, this means that Petitioner, at a minimum, *intended* to cause serious bodily injury and took steps toward inflicting that serious bodily injury. This is evidenced by the particular facts of Petitioner's offense, which involved pointing a gun at the victim's face and threatening to kill him. *See* Exh. D. Thus, Petitioner's criminal conduct, which culminated in an arrest and criminal charges, and all of which occurred subsequent to the passage of the Laken Riley Act, subjects him to mandatory detention under § 1226(c)(1)(E)(ii).

B. Petitioner's detention is lawful under 8 U.S.C. § 1225(b)(2)(A).

Even if Petitioner's detention was not lawful under § 1226(c)(1)(E)(ii), it is separately lawful under § 1225(b)(2)(A). While § 1225 and § 1226 are distinct detention provisions of the INA, the Fifth Circuit Court of Appeals recently acknowledged that there may be "overlap" between these two provisions. *See Buenrostro-Mendez v. Bondi*, --- F.4th ---, 2026 WL 323330, at *7 (5th Cir. Feb. 6, 2026) ("Not only does § 1226(c) sweep in deportable aliens in addition to the inadmissible aliens covered by § 1225(b)(2)(A), it also eliminates the option of parole for those to whom it applies."). This "overlap" makes it so that there may be scenarios, like here, where an alien is subject to mandatory detention under § 1226(c) due to his criminal history, as well as mandatory detention under § 1225(b)(2)(A) as an applicant for admission. *Id.* ("It is true that § 1226 applies to aliens in the United States. That it does so, however, does not preclude § 1225 from also applying to such aliens." Therefore, detention is also proper under § 1225(b)(2).

1. Petitioner is an "applicant for admission" "seeking admission."

An individual who "arrives in the United States," or is "present" in this country but "has not been admitted," is considered an "applicant for admission" under 8 U.S.C. § 1225(a)(1). *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018); *Buenrostro-Mendez*, 2026 WL 323330, at *2. Applicants for admission are covered by either § 1225(b)(1) or § 1225(b)(2). *See Jennings*, 583 U.S. at 287 (section 1225(b)(2) "serves as a catchall provision that applies to *all* applicants for admission not covered by § 1225(b)(1)") (emphasis added).

An alien remains an applicant for admission, and subject to § 1225(b)(2), so long as he is "not clearly and beyond doubt entitled to be admitted" to the United States. *See* 8 U.S.C. § 1225(b)(2)(A); *see also* 8 U.S.C. § 1225(a) (defining applicant for admission as *either* "[a]n alien present in the United States who has not been admitted *or* who arrives in the United States ....") (emphasis added). Congress defined *all* aliens who are present in the United States without being admitted as "applicant[s] for admission," regardless of when they entered. *See* 8 U.S.C. § 1225(a)(1).

When an immigration officer encounters and examines an applicant for admission who seeks to remain in the United States, and that alien (like Petitioner) desires to remain in the United States, the applicant is necessarily "seeking admission" within the meaning of 8 U.S.C. § 1225(b)(2)(A). *See Buenrostro-Mendez*, 2026 WL 323330, at *5 ("[A]n 'applicant for admission' is necessarily someone who is 'seeking admission.'"); *id.* at *4 ("When a person applies for something, they are necessarily seeking it."). Otherwise, the alien must "withdraw the application for admission and depart immediately from the United States." 8 U.S.C. § 1225(a)(4). An alien continues to be "seeking admission" while in immigration removal proceedings to determine whether he can "be admitted to the United States." *See id.* § 1229a(3).

The government acknowledges that all courts in this district (and many more elsewhere) have reasoned that § 1225(b)(2)(A) requires that an "applicant for admission" be actively "seeking admission" at or near the border to fall within its

scope. *See, e.g., Kashranov*, 2025 WL 3188399, *6–7; *Demirel v. Fed. Detention Ctr.*, No. 25-cv-5488 (E.D. Pa. Nov. 18., 2025).[3] But, as noted, the Fifth Circuit Court of Appeals has agreed with the government. *See Buenrostro-Mendez*, 2026 WL 323330, at *1, *4–*6 ("The everyday meaning of the statute's terms confirms that being an 'applicant for admission' is not a condition independent from 'seeking admission.'"). The *Buenrostro-Mendez* court concluded, correctly, that an "applicant for admission" is "necessarily someone who is 'seeking admission.'" *Id.* at *5; *but see Castañon-Nava v. U.S. Dep't of Homeland Sec.*, 161 F.4th 1048, 1062 (7th Cir. 2025)

Thus, Petitioner, who is indisputably an "applicant for admission," is also "seeking admission" and covered by § 1225(b)(2)(A).

2. Applicants for admission must be detained under 8 U.S.C. § 1225(b)(2)(A), absent discretionary parole.

Pursuant to 8 U.S.C. § 1225(b)(2)(A), "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** for a proceeding under section 1229a [removal proceedings]." 8 U.S.C. § 1225(b)(2)(A) (emphasis added). The Supreme Court has held that § 1225(b)(2)(A) is a mandatory detention statute and that individuals detained pursuant to that provision are not entitled to bond. *Jennings*, 583 U.S. at 287 ("Both § 1225(b)(1) and § 1225(b)(2) authorize the detention of certain aliens.").

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[3] The government has filed protective notices of appeal in numerous cases and is awaiting final authorization decisions from the Solicitor General.

In *Q. Li*, the BIA expanded upon the Supreme Court's holding in *Jennings* and clarified the scope of §1225(b)(2) for applicants for admission, like Petitioner, who are "arriving" in the United States. 29 I&N Dec. 66, 68 (BIA 2025) (citing *Matter of M-D-C-V-*, 28 I&N Dec. 18, 23 (BIA 2020) (defining the term "arriving" to apply to aliens "who [are] apprehended" just inside "the southern border, and not at a point of entry, on the same day [they] crossed into the United States"). For aliens in this category, the BIA affirmed that DHS may either place the alien into expedited removal proceedings under § 1225(b)(1) or full removal proceedings under § 1229a. *Id.* For the latter category—aliens arriving in and seeking admission into the United States who are placed directly into full removal proceedings—the BIA held that § 1225(b)(2)(A) mandates detention "until removal proceedings have concluded." *Id.* (citing *Jennings*, 583 U.S. at 299).

Thus, the BIA held that an applicant for admission "who is arrested and detained without a warrant while arriving in the United States, whether or not at a port of entry, and subsequently placed in removal proceedings," is detained under § 1225(b)(2) and is thus ineligible for any subsequent release on bond. *Id.; But see Cordero v. Rose,* No. 26-cv-534, ECF No. 5 at 5–6 (E.D. Pa. Jan. 29, 2026) (Marston, J.) (disagreeing with the United States' interpretation of *Q. Li* and concluding that petitioner, who entered the United States more than three years ago, was not an applicant for admission that was actively "seeking admission" within the meaning of § 1225(b)(2)); *Cajas-Duchimaza v. McShane*, No. 26-cv-621, ECF No. 6 (Feb. 3, 2026) (similar); *Gurievi v. Rose*, No. 26-736, ECF No. 6 (Feb. 9, 2026).

Petitioner remains an applicant for admission seeking admission, as he has not clearly and beyond doubt established that he is entitled to be admitted to the United States. Consequently, he is subject to mandatory detention under § 1225(b)(2)(A), and ineligible for a bond hearing before an immigration judge.

C. Petitioner's detention comports with constitutional due process.

Petitioner's argument that his detention violates procedural due process also lacks merit. The Supreme Court has long recognized that "an alien seeking initial admission to the United States requests a privilege and has no constitutional rights regarding his application, for the power to admit or exclude aliens is a sovereign prerogative." *Landon v. Plasencia*, 459 U.S. 21, 32 (1982). Further, applicants for admission like Petitioner lack any constitutional due process rights with respect to admission aside from the rights provided by statute: "[w]hatever the procedure authorized by Congress is, it is due process as far as an alien denied entry is concerned," *Shaughnessy v. ex. rel. Mezei*, 345 U.S. 206, 212 (1953), and, "it is not within the province of any court, unless expressly authorized by law, to review [that] determination." *United States ex. rel. Knauff v. Shaughnessy*, 338 U.S. 537, 543 (1950). *See also Dep't of Homeland Sec. v. Thuraissigiam* 591 U.S. 103, 140 (2020) ("[T]he Due Process Clause provides nothing more.").

The Supreme Court reaffirmed "[its] century-old rule regarding the due process rights of an alien seeking initial entry" in *Thuraissigiam*, explaining that an individual who illegally crosses the border—like Petitioner—is an applicant for admission and "has only those rights regarding admission that Congress has

provided by statute." 591 U.S. at 139–40. The *Thuraissigiam* Court explained that "[w]hile aliens who have established connections in this country have due process rights in deportation proceedings, the Court held long ago that Congress is entitled to set the conditions for an alien's lawful entry into this country and that, as a result, an alien at the threshold of initial entry cannot claim any greater rights under the Due Process Clause." *Id.* at 107.

"When an alien arrives at a port of entry—for example, an international airport—the alien is on U.S. soil, but the alien is not considered to have entered the country." *Id.* at 139. The same "threshold" rule applies to individuals who are apprehended after trying "to enter the country illegally" since by statute, such individuals are also defined as applicants for admission. *Id.* at 139–40. And all applicants for admission, "even those paroled elsewhere in the country for years pending removal," "have no entitlement to procedural rights other than those afforded by statute." *Id.* at 107, 139. And the statute provides no more procedural protections than allowing an applicant for admission to seek relief from removal if he fears return to his home country, and to seek parole from the agency. *Id.* During that process, however, applicants for admission may be detained without a bond hearing pending admission or removal without running afoul of the Constitution. *Demore v. Kim*, 538 U.S. 510, 531 (2003)

Petitioner's recent detention under § 1226(c)(1)(E) during the pendency of his removal proceedings does not violate Due Process. *See, e.g.*, *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001) (detention less than six months presumed constitutional). The

Third Circuit Court of Appeals has recognized that there may come a time when mandatory civil detention without a bond hearing becomes unreasonable. *See German Santos v. Warden Pike Cnty. Corr. Facility*, 965 F.3d 203, 211 (3d Cir. 2020) (analyzing detention under § 1226(c)). However, at this time, Petitioner does not challenge the reasonableness or length of his detention under *German Santos*. Therefore, the Court should find that Petitioner's detention is constitutional and deny the petition for writ of habeas corpus.

V. CONCLUSION

For the foregoing reasons, Respondents respectfully request that the petition for writ of habeas corpus be denied.

Respectfully submitted,

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Dated: February 23, 2026

Counsel for Respondents

CERTIFICATE OF SERVICE

I certify that on this date, I filed the foregoing Response in Opposition to Petition for Writ of Habeas Corpus via the Court's CM/ECF System, thereby making it available for viewing and download for all parties to the case.

Dated: February 23, 2026

/s/ Daniella D. Lees
DANIELLA D. LEES
Special Assistant United States Attorney

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

ADELSO FIGUEROA LOPEZ	:	
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Petitioner,	:	
	:	
v.	:	Civil Action No. 2:26-cv-771
	:	
BRIAN MCSHANE, ET AL.,	:	
	:	
Respondents.	:	

EXHIBIT LIST

Exhibit A: Form I-862, Notice to Appear, dated Feb. 4, 2026

Exhibit B: Form I-213, Record of Deportable/Inadmissible Alien, dated Apr. 30, 2023

Exhibit C: Form I-213, Record of Deportable/Inadmissible Alien, dated Feb. 4, 2026

Exhibit D: Criminal Complaint, dated December 10, 2025

Exhibit E: Municipal Court Criminal Docket

DEPARTMENT OF HOMELAND SECURITY

NOTICE TO APPEAR

DOB: [redacted]

Event [redacted]

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

Subject ID: [redacted]

File No: [redacted]

In the Matter of:

Respondent: ADELSO PASTOR FIGUEROA LOPEZ currently residing at:

[redacted]

(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 VENEZUELA and a citizen of VENEZUELA;
3. You entered the United States on or about April 27th, 2023, at or near Brownsville, Texas;
4. You were not then admitted or paroled after inspection by an Immigration Officer;
5. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the See Continuation Page Made a Part Hereof

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:

See Continuation Page Made a Part Hereof

☐ 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:

625 EVANS ST, RM 148A, ELIZABETH, NEW JERSEY 07201. ELIZABETH - VIDEO HEARINGS

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

on February 17, 2026 *(Date)* at 2:00 pm *(Time)* to show why you should not be removed from the United States based on the charge(s) set forth above.

PATRICK MCCALLION - SDDO

(Signature and Title of Issuing Officer)

Date: February 4, 2026

Philadelphia,PA

(City and State)

EOIR — 1 of 4

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 February 4, 2026, 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.

Adolso Figueroa
(Signature of Respondent if Personally Served)

JOHN SCHLEAR - Deportation Officer
(Signature and Title of officer)

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-sorns. 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.

EOIR — 3 of 4

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name	File Number	Date
FIGUEROA LOPEZ, ADELSO PASTOR	[redacted] Event No: [redacted]	02/04/2026

THE SERVICE ALLEGES THAT YOU:

Immigration and Nationality Act;

6. You are an immigrant not in possession of a valid unexpired passport, or other suitable travel document, or document of identity and nationality.

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.

212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

Signature	Title
PATRICK MCCADLION	SDDO

Form I-831 Continuation Page (Rev. 08/01/07)

U.S. Department of Homeland Security — Subject ID : [redacted] — **Record of Deportable/Inadmissible Alien**

Field	Value
Family Name (CAPS) / First / Middle	FIGUEROA LOPEZ, ADELSO PASTOR
Sex	M
Hair	BLK
Eyes	BRO
Cmplxn	MED
Country of Citizenship	VENEZUELA
Passport Number and Country of Issue	[redacted] VENEZUELA
File No.	[redacted]
Height	69
Weight	220
Occupation	
U.S. Address	
Scars and Marks	
Date, Place, Time, and Manner of Last Entry	04/27/2023 21:00, BRO, PWAM (SWIMMING)
Passenger Boarded at	
F.B.I. Number	[redacted]
Marital status	Single / Divorced / Married / Widower / Separated
Number, Street, City, Province (State) and Country of Permanent Residence	
Method of Location/Apprehension	PB
Date of Birth	[redacted] Age: 38
Date of Action	04/30/2023
Location Code	BRP
At/Near	, , , ,
Date/Hour	04/27/2023 21:09
City, Province (State) and Country of Birth	BARQUISIMETO, VENEZUELA
AR	☒
Form: (Type and No.) Lifted ☐ Not Lifted ☐	
By	JOSE L. MATA-JR
NIV Issuing Post and NIV Number	
Social Security Account Name	
Status at Entry	
Status When Found	
Date Visa Issued	
Social Security Number	
Length of Time Illegally in U.S.	
Immigration Record	NEGATIVE
Criminal Record	
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)	
Number and Nationality of Minor Children	None
Father's Name, Nationality, and Address, if Known	FIGUEROA, AMABILES NATIONALITY: VENEZUELA ADDRESS: LAS CASITAS CASA #36 BARQUISIMETO, LARA, VENEZUELA
Mother's Present and Maiden Names, Nationality, and Address, if Known	LOPEZ, DORIS NATIONALITY: VENEZUELA ADDRESS: LAS CASITAS CASA #36 BARQUISIMETO, LARA, VENEZUELA
Monies Due/Property in U.S. Not in Immediate Possession	None Claimed
Fingerprinted?	■ Yes ☐ No
Systems Checks	See Narrative
Charge Code Words(s)	See Narrative
Name and Address of (Last)(Current) U.S. Employer	
Type of Employment	
Salary	Hr
Employed from/to	

Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)

FIN: [redacted]

Left Index fingerprint

Right Index fingerprint

FAMILY INFORMATION

Father:FIGUEROA, AMABILES is a citizen of VENEZUELA.
Mother:LOPEZ, DORIS is a citizen of VENEZUELA.
Spouse:Subject is not married.
Child:Subject does not have children or dependents.

CURRENT CRIMINAL CHARGES

04/27/2023 - 8 USC 1229a - ALIEN REMOVAL UNDER SECTION 212 AND 237 ...(CONTINUED ON I-831)

FAUSTINO BARRERA JR
BORDER PATROL AGENT
(Signature and Title of Immigration Officer)

Alien has been advised of communication privileges ______________ (Date/Initials)

Distribution:

Orig: HLG

CC: FTB

Received: (Subject and Documents) (Report of Interview)

Officer: FAUSTINO BARRERA JR

on: April 30, 2023 (time)

Disposition: Notice to Appear Released (I-862)

Examining Officer: JIMENEZ JR, ARTURO

U.S. Department of Homeland Security | Continuation Page for Form I-213

Alien's Name	File Number	Date
FIGUEROA LOPEZ, ADELSO PASTOR	[redacted] Event No: [redacted]	04/30/2023

CURRENT ADMINISTRATIVE CHARGES

04/27/2023 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs)

RECORDS CHECKED

CIS checked on 04/30/2023 with Negative result.ABIS checked on 04/28/2023 with Negative result.EARM checked on 04/30/2023 with Negative result.NCIC checked on 04/30/2023 with Negative result.TECS checked on 04/30/2023 with Negative result.NGI checked on 04/30/2023 with Negative result.

RECORD OF DEPORTABLE/EXCLUDABLE ALIEN:

IMMIGRATION HISTORY: No prior immigration history.
CRIMINAL HISTORY: No prior criminal history.

POC:
[redacted] (father)
[redacted]

ENCOUNTER:

A Border Patrol Agent encountered subject in the Rio Grande Valley, Texas Border Patrol Sector. A Border Patrol Agent determined this subject had unlawfully entered the United States from Mexico, at a time and place other than as designated by the Secretary of the Department of Homeland Security of the United States. After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Fort Brown Border Patrol Station in Brownsville, Texas for further processing using the E3/IDENT and IAFIS Systems.

IMMIGRATION/CRIMINAL VIOLATION:

At the Station, the subject was advised of the administrative rights in removal proceedings. The subject acknowledged understanding these rights. The subject claimed to be a citizen and national of Venezuela without the necessary legal documents to enter, pass through, or to remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

CONSULAR NOTIFICATION:

The subject was notified of the right to communicate with a consular officer from Venezuela as per Article 36(a)(b) of the Vienna Convention of Consular Relations.

DISPOSITION:

Subject was processed for a Notice to Appear and released on recognizance as per section 212(a)(6)(A)(i) of the Immigration and Nationality Act.

NOTE: Migrant cannot be expelled timely under Title 42 due to daily metering from the Government of Mexico. Migrant will therefore be released under NTA/OR due to ERO's inability to house family units.

Signature	Title
FAUSTINO BARRERA JR	BORDER PATROL AGENT

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name	File Number	Date
FIGUEROA LOPEZ, ADELSO PASTOR	[redacted] Event No: [redacted]	04/30/2023

MEDICAL CONDITION: No.

OTHER IDENTIFYING NUMBERS

ALIEN [redacted]

Signature	Title
FAUSTINO BARRERA JR	BORDER PATROL AGENT

U.S. Department of Homeland Security   Subject ID : [redacted]

Record of Deportable/Inadmissible Alien

Family Name (CAPS) / First / Middle	Sex	Hair	Eyes	Cmplxn
FIGUEROA LOPEZ, ADELSO PASTOR	M	BLK	BRO	LBR

Country of Citizenship	Passport Number and Country of Issue	File Number	Height	Weight	Occupation
VENEZUELA		[redacted]	69	220	Construction

U.S. Address: [redacted]

Scars and Marks:

Date, Place, Time, and Manner of Last Entry: Unknown Date Unknown Time,

Passenger Boarded at:

F.B.I. Number: [redacted]

☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated

Number, Street, City, Province (State) and Country of Permanent Residence:

Method of Location/Apprehension: NCA

Date of Birth		Date of Action	Location Code	At/Near	Date/Hour
[redacted]	Age: 41	02/04/2026	PHI/PHI	See I-831	02/04/2026 14:37

City, Province (State) and Country of Birth: VENEZUELA

AR ☒ Form : (Type and No.) Lifted ☐ Not Lifted ☐

By: JOHN SCHLEAR

NIV Issuing Post and NIV Number:

Social Security Account Name:

Status at Entry:

Status When Found:

Date Visa Issued:

Social Security Number:

Length of Time Illegally in U.S.:

Immigration Record: NEGATIVE

Criminal Record: See Narrative

Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate):

Number and Nationality of Minor Children: None

Father's Name, Nationality, and Address, if Known:

Mother's Present and Maiden Names, Nationality, and Address, if Known:

Monies Due/Property in U.S. Not in Immediate Possession: None Claimed

Fingerprinted? ☐ Yes ☐ No

Systems Checks:

Charge Code Words(s): See Narrative

Name and Address of (Last)(Current) U.S. Employer: See Narrative

Type of Employment: See Narrative

Salary: Hr

Employed from/to: 02/04/2026

Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)

FIN: [redacted]   Left Index fingerprint   Right Index fingerprint

FAMILY INFORMATION

Father:Subject has not provided information for Father.
Mother:Subject has not provided information for Mother.
Spouse:Subject is not married.
Child:Subject does not have children or dependents.

SUBJECT HEALTH STATUS

The subject claims good health. ...(CONTINUED ON I-831)

JOHN SCHLEAR
Deportation Officer

Alien has been advised of communication privileges ________ (Date/Initials)   (Signature and Title of Immigration Officer)

Distribution:

A-file

Received: (Subject and Documents) (Report of Interview)

Officer: JOHN SCHLEAR

on: February 4, 2026 (time)

Disposition: Warrant of Arrest/Notice to Appear

Examining Officer: MCCALLION, PATRICK

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name	File Number	Date
FIGUEROA LOPEZ, ADELSO PASTOR	[redacted] Event No: [redacted]	02/04/2026

CURRENT ADMINISTRATIVE CHARGES

02/04/2026 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs)02/04/2026 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA

NAME AND ADDRESS OF US EMPLOYER

UNKNOWN, UNKNOWN PHILADELPHIA, PENNSYLVANIA, 19107, UNITED STATES

TYPE OF EMPLOYMENT

Operators, Fabricators, and Laborers

ARRESTED AT/NEAR

[redacted]

RECORD OF DEPORTABLE/EXCLUDABLE ALIEN:

Method of Encounter/Location:
On February 4th, 2026, Immigration and Customs Enforcement (ICE), Philadelphia Office of Enforcement and Removal Operations (ERO) Officers and Bureau of Alcohol Tobacco and Firearms (ATF) Special Agents conducted an operation targeting Adelso Pastor Figueroa Lopez (hereafter referred to as FIGUEROA LOPEZ). Officers and Agents were conducting surveillance at [redacted] based off the last known address of FIGUEROA LOPEZ. At around 08:10am, a male subject matching the description of FIGUEROA LOPEZ was observed exiting the front door of a residence and entering the driver's seat of a [redacted] Officers attempted to conduct a vehicle stop utilizing the emergency lighting and sirens, to which the driver of the Santa Fe disregarded and attempted to flee. Officers and Agents followed the Santa Fe a short distance around the block until the male driver exited the Santa Fe while it was still running and in drive. The male subject fled back into the front door of 6818 Revere St. After a period of time, the subject exited the residence on his own accord. Positive identification was made of FIGUEROA LOPEZ, who was placed under arrest, searched, and transported to the Philadelphia ICE ERO office.

Alienage and Removability:
LEIVA is a native and citizen of Venezuela by birth on [redacted]
On or about April 27th, 2023, at or near Brownsville, Texas, FIGUEROA LOPEZ entered the United States without inspection, admission, or parole. FIGUEROA LOPEZ was encountered by Border Patrol, issued Form I-862, Notice to Appear, and released from custody.
Immigration History, Status and Pending Petitions:
On July 1st, 2024, FIGUEROA LOPEZ' Notice to Appear went into Failure to Prosecute status.
On May 14th, 2024, FIGUEROA LOPEZ filed Form I-589, Application for Asylum and for Withholding of Removal. This petition remains pending.
On November 21st, 2025, FIGUEROA LOPEZ' Form I-821, Application for Temporary Protected Status was terminated.

Criminal History:
On December 11th, 2025, FIGUEROA LOPEZ was arrested by the Philadelphia Police Department for the offenses of Aggravated Assault-Attempts to cause SBI or causes injury with extreme indifference, Firearms Not To Be carried W/O License, Poss Instrument of Crime W/Int, Simple Assault, and Terroristic Threats W/ Int to Terrorize Another. These charges remain pending.

Signature	Title
JOHN SCHLEAR	Deportation Officer

Form I-831 Continuation Page (Rev. 08/01/07)

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name	File Number	Date
FIGUEROA LOPEZ, ADELSO PASTOR	Event No:	02/04/2026

Intel:
NCIC was negative for wants or warrants.

Disposition:
FIGUEROA LOPEZ will be served Form I-862, Notice to Appear and detained in ICE Custody pending the outcome of his immigration proceedings.

OTHER IDENTIFYING NUMBERS

ALIEN

Signature	Title
JOHN SCHLEAR	Deportation Officer