

1 Natalie M. Richman, Esq.
2 Global Immigration Legal Team, LLC
3 150 Strafford Avenue, Suite 115
4 Wayne, PA 19087
5 p. 610-975-4599
6 f. 610-687-2100
7 natalie@giltlaw.com

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

RAJESH KUMAR

Petitioner,

v.

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

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

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

Jamal LAWRENCE, Warden of
PHILADELPHIA FEDERAL DETENTION
CENTER.

Respondents.

Case No. 2:26-cv-806

**PETITION FOR WRIT OF
HABEAS CORPUS**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 INTRODUCTION

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

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

8 3. A new DHS policy issued on July 8, 2025, instructs all Immigration and Customs
9 Enforcement (ICE) employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e.,
10 those who entered the United States without admission or inspection—to be subject to detention
11 under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

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

18 5. Petitioner’s detention on this basis violates the plain language of the Immigration
19 and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who
20 were detained pursuant to an administrative warrant under § 1226(a) when they were
21 apprehended by ICE. Instead, upon arrest and detention by ICE of someone already residing in
22 the interior of the United States, such individuals are still subject to § 1226(a), that allows for
23 release on conditional parole or bond. That statute expressly applies to people who, like
24

1 Petitioner, are charged as inadmissible for having entered the United States without inspection
2 and are residing inside the United States.

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

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

9 **JURISDICTION**

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

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

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

17 **VENUE**

18 11. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-
19 500 (1973), venue lies in the United States District Court for the Eastern District of
20 Pennsylvania, the judicial district in which Petitioner currently is detained.

21 12. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
22 Respondents are employees, officers, and agencies of the United States, and because a
23
24

1 substantial part of the events or omissions giving rise to the claims occurred in the Eastern
2 District.

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

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

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

14 **PARTIES**

15 15. Petitioner Kumar is a citizen of India who has been in immigration detention
16 since February 5, 2025. Petitioner was arrested without a warrant at a scheduled ICE check-in
17 and Petitioner is unable to obtain review of his custody by an IJ, pursuant to the Board’s decision
18 in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

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

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

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

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

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

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

18 **FACTS**

19 22. Petitioner is a 46-year-old citizen and national of India.

20 23. Respondent has resided in the United States since September 15, 2022 and lives in
21 Philadelphia, Pennsylvania.

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

1 25. On or about September 15, 2022, Petitioner crossed the border into the United
2 States, and shortly thereafter was apprehended by immigration officials. On or about September
3 17, 2022, DHS paroled Petitioner under 212(d)(5)(A) pursuant to § 1226(a) of the INA. *See*
4 Exh. A. He was required to attend routine check-ins with ICE and attended these check-ins with
5 ICE successfully. At his most recent check-in February 5, 2026 he was detained. Petitioner is
6 now detained at the Federal Detention Center in Philadelphia, PA.

7 26. DHS placed Petitioner in removal proceedings before the Elizabeth Immigration
8 Court pursuant to 8 U.S.C. § 1229a on or about February 6, 2026, shortly after his detention.

9 27. ICE has charged Petitioner with, *inter alia*, being inadmissible under 8 U.S.C. §
10 1182(a)(6)(A)(i) as someone who entered the United States without inspection. He timely filed
11 an asylum application with the USCIS asylum office on December 2, 2022 that remains pending.

12 28. Additionally, ICE already determined that Petitioner was not a danger to the
13 community or risk of flight when they paroled him into the country in September 2022. Nothing
14 has occurred between that initial determination and Petitioner's detention on February 5, that
15 would render him a danger to the community or a flight risk, and Respondents have not
16 furnished any explanation as to changed circumstances that would warrant Petitioner's re-
17 detention, outside of their own change in policy based on an incorrect interpretation of the
18 statute.

19 29. ICE detained him without explanation on February 5, 2026. Respondent's
20 removal proceedings and asylum application remain pending with the immigration court.

21 30. Petitioner is gainfully employed at Sunoco gas station and built a community of
22 friends in the United States. He has never been criminally arrested or apprehended by law
23 enforcement, apart from his immigration arrest, and has become a valued member of his
24

1 community. Petitioner filed an application for asylum with the asylum office, evincing his
2 eligibility for relief before the court. Petitioner is neither a flight risk nor a danger to the
3 community.

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

6 32. As a result, Petitioner remains in detention. Without relief from this court, he
7 faces the prospect of months, or even years, in immigration custody, separated from his
8 community.

9 LEGAL FRAMEWORK

10 I. Section 1226(a) Governs the Detention of People Like Petitioner Who are Detained in 11 the United States and Have Not Previously Been Admitted

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

14 34. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal
15 proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally
16 entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d),
17 while noncitizens who have been arrested, charged with, or convicted of certain crimes are
18 subject to mandatory detention, *see* 8 U.S.C. § 1226(c).

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

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

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

1 38. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the
2 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No.
3 104--208, Div. C, §§ 302-03, 110 Stat. 3009-546, 3009-582 to 3009-583, 3009-585. Section
4 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1,
5 139 Stat. 3 (2025).

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

11 40. Thus, in the decades that followed, most people who entered without inspection
12 and were placed in standard removal proceedings received bond hearings, unless their criminal
13 history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent
14 with many more decades of prior practice, in which noncitizens who were not deemed “arriving”
15 were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a)
16 (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply
17 “restates” the detention authority previously found at § 1252(a)). Even individuals who were
18 apprehended at the border and not immediately detained but placed in standard removal
19 proceedings under 8 U.S.C. § 1229a, would historically have been considered detained under
20 § 1226(a) should they alter been detained in the interior of the U.S., and thus eligible for bond
21 before an immigration judge.

22 41. On July 8, 2025, ICE Director Todd M. Lyons, “in coordination with” DOJ,
23 announced a new policy that rejected well-established understanding of the statutory framework
24

1 and reversed decades of practice. The policy states DHS had “revisited” its legal position and
2 believed that § 1225, not § 1226, governs the detention of noncitizens who are present in the
3 United States without having been admitted. *Diaz Martinez, Hyde*, No. 25-11613, 2025 WL
4 2084238, -- F. Supp. 3d --, at *4 (D. Mass. July 24, 2025).

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

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

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

18 45. Since Respondents adopted their new policies, dozens of federal courts have
19 rejected their new interpretation of the INA’s detention authorities. Courts have likewise rejected
20 *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE.

21 46. Subsequently, court after court has adopted the same reading of the INA’s
22 detention authorities and rejected ICE and EOIR’s new interpretation. *See, e.g., Rodriguez*
23 *Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025); *Gomes v. Hyde*, No. 1:25-CV-

1 11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*, No. CV 25-
2 11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025); *Rosado v.*
3 *Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025),
4 *report and recommendation adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133
5 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL
6 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025
7 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-ODW
8 (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-BEM,
9 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025
10 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF,
11 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-
12 JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-
13 KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051
14 (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v.*
15 *Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025);
16 *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3,
17 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D.
18 Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D.
19 Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass.
20 Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2
21 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court tends to agree” that § 1226(a) and not §
22 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL
23 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-

24

1 RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same). This is just a sample of the
2 courts who have ruled on this issue. To date, there are at least 283 judges in courts across the
3 country who have found in favor of the petitioner on this issue. *See also* Exh. E.

4 47. This includes at least seven judges sitting in the Eastern District of Pennsylvania,
5 where this case arises. *See Demirel v. FDC Philadelphia, et al.*, No. 25-cv-05488 at *6 (E.D. Pa.
6 Nov. 18, 2025) (Diamond, J.); *Kashranov v. Jamison*, No. 25-cv-5555, 2025 WL 3188399 at *4
7 (E.D. Pa. Nov. 14, 2025) (Wolson, J.); *Cantu-Cortes v. O’Neill, et al.*, No. 25-cv-6338, 2025 WL
8 3171639, at *1 (E.D. Pa. Nov. 13, 2025) (Kenney, J.); *Patel v. McShane, et al.*, No. 25-cv-5975
9 (E.D. Pa. Nov. 20, 2025) (Brody, J.); *Ndiaye v. Jamison, et al.*, No. 25-cv-6007 (E.D. Pa. Nov.
10 19, 2025) (Sanchez, J.); *Centeno-Ibarra v. Warden of the Federal Detention Center*
11 *Philadelphia, et al.*, No. 25-cv-06312 (E.D. Pa. Nov. 25, 2025) (Rufe, J.); *Juarez Velasquez v.*
12 *O’Neill, et al.*. Np. 25-cv-06191 (E.D. Pa. Dec. 3, 2025) (Henry, J.).

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

19 49. Section 1226(a) applies by default to all persons “pending a decision on whether
20 the [noncitizen] is to be removed from the United States.” These removal hearings are held under
21 § 1229a, to “decid[e] the inadmissibility or deportability of a[] [noncitizen].”

22 50. The text of § 1226 also explicitly applies to people charged as being inadmissible,
23 including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph
24

1 (E)’s reference to such people makes clear that, by default, such people are afforded a bond
2 hearing under subsection (a). As the *Rodriguez Vazquez* court explained, “[w]hen Congress
3 creates ‘specific exceptions’ to a statute’s applicability, it ‘proves’ that absent those exceptions,
4 the statute generally applies.” *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove*
5 *Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also Gomes*, 2025
6 WL 1869299, at *7.

7 51. Section 1226 therefore leaves no doubt that it applies to people who face charges
8 of being inadmissible to the United States, including those who are present without admission or
9 parole.

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

22 53. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who
23 recently entered the United States. The statute’s entire framework is premised on inspections at
24

1 the border of people who are “seeking admission” to the United States. 8 U.S.C.

2 § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme
3 applies “at the Nation’s borders and ports of entry, where the Government must determine
4 whether a[] [noncitizen] seeking to enter the country is admissible.” *Jennings v. Rodriguez*, 583
5 U.S. 281, 287 (2018).

6 54. The BIA’s interpretation “would render the phrase ‘seeking admission’ in 8
7 U.S.C. § 1225(b)(2)(A) mere surplusage.” *Lopez Benitez*, 2025 WL 2371588, at *6. That section
8 applies to people who are (1) applicants for admission; (2) seeking admission; and (3) not clearly
9 and beyond a doubt entitled to be admitted. 8 U.S.C. § 1225(b)(2)(A); *Lopez Benitez*, 2025 WL
10 2371588, at *6; *Diaz Martinez*, 2025 WL 2084238, at *2. The BIA’s interpretation makes all
11 applicants for admission subject to mandatory detention, leaving the “seeking admission”
12 criterion unnecessary and violating the rule against surplusage. *Lopez Benitez*, 2025 WL
13 2371588, at *6; *Diaz Martinez*, 2025 WL 2084238, at *6.

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

21 56. Immigration officials and the Department of Justice (DOJ) have long taken the
22 position that immigration officials have broad discretion not to apply the detention and expedited
23 removal procedures § 1225(b), and whether to classify individuals encountered inside the United
24

1 States shortly after crossing the border as subject to § 1225(b) detention or § 1226(a) detention.
2 *See* Brief for Petitioners at 4-7 (No. 21-954), *Biden v. Texas*, 597 U.S. 785 (2022). The DOJ has
3 stated, “[t]he INA affords DHS multiple options for processing applications for admission,” and
4 that includes arrest and detention pursuant to § 1226(a). *See id.* at 4-5.

5 57. Finally, as discussed below, the BIA’s interpretation of § 1225(b)(2)(A) to
6 mandate detention without a bond hearing for all noncitizens present in the United States without
7 having been admitted presents serious constitutional concerns. Therefore, to the degree that the
8 statute remains ambiguous, the Court should presume that Congress “did not intend the
9 alternative which raises serious constitutional doubts” and reject that construction. *Clark v.*
10 *Martinez*, 543 U.S. 371, 381-82 (2005). Therefore, § 1226(a), which permits bond hearings, not
11 § 1225(b)(2)(A), which does not, governs the detention of people like Petitioner.

12 **II. The BIA’s Application of Mandatory Detention to Noncitizens Like Petitioner** 13 **Violates Substantive and Procedural Due Process**

14 58. “It is well established that the Fifth Amendment entitles [noncitizens] to due
15 process of law in deportation proceedings.” *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting
16 *Reno v. Flores*, 507 U.S. 292, 306 (1993)). “Freedom from imprisonment—from government
17 custody, detention, or other forms of physical restraint—lies at the heart of the liberty” that the
18 Due Process Clause protects. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also id.* at 718
19 (Kennedy, J., dissenting) (“Liberty under the Due Process Clause includes protection against
20 unlawful or arbitrary personal restraint or detention.”). This fundamental due process protection
21 applies to all noncitizens within the United States, including both removable and inadmissible
22 noncitizens. *See id.* at 693; *Plyler v. Doe*, 457 U.S. 202, 212 (1982); *Wong Wing v. United States*,
23 163 U.S. 228, 238 (1896).

1 59. Absent adequate procedural protections, substantive due process requires a
2 “special justification” that “outweighs the individual’s constitutionally protected interest in
3 avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690; *accord, e.g., Torralba v. Knight*, No.
4 2:25-cv-1366, 2025 WL 2581792, at *12 (D. Nev. Sept. 5, 2025) (describing the standard for a
5 substantive due process violation); *Fernandez v. Lyons*, No. 8:25-cv-506, 2025 WL 2531539, at
6 *4 (D. Neb. Sept. 3, 2025) (same). In the immigration context, the Supreme Court has
7 recognized only two valid purposes for civil detention—to mitigate the risks of danger to the
8 community and to prevent flight. *Id.*; *Demore*, 538 U.S. at 528. Thus, to withstand constitutional
9 scrutiny, the nature and duration of mandatory immigration detention must be reasonably related
10 to these purposes.

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

17 61. Additionally, procedural due process protects noncitizens against deprivation of
18 liberty without adequate procedural protections, including notice and the opportunity to be heard.
19 *A.A.R.P. v. Trump*, 145 S. Ct. 1364, 1367 (2025); *Trump v. J.G.G.*, 145 S. Ct. 1003, 1006 (2025);
20 *Velasco Lopez v. Decker*, 978 F.3d 842, 851 (2d Cir. 2020). In determining the proper procedure
21 to protect a detained noncitizen’s procedural due process rights under the Fifth Amendment,
22 courts apply the three-part balancing test in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976),
23 weighing (1) “the private interest that will be affected by the official action;” (2) “the risk of an
24

1 erroneous deprivation of such interest through the procedures used, and the probable value, if
2 any, of additional or substitute procedural safeguards;” and (3) “the Government’s interest,
3 including the function involved and the fiscal and administrative burdens that the additional or
4 substitute procedural requirement would entail.” *Black v. Decker*, 103 F.4th 133, 147-48 (2d Cir.
5 2024); *Gayle v. Warden Monmouth C’ty Corr. Facility*, 12 F. 4th 321, 331 (3d Cir. 2021);
6 *Hernandez-Lara*, 10 F.4th at 28; *Velasco Lopez*, 978 F.3d at 851 (all quoting *Mathews*, 424 U.S.
7 at 335). Here, the BIA’s interpretation of the statute to require detention of all people in the
8 United States without having been admitted deprives them of their liberty without any
9 individualized process to determine whether such detention is necessary to prevent flight risk or
10 danger to the community, and therefore violates due process.

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

17 63. Weighing this factor in *Velasco Lopez*, the Second Circuit found the private
18 interest to be “on any calculus, substantial,” observing that the petitioner, “could not maintain
19 employment or see his family or friends or others outside normal visiting hours. The use of a cell
20 phone was prohibited, and he had no access to the internet or email and limited access to the
21 telephone.” 978 F.3d at 851-52. Similarly, the First Circuit found a substantial private liberty
22 interest for the petitioner in *Hernandez-Lara*, noting that the petitioner there was incarcerated
23
24

1 “alongside criminal inmates” at a jail where “she was separated from her fiancé and unable to
2 maintain her employment.” 10 F.4th at 28.

3 64. Second, absent any individualized bond hearing, people will be detained despite
4 not being a danger to the community or a flight risk, because there is no mechanism to determine
5 whether their detention is necessary. *See, e.g., Günaydin v. Trump*, No. 25-cv-1151, 2025 WL
6 1459154, -- F. Supp. 3d --, at *8 (D. Minn. May 21, 2025) (noting that lack of consideration of
7 “individualized or particularized facts . . . increases the potential for erroneous deprivation of
8 individuals’ private rights”); *Ashley*, 28 F. Supp. 2d at 670 (finding a procedural due process
9 violation because “the Government has not proved that Petitioner presents an identified and
10 articulable threat to an individual or the community so as to justify his continued detention”). A
11 bond hearing would have significant value because it is designed to assess the individualized
12 facts of each case and determine whether less restrictive measures can fulfill the same goals.

13 65. Finally, the burden on the government of returning to the longstanding practice of
14 holding bond hearings for people like Petitioner does not outweigh the liberty interest at stake.
15 To the contrary, the government has an interest in “minimizing the enormous impact of
16 incarceration in cases where it serves no purpose.” *Velasco Lopez*, 978 F.3d at 854; *see also*
17 *Hernandez-Lara*, 10 F.4th at 33 (noting that “limiting the use of detention to only those
18 noncitizens who are dangerous or a flight risk may save the government, and therefore the
19 public, from expending substantial resources on needless detention”). Additionally, “unnecessary
20 detention imposes substantial societal costs. . . . The needless detention of those individuals thus
21 separates families and removes from the community breadwinners, caregivers, parents, siblings
22 and employees. Those ruptures in the fabric of communal life impact society in intangible ways
23 that are difficult to calculate in dollars and cents.” *Hernandez-Lara*, 10 F.4th at 33 (citation and
24

1 internal quotation marks omitted). The cost to the government and society of detaining people
2 unnecessarily for long periods of time is greater than the cost of providing individualized
3 hearings, and weighs in favor of additional procedural protections.

4 66. At these bond hearings, due process requires that the Government bear the burden
5 of proof by clear and convincing evidence. *See Gayle*, 12 F.4th at 332 (“[W]hen such a severe
6 deprivation is at issue, the Government must bear the burden of proof.”). “A standard of proof
7 serves to allocate the risk of error between the litigants and reflects the relative importance
8 attached to the ultimate decision.” *German Santos v. Warden Pike C’ty Corr. Facility*, 965 F.3d
9 203, 213 (citing *Addington v. Texas*, 441 U.S. 418, 423 (1979)). Therefore, when the Third
10 Circuit has ordered a constitutionally required bond hearing, it is placed the burden on the
11 government by clear and convincing evidence. *German Santos*, 965 F.3d at 214; *Guerrero-*
12 *Sanchez v. Warden York C’ty Prison*, 905 F.3d 208, 224 & n.12 (3d Cir. 2018), *abrogated on*
13 *other grounds by Johnson v. Arteaga-Martinez*, 596 U.S. 572 (2022). Other circuit courts have
14 similarly held that due process requires this allocation of the burden in bond hearings for
15 noncitizens like petitioner, who were then detained under § 1226(a). *Hernandez-Lara*, 10 F.4th
16 at 39-40; *Velasco Lopez*, 978 F.3d at 855-56. Thus, even if the statute requires detention without
17 a bond hearing, due process requires a hearing at which the government bears the burden by
18 clear and convincing evidence.

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

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

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

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

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

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

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

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

15 75. The decision in *E.A. T.-B.* is consistent with many other district court decisions
16 addressing similar situations. *See, e.g., Valdez v. Joyce*, No. 25 CIV. 4627 (GBD), 2025 WL
17 1707737 (S.D.N.Y. June 18, 2025) (ordering immediate release due to lack of pre-deprivation
18 hearing); *Pinchi v. Noem*, --- F. Supp. 3d ---, No. 5:25-CV-05632-PCP, 2025 WL 2084921 (N.D.
19 Cal. July 24, 2025) (similar); *Maklad v. Murray*, No. 1:25-CV-00946 JLT SAB, 2025 WL
20 2299376 (E.D. Cal. Aug. 8, 2025) (similar); *Garcia v. Andrews*, No. 1:25-CV-01006 JLT SAB,
21 2025 WL 2420068 (E.D. Cal. Aug. 21, 2025) (similar); *Mata Velasquez v. Kurzdorfer*, ---
22 F.Supp.3d ---, 2025 WL 1953796, *17 (W.D.N.Y. July 16, 2025) (detention of parolee without
23 a reasoned explanation or changed circumstances and without a meaningful opportunity to be
24

1 heard violates due process); *Rodriguez Cabrera v. Mattos*, 2025 WL 3072687 (D Nev. Nov. 3,
 2 2025); *Fernandez Lopez v. Wofford*, 2025 WL 2959319, *4 (E.D. Ca. Oct. 17, 2025)
 3 (unpub) (finding a non-citizen granted parole at the border has a liberty interest in her
 4 conditional release and that such a parolee has a implicit right entitlement to remain at liberty if
 5 she complies with the conditions of her parole); *Noori v. Larose*, 2025 WL 2800149, *10 (S.D.
 6 Ca. Oct. 1, 2025) (unpub) (parolee developed a private interest in remaining free in the one year
 7 he has resided in the United States since entry); *Munoz Materano v. Arteta*, 2025 WL 2630826,
 8 *13 (S.D.N.Y. Sept. 12, 2025) (unpub); *Ramirez Tesara v. Wamsley*, --- F.Supp.3d ----, 2025
 9 WL 2637663, *3 (W.D. Wash. Sept. 12, 2025) (finding that parolee’s liberty interest did not
 10 expire with his parole agreement); *see also Y-Z-L-H- v. Bostock*, --- F.Supp.3d ----, 2025 WL
 11 1898025, *14 (D. Ore. July 9, 2025) (finding detention of a parolee who had not completed his
 12 asylum process to be arbitrary and capricious and ordering immediate release).

13 76. The same framework and principles apply here and compel Petitioner’s
 14 immediate release.

CLAIMS FOR RELIEF

COUNT I Violation of the INA

17 77. Petitioner incorporates by reference the allegations of fact set forth in the
 18 preceding paragraphs.

19 78. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all
 20 noncitizens residing in the United States who are subject to the grounds of inadmissibility. As
 21 relevant here, it does not apply to Petitioner, who previously entered the country and was
 22 apprehended by ICE, was released from immigration custody at the border pursuant to § 1226,
 23
 24

1 and has been residing inside the United States for 3.5 years before re-detention. Such noncitizens
2 are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

3 79. The fact that Petitioner was previously detained and released at the border does
4 not undermine this conclusion.

5 80. Respondents now essentially seek to ex post facto redetermine the statute under
6 which they are detaining Petitioner based on ICE’s July 8, 2025 policy change, that is at direct
7 odds with the plain language of the statute. They now argue that Petitioner is detained under §
8 1225(b)(2) despite previously arresting him pursuant to § 1226(a) and making a custody
9 determination to release him pursuant to their authority under that section.

10 81. In any event, that initial arrest “is not what is at issue in this case,” rather it is his
11 2026 arrest and detention. *See Lopez Benitez*, 2025 WL 2371588. Even if Petitioner was
12 “seeking admission” within the meaning of § 1252(b)(2)(A) at the time of his entry and initial
13 apprehension, he was no longer engaged in that “present-tense action” when he was arrested in
14 Philadelphia on January 7, 2026, and therefore no longer meets the requirements of §
15 1252(b)(2)(A) discussed above. *See Diaz Martinez*, 2025 WL 2084238, at *6.

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

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

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

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

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

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

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

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

17 **COUNT III**

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

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

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

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

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

4 90. The BIA’s application of mandatory detention under § 1225(b)(2) is not
5 reasonably related to those goals and thus violates substantive due process. Petitioner has a
6 fundamental interest in liberty and being free from official restraint. Petitioner has routinely
7 appeared at ICE for his check-ins since his arrival in the United States, has never missed a
8 required check-in, interview, or appointment, and has kept his address updated with ICE.

9 91. He has also never been criminally arrested anywhere in the world, and there is no
10 evidence his release would pose a danger to the community. He is not a risk of flight, as he has
11 created community ties in the Philadelphia, PA area, where he has lived since his arrival in the
12 United States. He is gainfully and lawfully employed and supports himself financially.

13 92. Since Petitioner is neither a risk of flight nor a danger to the community, his
14 continued detention is not reasonably related to the only two goals of civil immigration
15 detention. *Zadvydas*, 533 U.S. at 690.

16 **COUNT IV**

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

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

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

23 95. The first factor is the private interest that will be affected by the official action. *Id.*
24 Here, the deprivation of Petitioner’s liberty is a particularly weighty interest. It is well

1 established that individuals have a liberty interest in their continued liberty and freedom from
2 restraint. *Salerno*, 481 U.S. at 750; *see also Ashley*, 288 F. Supp. at 670. This is especially true
3 given the fact that Petitioner was already determined to not be a danger to the community or a
4 risk of flight when he was initially released on his own recognizance from ICE detention. He
5 relied on this interest in his liberty by finding gainful employment, renting a house to live in, and
6 becoming a value member of his community. This freedom from unlawful restraint is the heart
7 of the liberty interest protected by the Fifth Amendment.

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

19 97. The final factor is the Government's interest. *Gayle*, 12 F.4th at 331. The
20 government has no legitimate interest in detaining Petitioner when detention is not necessary to
21 ensure appearance at future hearings or protect the community, and less restrictive measures like
22 continued ICE check-ins or a reasonable bond would serve those purposes. *Hernandez-Lara*, 10
23 F.4th at 32-33; *see Ousman D. v. Decker*, No. 20-9646, 2020 WL 5587441, at *4 (holding that
24

1 due process requires consideration of less restrictive alternatives to detention that would address
2 the government’s legitimate purpose); *Hechavarria v. Whitaker*, 358 F. Supp. 3d 227, 241-42
3 (W.D.N.Y. 2019) (same). Therefore, the government does not have an interest in detaining
4 Petitioner without a bond hearing that outweighs his substantial liberty interest in such an
5 individualized determination.

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

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

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

16 **PRAYER FOR RELIEF**

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

- 18 a. Assume jurisdiction over this matter;
- 19 b. Order that Petitioner shall not be transferred outside the Eastern District of
20 Pennsylvania while this habeas petition is pending;
- 21 c. Order that the Petitioner not be ordered removed from United States during the
22 pendency of these proceedings;

- 1 d. Issue an Order to Show Cause ordering Respondents to show cause why this
2 Petition should not be granted within three days;
- 3 e. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner from
4 custody immediately and permanently enjoining his re-detention absent written
5 notice and a hearing prior to re-detention where Respondents must prove by clear
6 and convincing evidence that he is a flight risk or danger to the community and
7 that no alternatives to detention would mitigate those risks, or, in the alternative,
8 provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) within
9 seven days;
- 10 f. Declare that Petitioner is detained pursuant to 8 U.S.C. § 1226(a);
- 11 g. Declare that Petitioner’s detention violates the Immigration and Nationality Act
12 and/or the Due Process Clause of the Fifth Amendment to the U.S. Constitution;
- 13 h. Award Petitioner attorney’s fees and costs under the Equal Access to Justice Act
14 (“EAJA”), as amended, 28 U.S.C. § 2412, and on any other basis justified under
15 law; and
- 16 i. Grant any other and further relief that this Court deems just and proper.

17
18 **VERIFICATION BY SOMEONE ACTING ON PETITIONER’S BEHALF PURSUANT**
19 **TO 28 U.S.C. § 2242**

20 I am submitting this verification on behalf of the Petitioner because I am one of Petitioner’s
21 attorneys, and I have discussed the claims with Petitioner’s legal team. Based on those discussions,
22 I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are
23 true and correct to the best of my knowledge.
24

1 DATED this 6th of February 2026.

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

/s/ Natalie M. Richman
Natalie M. Richman, Esq. (PA 321567)
Global Immigration Legal Team
150 Strafford Avenue, Suite 115
Wayne, PA 19087
Telephone: 610-975-4599
Fax: 610-687-2100
E-mail: natalie@giltlaw.com

Attorney for Petitioner

1 Natalie M. Richman, Esq.
Global Immigration Legal Team, LLC
2 150 Strafford Avenue, Suite 115
Wayne, PA 19087
3 p. 610-975-4599
4 f. 610-687-2100
natalie@giltlaw.com

5
6 IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

7 RAJESH KUMAR

8 v.

9 ROSE, ET AL.

Case No. 2:26-cv-806

10 **PETITION FOR WRIT OF
HABEAS CORPUS**

11
12 **EXHIBIT LIST**

| <u>Exhibit</u> | <u>Page</u> |
|---|--------------------|
| A. September 17, 2022 Parole Stamp of Petitioner; | 1 |
| B. September 16, 2022 2024 Form OREC G-56, requiring Petitioner to report to the local ICE office within 60 days of his release on his own recognizance; | 2 |
| C. September 17, 2022 Intensive Supervision Appearance Program agreement demonstrating Petitioner; | 3 |
| D. Printout of ICE Detainee Locator, evincing Petitioner is housed at the Federal Detention Center in Philadelphia, PA; | 4 |
| E. Appendix of District Court Cases having heard this issue; | 5-18 |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

10/2024

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Philadelphia, PA

RELATED CASE IF ANY: Case Number: _____ Judge: _____

1. Does this case involve property included in an earlier numbered suit? Yes

2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes

3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes

4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes

5. Is this case related to an earlier numbered suit even though none of the above categories apply? Yes
If yes, attach an explanation.

I certify that, to the best of my knowledge and belief, the within case is / is not related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts)
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Wage and Hour Class Action/Collective Action
- 6. Patent
- 7. Copyright/Trademark
- 8. Employment
- 9. Labor-Management Relations
- 10. Civil Rights
- 11. Habeas Corpus
- 12. Securities Cases
- 13. Social Security Review Cases
- 14. Qui Tam Cases
- 15. Cases Seeking Systemic Relief ***see certification below***
- 16. All Other Federal Question Cases. *(Please specify):* _____

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury *(Please specify):* _____
- 7. Products Liability
- 8. All Other Diversity Cases: *(Please specify)* _____

I certify that, to the best of my knowledge and belief, that the remedy sought in this case does / does not have implications beyond the parties before the court and does / does not seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of \$150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Rajesh KUMAR

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Global Immigration Legal Team
150 STAFFORD AVE, SUITE 115, WAYNE PA
19087, 610-975-4599

DEFENDANTS Michael T. Rose, Field Office Director
ICE/ERO Philadelphia; Kristi NOEM, Sec. of DHS;
DHS; Pam BONDI, Atty. Gen. Eagle; Jamal
LAWRENCE, warden of Federal Detention Center
County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

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

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

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

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

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

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

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 USC 2241

Brief description of cause:

Habeas corpus challenging detention of noncitizen

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

2/6/2026

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

| | | | | | | |
|---|------|------|------------|--|------------------------|-----------------------------------|
| CONTROL Name (Last, First, Middle) KUSAR, RAJESH | | | | | | |
| Birthdate | | Age | | Marital Status | | <input type="checkbox"/> Widowed |
| | | | | <input checked="" type="checkbox"/> Single | | <input type="checkbox"/> Married |
| | | | | <input type="checkbox"/> Separated | | <input type="checkbox"/> Divorced |
| Sex | Hair | Eyes | Complexion | Height | Weight | Scars or Marks |
| M | BRO | BRO | MED | 71 | 136 | |
| U.S. Address/Mail (Number) (Street) (City) (State) (ZIP CODE) | | | | | | |
| PHILADELPHIA, PENNSYLVANIA 19148 | | | | | | |
| Alien's Telephone # | | | | Date of Action | | Location Code |
| | | | | 09/16/2022 | | YUS |
| City, Province (State) and Country of Birth | | | | | Country of Citizenship | |
| SARSA, HARYANA, INDIA | | | | | INDIA | |
| Date, Place, Time, and Manner of Last Entry/Attempted Entry | | | | | Status at Entry | |
| 09/15/2022, 0600, 11 mile(s) NE of SLU, AFOOT | | | | | PWA Mexico | |
| Foreign Address/Residence (Number, Street, City, Province (State), Country) | | | | | | |
| SARSA, HARYANA INDIA | | | | | | |
| Method of Location/Apprehension | | | | (At/Near) | | Date & Hour |
| PB UNKNOWN | | | | EAST LUIS, AZ | | 09/15/2022 0703 |

DEPARTMENT OF HOMELAND SECURITY
PAROLED

U.S. 89046 91088

Until: 11/16/22

Purpose: 2/2 (a) (5)

09/17/22 TCC TGS

(Date) (Location) (Officer)

*
DEPARTMENT OF HOMELAND SECURITY



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

PD G-56



Name: RAJESH KUMAR

Date: 09/16/2022

Home Address: 2535 S 7TH ST PHILADELPHIA, PENNSYLVANIA 19148

Please present this notice to your local ICE office upon request



| | |
|------------------------|--|
| OFFICE LOCATION | ICE Field Offices are listed on the attached document entitled "ICE Field Offices." Please call 1-888-351-4024 if you need assistance in locating or reporting to your local ICE office. |
| DEADLINE | You must report your local ICE office within 60 days of release. |
| REQUEST | ICE Deportation Officer for continued processing and consideration for enrollment in ATD. |
| REASON FOR APPOINTMENT | You have been released in the discretion of U.S. Customs and Border Protection in the United States and are now required to contact your local ICE Field Office to complete processing. Contacting ICE will ensure that DHS has your address and contact information up to date. Once you contact ICE for the first time, ICE will evaluate how you can meet the continuing filing requirements which may include in-person reporting. Failure to contact the local ICE office may lead to you being taken into custody or placed on additional forms of supervision or monitoring. |
| BRING WITH YOU | Identification document (birth certificate, government-issued identity documents such as a driver's license or cédula) and all immigration documents. |

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

Intensive Supervision Appearance Program BI SmartLINK S-Site Participant Agreement

Participants required to be monitored with location or curfew verification, will be monitored using the BI SmartLINK® Application.

| AGREEMENT | |
|--|-----------|
| 1. I, <u>Kumar, Rajesh</u> , am authorized to travel to the <u>1015 Chestnut Street Mezzanine Level Philadelphia, PA 19107</u> in the city of _____ within the United States. I agree to arrive at this final location by <u>10/04/2022</u> . Upon arrival at this final location, ERO-ATD will make a determination on next steps. | 267-857-8 |
| 2. While in the Electronic Monitoring Program, I agree to carry a BI provided mobile device and keep it charged and powered on at all times. | |
| 3. I acknowledge receipt of BI mobile device ID#: | |
| 4. I agree that if I am required to submit a Check-In as part of my supervision program that: <ul style="list-style-type: none"> • I understand I will receive a notification to submit my <input type="radio"/> Daily, <input checked="" type="radio"/> Weekly, or <input type="radio"/> Monthly on <u>Saturday</u> Check-In between <u>10:00 - 11:00</u> and will comply by completing my Check-In as required. • I understand that my mobile device allows the SmartLINK app to provide my location information • I agree to be in a cellular data coverage area or connected to a Wi-Fi hotspot with Internet connectivity at the time of my Check-In or other required event. If I do not have coverage at the time of my check-In or other event, I will move to an area of coverage as soon as possible. | |
| 5. I understand that my identity is confirmed using biometric technology and I agree that I will not attempt to circumvent or take any action designed to circumvent the reliability of the biometrics technology. | |
| 6. I acknowledge that it is my responsibility to inform ERO immediately if I lose or damage the BI mobile device upon which the SmartLINK application is installed. | |
| 7. I agree to NOT drive a motor vehicle or operate machinery when using the SmartLINK application. | |
| 8. I agree to NOT tamper or discard the BI mobile device. | |
| 9. I understand I must return the BI mobile device at my first visit with the BI ISAP or ERO office. | |

| ACKNOWLEDGEMENT OF REVIEW | |
|---|---|
| My signature below acknowledges that I have received a copy of the rules and authorized schedule and that they have been explained to me. I also acknowledge that translation services were available upon request. I understand that I must comply with these rules until I have completed the Electronic Monitoring Program, or until otherwise notified by my Intensive Supervision Case Specialist. I also understand that any violation of these rules will constitute a violation that could result in termination of my participation in this program and return to detention. | |
| Participant Name: Kumar, Rajesh | |
| Alien Number: |  |
| Participant Signature | Date 09/17/2022 |
| Case Specialist Signature  | Date 09/17/2022 |





Search Results: 1

RAJESH KUMAR

Country of Birth : India

A-Number:

Status : In ICE Custody

State: PA

Current Detention Facility: [Philadelphia Federal Detention Center](#)

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

[BACK TO SEARCH >](#)

Related Information

- Helpful Info**
- [Status of a Case](#)
- [About the Detainee Locator](#)
- [Brochure](#)
- [ICE ERO Field Offices](#)
- [ICE Detention Facilities](#)
- [Privacy Notice](#)

- External Links**
- [Bureau of Prisons Inmate Locator](#)



Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 1 of 14

APPENDIX

FIRST CIRCUIT

District of Maine

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

District of Massachusetts

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

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

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

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 3 of 14

48. Anselmo v. Moniz, No. 25-13309, 2025 WL 3171137 (D. Mass. Nov. 13, 2025)
49. Caguana-Caguana v. Moniz, No. 25-13142, 2025 WL 3171043 (D. Mass. Nov. 13, 2025)
58. Artiga v. Genalo, No. 25-5208, 2025 WL 2829434 (E.D.N.Y. Oct. 5, 2025)
59. Hypolite v. Naem, No. 25-4304, 2025 WL 2829511 (E.D.N.Y. Oct. 6, 2025)

District of New Hampshire

50. Jimenez v. FCI Berlin, Warden, No. 25-00326, 2025 WL 2639390 (D.N.H. Sept. 8, 2025)
51. Malan Quizhni v. Brackett, No. 25-389, Doc. No. 2 (D.N.H. Oct. 9, 2025)
52. Lamidi v. FCI Berlin, Warden, No. 25-00297, Doc. No. 14 (D.N.H. Sept. 15, 2025)

District of Rhode Island

53. Rodriguez v. Bondi, No. 25-406, 2025 WL 2899769 (D.R.I. Oct. 10, 2025)
54. Tomas Elias v. Hyde, No. 25-540, 2025 WL 3004437 (D.R.I. Oct. 27, 2025)
55. Astudillo v. Hyde, No. 25-551, 2025 WL 3035083 (D.R.I. Oct. 30, 2025)
56. Herrera Martinez v. Hyde, No. 25-575, 2025 WL 3124025 (D.R.I. Nov. 7, 2025)

SECOND CIRCUIT**Eastern District of New York**

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

Southern District of New York

60. Lopez Benitez v. Francis, No. 25-5937, — F. Supp. 3d —, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025)
61. Samb v. Jovee, No. 25-6373, 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025)
62. Gonzalez v. Jovee, No. 25-8250, 2025 WL 2961626 (S.D.N.Y. Oct. 19, 2025)
63. Romero Perez v. Francis, No. 25-8112, 2025 WL 3110459 (S.D.N.Y. Nov. 6, 2025)
64. Rueda Torres v. Francis, No. 25-8408, 2025 WL 3168759 (S.D.N.Y. Nov. 13, 2025)

Western District of New York

65. Barbosa da Cunha v. Moniz, No. 25-06532, Doc. No. 25 (W.D.N.Y. Oct. 20, 2025)
66. Alvarez Ortiz v. Freden, No. 25-960, — F. Supp. 3d —, 2025 WL 3085032 (W.D.N.Y. Nov. 4, 2025)

THIRD CIRCUIT**District of New Jersey**

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

68. Castillo v. Lyons, No. 25-16219, 2025 WL 2940990 (D.N.J. Oct. 10, 2025)
69. Buestan v. Chu, 2025 WL 2972252 (D.N.J. Oct. 21, 2025)
70. Bethancourt Soto v. Soto, No. 25-16200, — F. Supp. 3d —, 2025 WL 2976572 (D.N.J. Oct. 22, 2025)
71. Contreras Maldonado v. Cabezas, No. 25-13004, 2025 WL 2985256 (D.N.J. Oct. 23, 2025)
72. Lomeu v. Soto, No. 25-16589, 2025 WL 2981296 (D.N.J. Oct. 23, 2025)
73. Contreras Amaya v. Bondi, No. 25-16742, Doc. No. 7 (D.N.J. Oct. 26, 2025)
74. Patel v. Almodovar, No. 25-15345, 2025 WL 3012323 (D.N.J. Oct. 28, 2025)
75. Alaya Amaya v. Bondi, No. 25-16428, 2025 WL 3033880 (D.N.J. Oct. 30, 2025)
76. Mbaou v. Field Off. Dir. of New Jersey Immigr. & Customs Enf't, No. 25-16882, 2025 WL 3062791 (D.N.J. Nov. 3, 2025)
77. Vincenz-Marquez v. Soto, No. 25-16906, 2025 WL 3097496 (D.N.J. Nov. 6, 2025)
78. Guaman Naula v. Noem, No. 25-16792, 2025 WL 3158490 (D.N.J. Nov. 12, 2025)
79. Moreira da Silva v. LaForge, No. 25-17095, 2025 WL 3173859 (D.N.J. Nov. 13, 2025)
- Eastern District of Pennsylvania**
80. Cantu-Cortes v. O'Neill, No. 25-6338, 2025 WL 3171639 (E.D. Pa. Nov. 13, 2025)
81. Kashranov v. Jamison, No. 25-05555, 2025 WL 3188399 (E.D. Pa. Nov. 14, 2025)
- Western District of Pennsylvania**
82. del Cid v. Bondi, No. 25-00304, 2025 WL 2985150 (W.D. Pa. Oct. 23, 2025)
- FOURTH CIRCUIT**
- District of Maryland**
83. Leal-Hernandez v. Noem, No. 25-02428, 2025 WL 2430025 (D. Md. Aug. 24, 2025)
84. Maldonado de Leon v. Baker, No. 25-3084, 2025 WL 2968042 (D. Md. Oct. 21, 2025)
85. Pineda Velasquez v. Sec'y Noem, No. 25-3215, 2025 WL 3003684 (D. Md. Oct. 27, 2025)
- Middle District of North Carolina**
86. S.D.B.B. v. Johnson, No. 25-882, 2025 WL 2845170 (M.D.N.C. Oct. 7, 2025)
- Eastern District of Virginia**
87. Hasan v. Crawford, No. 25-01408, — F. Supp. 3d —, 2025 WL 2682255 (E.D. Va. Sept. 19, 2025)
88. Quispe v. Crawford, No. 25-01471, 2025 WL 2783799 (E.D. Va. Sept. 29, 2025)

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 5 of 14

89. Diaz Gonzalez v. Lyons, No. 25-01583, Doc. No. 8 (E.D. Va. Oct. 1, 2025)
90. Gomez Alonzo v. Simon, No. 25-01587, Doc. No. 16 (E.D. Va. Oct. 1, 2025)
91. Perez Bibiano v. Lyons, No. 25-01590, Doc. No. 8 (E.D. Va. Oct. 1, 2025)
92. Vargas Nunez v. Lyons, No. 25-01574, Doc. No. 10 (E.D. Va. Oct. 1, 2025)
93. Ibarra Garcia v. Simon, No. 25-01663, Doc. No. 6 (E.D. Va. Oct. 3, 2025)
94. Guerra Leon v. Noem, No. 25-01634, Doc. No. 12 (E.D. Va. Oct. 8, 2025)
95. Maldonado Merlos v. Noem, No. 25-01645, Doc. No. 11 (E.D. Va. Oct. 9, 2025)
96. Sineh v. Lyons, No. 25-01606, 2025 WL 2932635 (E.D. Va. Oct. 14, 2025)
97. Hernandez v. Crawford, No. 25-01565, 2025 WL 2940702 (E.D. Va. Oct. 16, 2025)
98. Flores Pineda v. Simon, No. 25-01616, 2025 WL 2980729 (E.D. Va. Oct. 21, 2025)
99. Gregorio Lanon v. Noem, No. 25-01666, 2025 WL 2997507 (E.D. Va. Oct. 24, 2025)
100. Duarte Escobar v. Perry, No. 25-00758, 2025 WL 3006742 (E.D. Va. Oct. 27, 2025)
101. Sanchez-Lopez v. Crawford, No. 25-01721, Doc. No. 6 (E.D. Va. Oct. 27, 2025)
102. Sanchez Saire v. Elliston, No. 25-01808, Doc. No. 7 (E.D. Va. Oct. 27, 2025)
103. Garcia Guardado v. Lyons, No. 25-01741, Doc. No. 5 (E.D. Va. Oct. 28, 2025)
104. Montejo v. Lyons, No. 25-01751, Doc. No. 7 (E.D. Va. Oct. 28, 2025)
105. Velasquez Lozano v. Simon, No. 25-01731, Doc. No. 5 (E.D. Va. Oct. 28, 2025)
106. Torres Torres v. Noem, No. 25-01866, Doc. No. 10 (E.D. Va. Nov. 3, 2025)
107. Vicente v. U.S. Immigr. & Customs Enft, No. 25-01836, Doc. No. 6 (E.D. Va. Nov. 3, 2025)
108. Lopez Sarmiento v. Perry, No. 25-01644, 2025 WL 3091140 (E.D. Va. Nov. 5, 2025)
109. Diaz Garcia v. Noem, No. 25-1712, 2025 WL 3111223 (E.D. Va. Nov. 6, 2025)
110. Servellon Martinez v. Lyons, No. 25-01792, Doc. No. 7 (E.D. Va. Nov. 7, 2025)

FIFTH CIRCUIT

Western District of Louisiana

111. Kostak v. Trump, No. 25-01093, 2025 WL 2472136 (W.D. La. Aug. 27, 2025)

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 6 of 14

112. Lopez Santos v. Noem, No. 25-01193, 2025 WL 2642278 (W.D. La. Sept. 11, 2025)

113. Barrios Sandoval v. Acuna, No. 25-01467, 2025 WL 3048926 (W.D. La. Oct. 31, 2025)

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

Southern District of Texas

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

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

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

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

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

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

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

SIXTH CIRCUIT

Western District of Kentucky

122. Barrera v. Tindall, No. 25-00541, 2025 WL 2690565 (W.D. Ky. Sept. 19, 2025)

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

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

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

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

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

Eastern District of Michigan

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

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

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

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

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 7 of 14

132. Casio-Mejia v. Raverati, No. 25-13032, 2025 WL 2976737 (E.D. Mich. Oct. 21, 2025)
133. Santos Franco v. Raverati, No. 25-13188, 2025 WL 2977118 (E.D. Mich. Oct. 21, 2025)
134. Gimenez Gonzalez v. Raverati, No. 25-13094, 2025 WL 3006185 (E.D. Mich. Oct. 27, 2025)
135. Hernandez Capote v. Sec'y of U.S. Dep't of Homeland Sec., No. 25-13128, 2025 WL 3089756 (E.D. Mich. Nov. 5, 2025)
136. Diego v. Raverati, No. 25-13288, 2025 WL 3159106 (E.D. Mich. Nov. 12, 2025)
- Western District of Michigan**
137. Sanchez Alvarez v. Noem, No. 25-1090, 2025 WL 2942648 (W.D. Mich. Oct. 17, 2025)
138. Rodriguez Carrona v. Noem, No. 25-1131, 2025 WL 2992222 (W.D. Mich. Oct. 24, 2025)
139. Puerto-Hernandez v. Lynch, No. 25-1097, 2025 WL 3012033 (W.D. Mich. Oct. 28, 2025)
140. Marin Garcia v. Noem, No. 25-1271, 2025 WL 3017200 (W.D. Mich. Oct. 29, 2025)
141. Rodriguez v. Noem, No. 25-1196, 2025 WL 3022212 (W.D. Mich. Oct. 29, 2025)
142. de Jesus Ramirez v. Noem, No. 25-1261, 2025 WL 3039266 (W.D. Mich. Oct. 31, 2025)
143. Escobar-Ruiz v. Raverati, No. 25-1232, 2025 WL 3039255 (W.D. Mich. Oct. 31, 2025)
144. Salgado Mendoza v. Noem, No. 25-1252, 2025 WL 3077589 (W.D. Mich. Nov. 4, 2025)
145. Hernandez Garcia v. Raverati, No. 25-1281, 2025 WL 3122800 (W.D. Mich. Nov. 7, 2025)
146. Rodriguez Serrano v. Noem, No. 25-1320, 2025 WL 3122825 (W.D. Mich. Nov. 7, 2025)
147. Contreras Alvarez v. Noem, No. 25-1313, 2025 WL 3151948 (W.D. Mich. Nov. 12, 2025)
148. Lucero Lucero v. Noem, No. 25-1295, 2025 WL 3165235 (W.D. Mich. Nov. 12, 2025)
149. Ginez Hernandez v. Noem, No. 25-1307, 2025 WL 3170872 (W.D. Mich. Nov. 13, 2025)
150. Madrid Gonzalez v. Noem, No. 25-1315, 2025 WL 3170879 (W.D. Mich. Nov. 13, 2025)
151. Mora Lara v. Noem, No. 25-1332, 2025 WL 3170876 (W.D. Mich. Nov. 13, 2025)
152. Singh v. Noem, No. 25-1251, 2025 WL 3170855 (W.D. Mich. Nov. 13, 2025)
153. Amigon Cardona v. Unknown Party #1, No. 25-1297, 2025 WL 3200682 (W.D. Mich. Nov. 17, 2025)

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 8 of 14

154. Sevilla v. Noem, No. 25-1325, 2025 WL 3200698 (W.D. Mich. Nov. 17, 2025)
155. Silva Orellana v. Noem, No. 12-1333, 2025 WL 3198685 (W.D. Mich. Nov. 17, 2025)
- Northern District of Ohio**
156. Laguna Espinoza v. Dir. of Detroit Field Off., No. 25-02107, 2025 WL 2878173 (N.D. Ohio Oct. 9, 2025)
157. Moraiez Chavez v. Dir. of Detroit Field Off., No. 25-02061, 2025 WL 2959617 (N.D. Ohio Oct. 20, 2025)
158. E.V. v. Ravcraft, No. 25-02069, 2025 WL 3122837 (N.D. Ohio Nov. 7, 2025)
159. Morales Chavez v. Dir. of Detroit Field Off., No. 25-02061, 2025 WL 3187080 (N.D. Ohio Nov. 14, 2025)
- Western District of Tennessee**
160. Godinez-Lopez v. Ladwig, No. 25-02962, 2025 WL 3047889 (W.D. Tenn. Oct. 31, 2025)
- SEVENTH CIRCUIT**
- Northern District of Illinois**
161. Ochoa Ochoa v. Noem, No. 25-10865, 2025 WL 2938779 (N.D. Ill. Oct. 16, 2025)
162. H.G.V.L. v. Smith, No. 25-10931, 2025 WL 2962610 (N.D. Ill. Oct. 20, 2025)
163. G.Z.L.A. Smith, No. 25-12802, Doc. No. 14 (N.D. Ill. Oct. 21, 2025)
164. Miguel v. Noem, No. 25-11137, 2025 WL 2976480 (N.D. Ill. Oct. 21, 2025)
165. Padilla v. Noem, No. 25-12462, 2025 WL 2977742 (N.D. Ill. Oct. 22, 2025)
166. Maldonado v. Crowley, No. 25-12762, Doc. No. 16 (N.D. Ill. Oct. 24, 2025)
167. Patel v. Crowley, No. 25-11180, 2025 WL 2996787 (N.D. Ill. Oct. 24, 2025)
168. Amigon Sanchez v. Olson, No. 25-12453, 2025 WL 3004580 (N.D. Ill. Oct. 27, 2025)
169. Corona Diaz v. Olson, No. 25-12141, 2025 WL 3022170 (N.D. Ill. Oct. 29, 2025)
170. Rosales Ponce v. Olson, No. 25-13037, 2025 WL 3049785 (N.D. Ill. Oct. 31, 2025)
171. Valencia v. Noem, No. 25-12829, 2025 WL 3042520 (N.D. Ill. Oct. 31, 2025)
172. D.E.C.T. v. Noem, No. 25-12463, 2025 WL 3063650 (N.D. Ill. Nov. 3, 2025)
173. Flores v. Olson, No. 25-12916, 2025 WL 3063540 (N.D. Ill. Nov. 3, 2025)
174. Galvis Cortes v. Olsen, No. 25-6293, 2025 WL 3063636 (N.D. Ill. Nov. 3, 2025)
175. Reyes Arizmendi v. Noem, No. 25-13041, 2025 WL 3089107 (N.D. Ill. Nov. 5, 2025)

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 9 of 14

176. Mirzoev v. Olson, No. 25-12969, 2025 WL 3101969 (N.D. Ill. Nov. 6, 2025)
177. Pacheco Carrillo v. Noem, No. 25-12963, 2025 WL 3101993 (N.D. Ill. Nov. 6, 2025)
178. Garcia Rios v. Olson, No. 25-13180, 2025 WL 3124173 (N.D. Ill. Nov. 7, 2025)
179. Munoz Arredondo v. Olson, No. 25-12882, 2025 WL 3124149 (N.D. Ill. Nov. 7, 2025)
180. Perez v. Noem, No. 25-13441, 2025 WL 3140692 (N.D. Ill. Nov. 10, 2025)
181. Ramirez Martinez v. Noem, No. 25-12029, 2025 WL 3145103 (N.D. Ill. Nov. 11, 2025)
182. Vasquez Gonzalez v. Olson, No. 25-13162, 2025 WL 3158191 (N.D. Ill. Nov. 12, 2025)
183. Cabrera v. Noem, No. 25-12160, 2025 WL 3171288 (N.D. Ill. Nov. 13, 2025)
184. Mariscal Serrano v. Salazar, No. 23-13170, 2025 WL 3171354 (N.D. Ill. Nov. 13, 2025)
185. Rodriguez Loredo v. Forestal, No. 25-12758, 2025 WL 3187319 (N.D. Ill. Nov. 14, 2025)
- Southern District of Indiana**
186. Campos Leon v. Forestal, No. 25-01774, 2025 WL 2694763 (S.D. Ind. Sept. 22, 2025)
187. Alejandro v. Olson, No. 25-02027, 2025 WL 2896348 (S.D. Ind. Oct. 11, 2025)
188. Singh v. Bondi, No. 25-02101, 2025 WL 3029524 (S.D. Ind. Oct. 30, 2025)
189. Delgado Avila v. Crowley, No. 25-00533, — F. Supp. 3d —, 2025 WL 3171175 (S.D. Ind. Nov. 13, 2025)
190. Quishpe-Guaman v. Noem, No. 25-00211, 2025 WL 3201072 (S.D. Ind. Nov. 17, 2025)
- EIGHTH CIRCUIT**
- Northern District of Iowa**
191. Giron Reves v. Lyons, No. 25-04048, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025)
192. Garcia Picazo v. Sheehan, No. 25-4057, 2025 WL 3006188 (N.D. Iowa Oct. 27, 2025)
193. Chilel Chilel v. Sheehan, No. 25-4053, 2025 WL 3158617 (N.D. Iowa Nov. 12, 2025)
- Southern District of Iowa**
194. Barrajas v. Noem, No. 25-00322, 2025 WL 2717650 (S.D. Iowa Sept. 23, 2025)
195. Helbrum v. Williams Olson, No. 25-00349, 2025 WL 2840273 (S.D. Iowa Sept. 30, 2025)
- District of Minnesota**
196. Aguilar Maldonado v. Olson, No. 25-3142, — F. Supp. 3d —, 2025

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 10 of 14

- WL 2374411 (D. Minn. Aug. 15, 2025)
197. J.O.E. v. Bondi, No. 25-03051, — F. Supp. 3d —, 2025 WL 2466670 (D. Minn. Aug. 27, 2025)
198. Francisco T. v. Bondi, No. 25-03219, 2025 WL 2629839 (D. Minn. Aug. 29, 2025)
199. Belsai D.S. v. Bondi, No. 25-03682, 2025 WL 2802947 (D. Minn. Oct. 1, 2025)
200. Eliseo A.A. v. Olson, No. 25-3381, 2025 WL 2886729 (D. Minn. Oct. 8, 2025)
201. Herrera Avila v. Bondi, No. 25-3741, 2025 WL 2976539 (D. Minn. Oct. 21, 2025)
202. E.M. v. Noem, No. 25-975, 2025 WL 3157839 (D. Minn. Nov. 12, 2025)
- Eastern District of Missouri**
203. Mejia Olalde v. Noem, No. 25-00168, 2025 WL 3131942 (E.D. Mo. Nov. 10, 2025)
- District of Nebraska**
204. Garcia Jimenez v. Kramer, No. 25-03162, 2025 WL 2374223 (D. Neb. Aug. 14, 2025)
205. Carmona-Lorenzo v. Trump, No. 25-3172, 2025 WL 2531521 (D. Neb. Sept. 3, 2025)
206. Palma Perez v. Berg, No. 25-494, — F. Supp. 3d —, 2025 WL 2531566 (D. Neb. Sept. 3, 2025)
207. Genchi Palma v. Trump, No. 25-3176, 2025 WL 2624385 (D. Neb. Sept. 11, 2025)
208. Ozuna Carlon v. Karner, No. 25-3178, 2025 WL 2624386 (D. Neb. Sept. 11, 2025)
209. Perez v. Kramer, No. 25-03179, 2025 WL 2624387 (D. Neb. Sept. 11, 2025)
210. Duenas Arce v. Trump, No. 25-520, Doc. No. 33 (D. Neb. Sept. 18, 2025)
211. Vargas Lopez v. Trump, No. 25-526, 2025 WL 2780351 (D. Neb. Sept. 30, 2025)
- NINTH CIRCUIT**
- District of Arizona**
212. Rosado v. Figueroa, No. 25-02157, 2025 WL 2337099 (D. Ariz. Aug. 11, 2025)
213. Echevarria v. Bondi, No. 25-3252, 2025 WL 2821282 (D. Ariz. Oct. 3, 2025)
- Central District of California**
214. Bautista v. Santacruz, No. 25-01873, 2025 WL 2670875 (C.D. Cal. July 28, 2025)
215. Gonzalez v. Noem, No. 25-02054, 2025 WL 2633187 (C.D. Cal. Aug. 13, 2025)
216. Benitez v. Noem, No. 25-02190, Doc. No. 11 (C.D. Cal. Aug. 26, 2025)
217. Mosqueda v. Noem, No. 25-02394, 2025 WL 2591530 (C.D. Cal. Sept. 8, 2025)

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 11 of 14

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

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 12 of 14

240. Cardero Pelico v. Kaiser, No. 25-07286, 2025 WL 2822876 (N.D. Cal. Oct. 3, 2025)
241. Chavez v. Kaiser, No. 25-06984, 2025 WL 2909526 (N.D. Cal. Oct. 9, 2025)
242. Pablo Sequen v. Albarran, No. 25-06487, 2025 WL 2935630 (N.D. Cal. Oct. 15, 2025)
243. J.A.C.P. v. Wofford, No. 25-01354, 2025 WL 3013328 (E.D. Cal. Oct. 27, 2025)
244. J.A.E.M. v. Wofford, No. 25-01380, 2025 WL 3013377 (E.D. Cal. Oct. 27, 2025)
245. Ramandi v. Off. Dir., ICE ERO San Francisco, No. 25-01462, 2025 WL 3182732 (E.D. Cal. Nov. 14, 2025)
- Southern District of California**
246. Vasquez Garcia v. Noem, No. 25-02180, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025)
247. Sixtos Chavez v. Noem, No. 25-2325, Doc. No. 8 (S.D. Cal. Sept. 24, 2025)
248. Esquivel-Inna v. LaRose, No. 25-2672, 2025 WL 2998361 (S.D. Cal. Oct. 24, 2025)
249. Lopez v. Warden, Otay Mesa Det. Ctr., No. 25-2527, 2025 WL 3005346 (S.D. Cal. Oct. 27, 2025)
250. Martinez Lopez v. LaRose, No. 25-2717, 2025 WL 3030457 (S.D. Cal. Oct. 30, 2025)
251. Carmelo Beltran v. Noem, No. 25-2650, 2025 WL 3078837 (S.D. Cal. Nov. 4, 2025)
252. Garcia Magadan v. Noem, No. 25-2889, 2025 WL 3090089 (S.D. Cal. Nov. 5, 2025)
253. Aquino v. LaRose, No. 25-2904, 2025 WL 3158676 (S.D. Cal. Nov. 12, 2025)
254. Pelico Calel v. LaRose, No. 25-02883, 2025 WL 3171898 (S.D. Cal. Nov. 13, 2025)
- District of Hawaii**
255. Rico-Fapia v. Smith, No. 25-00379, 2025 WL 2950089 (D. Haw. Oct. 10, 2025)
- District of Nevada**
256. Maldonado Vazquez v. Feeley, No. 25-01542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025)
257. Sanchez Roman v. Noem, No. 25-01684, 2025 WL 2710211 (D. Nev. Sept. 23, 2025)
258. Carlos v. Noem, No. 25-01900, 2025 WL 2896156 (D. Nev. Oct. 10, 2025)
259. E.C. v. Noem, No. 25-01789, 2025 WL 2916264 (D. Nev. Oct. 14, 2025)
260. Aparicio v. Noem, No. 25-01919, 2025 WL 2998098 (D. Nev. Oct. 23, 2025)
261. Dominguez-Lara v. Noem, No. 25-01553, 2025 WL 2998094 (D. Nev. Oct. 24, 2025)

Case 2:25-cv-05488-PD Document 11-1 Filed 11/18/25 Page 13 of 14

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

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

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

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

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

District of Oregon

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

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

Western District of Washington

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

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

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

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

TENTH CIRCUIT

District of Colorado

273. Garcia Cortes v. Noem, No. 25-02677, 2025 WL 2652880 (D. Colo. Sept. 16, 2025)

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

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

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

District of New Mexico

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

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

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

ELEVENTH CIRCUIT

Middle District of Florida

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

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

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

Southern District of Florida

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

Middle District of Georgia

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

Southern District of Georgia

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