UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No.: 26-CV-60340-ARTAU

SADIEL VISET-KINET,

Petitioner,

v.

KRISTI NOEM, *et al.*

Respondents.
_____/

RESPONDENTS' BRIEF ON SUBJECT MATTER JURISDICTION

Respondents[1], by and through the undersigned counsel, and pursuant to this Court's Sua Sponte Order [ECF No. 9] respectfully submits this brief explaining why this Court lacks subject matter jurisdiction under 8 U.S.C. §§ 1252(b)(9) and/or (g) over Petitioner, Sadiel Viset-Kinet's ("Petitioner"), Petition for Writ of Habeas Corpus ("Petition") [ECF No.1].

INTRODUCTION

Petitioner, a Cuban national, entered the United States on or about March 9, 2021, without inspection. *See* [ECF No. 1 at ¶ 24]. That same day, Petitioner was issued a Notice and Order of Expedited Removal under INA § 235(b)(1). *Id.* Petitioner claimed a fear of return to Cuba and on March 25, 2021, he appeared before an asylum officer who determined that Petitioner did not

[1] A writ of habeas corpus must "be directed to the person having custody of the person detained." 28 USC § 2243. In cases involving present physical confinement, the Supreme Court reaffirmed in *Rumsfeld v. Padilla*, 542 U.S. 426 (2004), that "the immediate custodian, not a supervisory official who exercises legal control, is the proper respondent." *Rumsfeld v. Padilla*, 542 U.S. 426, 439 (2004). Petitioner is currently detained at Krome North Processing Center ("Krome") in Miami, Florida. *See* Exhibit E at ¶ 4. The immediate custodian in charge of Krome is Assistant Field Director ("AFOD") Charles Parra. Accordingly, the only proper Respondent in this case is AFOD Parra, in his official capacity, and all other Respondents should be dismissed.

have a credible fear of persecution or torture. *See* Exhibit A, *Record of Negative Credible Fear Finding, dated March 25, 2021.* Petitioner later appeared before an Immigration Judge who affirmed the negative credible fear determination and ordered Petitioner removed to Cuba. *See* Exhibit B, *Order of the Immigration Judge, dated April 1, 2021.* Petitioner was not, however, removed at that time, but allowed to remain out of custody pursuant to an Order of Supervision (OSUP). *See* [ECF No. 1 at ¶ 25]. On January 11, 2026, Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), revoked the OSUP and detained Petitioner for the purpose of executing his removal. *Id.* at ¶ 2. Petitioner is currently in ICE custody at the Broward Transitional Center in Pompano Beach, Florida, pending his removal. *Id.* at ¶ 13.

As explained below, the Court does not have jurisdiction over the instant Petition and therefore the Petition must be denied.

ARGUMENT

I. This Court Lacks Jurisdiction Over Petitioner's Claims

"Federal courts are courts of limited jurisdiction." *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994) (citation omitted); *see also Johansen v. Combustion Eng'g, Inc.*, 170 F.3d 1320, 1328 n.4 (11th Cir. 1999) ("A federal court not only has the power but also the obligation at any time to inquire into jurisdiction whenever the possibility that jurisdiction does not exist arises."). For these reasons, before this Court can proceed, it must determine whether it has jurisdiction over this action. *See Resnick v. AvMed, Inc.*, 693 F.3d 1317, 1323 (11th Cir. 2012) ("Prior to making an adjudication on the merits, we must assure ourselves that we have jurisdiction to hear the case before us.").

A. The Eleventh Circuit Has Made Clear That No Subject Matter Jurisdiction Exists Under The APA Over Challenges To USCIS Delays In Adjudicating Form I-485 Adjustment Of Status Applications.

In Count One of the Petition, Petitioner brings a claim under the Administrative Procedure Act (APA) alleging that USCIS has "unlawfully withheld" and "unreasonably delayed" action on his pending Form I-485. *See* [ECF No. 1 at ¶ 58-59]. As a result, he seeks injunctive and declaratory relief in the form of an order compelling USCIS to adjudicate his application for permanent residence within a reasonable time frame. *Id.*

As a preliminary matter, on December 2, 2025, USCIS issued Policy Memorandum PM-602-0192, Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries ("December 2, 2025 Policy Memorandum"), which, in relevant part, placed a hold on pending benefit requests for aliens from countries listed in Presidential Proclamation 10949, Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and other National Security and Public Safety Threats. *See* Exhibit C, *December 2, 2025 Policy Memorandum.*

The December 2, 2025 Policy Memorandum applies to this case, as the Petitioner is a citizen and national of Cuba, one of the 19 countries listed in Presidential Proclamation 10949. This Policy Memorandum mandates "that all aliens meeting these criteria go through a thorough re-review process, including a potential interview and, if necessary, a re-interview, to fully assess all national security and public safety threats along with any other related grounds of inadmissibility or ineligibility. An individualized, case-by-case review and assessment will be done of all relevant information and facts." This December 2, 2025 Policy Memorandum states that USCIS will issue operational guidance within 90 days of issuance of the memorandum.

Additionally, on January 1, 2026, USCIS issued Policy Memorandum PM-602-0194, "Hold and Review of USCIS Benefit Applications Filed by Aliens from Additional High-Risk Countries." ("January 1, 2026 Policy Memorandum"), which, in relevant part, placed a hold on all

pending benefit requests for aliens from countries listed in Presidential Proclamation 10998, Restricting and Limiting the Entry of Foreign Nationals To Protect The Security of the United States. *See* Exhibit D, *January 1, 2026 Policy Memorandum*. The January 1, 2026 Policy Memorandum also applies to this case, as Petitioner is a citizen and national of Cuba, one of the 39 countries listed in Presidential Proclamation 10998. This January 1, 2026 Policy Memorandum did not supersede the guidance in the December 2, 2025 Memorandum, except as specified under the "Exceptions to the Adjudication Hold." Of note, the Petitioner's pending Form I-485 does not fit within any of the listed exceptions to the adjudication hold set out in the January 1, 2026 Policy Memorandum. This January 1, 2026 Policy Memorandum also states that USCIS will issue operational guidance within 90 days of issuance of the memorandum.

The APA bars judicial review over the Petitioner's pending Form I-485 because both the USCIS pace of adjudication over the Form I-485 and the USCIS policy to place the Petitioner's Form I-485 on hold are committed to the agency's discretion. Judicial review is not available under the APA when "(1) statutes preclude judicial review; or (2) agency action is committed to agency discretion by law." 5 U.S.C. § 701(a). An agency's action is committed to its discretion and not reviewable by the APA when there is "no meaningful standard against which to judge the agency's exercise of discretion." *See Heckler v. Chaney*, 470 U.S. 821, 830 (1985).

The decision to grant or deny an application for adjustment of status under the CAA is discretionary. The CAA provides in pertinent part as follows:

> That, notwithstanding the provisions of section 245(c) of the Immigration and Nationality Act, the status of any alien who is a native or citizen of Cuba and who has been inspected and admitted or paroled into the United States subsequent to January 1, 1959 and has been physically present in the United States for at least one year, *may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe*, to that of an alien lawfully admitted for permanent residence if the alien makes an application

> for such adjustment, and the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence.

Cuban Adjustment Act, Pub. L. No. 89-732, 801 Stat. 1161 (codified as a historical note to 8 U.S.C. § 1255) (emphasis added).

The Eleventh Circuit has found that the APA does not provide the district court with jurisdiction to review USCIS's discretionary denial of an application for adjustment of status under the CAA. *See Garriga v. Hackbarth*, 548 Fed.Appx. 559 (11th Cir. 2013). *See also Mesa Martinez v. Noem*, Case No. 1:25-cv-23758, 2026 WL 472311 (S.D. Fla. 2026) (finding that the court lacked jurisdiction under the APA to review USCIS's discretionary denial of plaintiff's application for adjustment of status under the CAA).

Similarly, USCIS's pace in adjudicating a Form I-485 under the CAA is discretionary. To establish a court's jurisdiction over an APA claim, the Petitioner must demonstrate that there exists some action that USCIS must take within a required time frame. *See Norton v. S. Utah Wilderness All.*, 542 U.S. 55, 64 (2004). When there is no statutory or regulatory provision governing the pace of adjudication for a USCIS application, there is no identifiable standard against which the court can determine whether the agency "unlawfully withheld or unreasonably delayed" an adjudication and thus lacks jurisdiction to review a claim under the APA. *See generally Alfassi v. Garland*, 614 F.Supp.3d 1252, (S.D. Fla 2022); *Yilmaz v. Mukasey*, Case No. 08-21242, 2008 WL 11417739 (S.D. Fla. 2008); *Abdouch v. Mayorkas*, Case No. 3:24-cv-310, 2024 WL 5158772 (M.D. Fla. 2024).

There is no statute or regulation that provides a timeframe for completion of the adjudication process for a Form I-485 filed under the CAA. As a result, there is no "meaningful standard" to judge how long USCIS should take to adjudicate the Petitioner's pending Form I-485. *See Heckler*, 470 U.S. at 830. The Petitioner cannot point to an action that USCIS must take within

a legally required time in regard to his pending Form I-485. As a result, this court lacks jurisdiction to compel USCIS to adjudicate the Petitioner's Form I-485 under the APA.

Moreover, this Court also lacks jurisdiction to review Count I of the Petition because the USCIS policy to place the Petitioner's Form I-485 on hold is committed to the agency's discretion and therefore precluded from review under the APA. There is no judicially manageable standards for the Court to apply to determine a remedy in this case. The policy to hold certain cases, including the Petitioner's Form I-485, for vetting, is committed to agency discretion. The national security considerations impacting the USCIS policy to hold certain cases for further review are within the agency's discretion to manage its caseload while protecting the nation. *See also Ass'n of Businesses Advocating Tariff Equity v. Hanzlik*, 779 F.2d 697, 701 (D.C. Cir. 1985) (noting that "agencies are empowered to order their own proceedings and control their own dockets."); *Nader v. F.C.C.*, 520 F.2d 182, 195 (D.C. Cir.1975) (agencies possess discretion to "control the disposition of their caseload."). As a result, the APA bars judicial review over the USCIS policy to hold the Petitioner's pending Form I-485.

B. 8 U.S.C. § 1252(G) Bars Review Of Petitioner's Claims In Counts II, III, And IV Of The Petition.

Petitioner is essentially asking the Court to prohibit Respondents' commencement of removal proceedings, but the Court lacks jurisdiction to grant such relief. Section 1252(g) of Title 8, United States Code, categorically bars jurisdiction over "*any* cause or claim by or on behalf of any alien *arising from* the decision or action by the [Secretary of Homeland Security] to *commence proceedings*, adjudicate cases, or execute removal orders against any alien." 8 U.S.C. § 1252(g) (emphasis added). The Secretary of Homeland Security's decision to *commence removal proceedings*, including the decision to detain an alien pending such removal proceedings, squarely falls within this jurisdictional bar. In other words, detention clearly "aris[es] from" the decision to

commence removal proceedings against an alien. *See Alvarez v. ICE*, 818 F.3d 1194, 1203 (11th Cir. 2016) ("By its plain terms, [§ 1252(g)] bars us from questioning ICE's discretionary decisions to commence removal" and also to review "ICE's decision to take [plaintiff] into custody and to detain him during removal proceedings"); *Tazu v. Att'y Gen. U.S.*, 975 F.3d 292, 298 (3d Cir. 2020) ("The text of § 1252(g)... strips us of jurisdiction to review... [T]o perform or complete a removal, the [Secretary of Homeland Security] must exercise [her] discretionary power to detain an alien for a few days. That detention does not fall within some other part of the deportation process.") (cleaned up) (internal quotations and citations omitted); *Valencia-Mejia v. United States*, No. CV 08–2943 CAS (PJWx), 2008 WL 4286979, at *4 (C.D. Cal. Sept. 15, 2008) ("The decision to detain plaintiff until his hearing before the Immigration Judge *arose from* this decision to commence proceedings[.]") (emphasis added); *Wang v. United States*, No. CV 10-0389 SVW (RCx), 2010 WL 11463156, at *6 (C.D. Cal. Aug. 18, 2010) (citing *Khorrami v. Rolince*, 493 F. Supp. 2d 1061 (N.D. Ill. 2007) ("[Plaintiff's] detention necessarily *arises from* the decision to initiate removal proceedings against him.") (emphasis added); *Herrera-Correra v. United States*, No. CV 08-2941 DSF (JCx), 2008 WL 11336833, at *3 (C.D. Cal. Sept. 11, 2008) (citing *Sissoko v. Rocha*, 509 F.3d 947, 949 (9th Cir. 2007) ("The [Secretary] may arrest the alien against whom proceedings are commenced and detain that individual until the conclusion of those proceedings. ... Thus, an alien's detention throughout this process *arises from* the [Secretary]'s decision to commence proceedings[]" and review of claims arising from such detention is barred under § 1252(g)) (emphasis added). Put in the Supreme Court's words, detention pending removal is a "specification" of the decision to commence proceedings. *See Reno v. Am.-Arab Anti-Discrimination Comm.* ("*AADC*"), 525 U.S. 471, 485 n.9 (1999) ("§ 1252(g) covers" a "specification of the decision to 'commence proceedings'").

As such, judicial review of the Petitioner's claims is barred by § 1252(g).

C. 8 U.S.C. § 1252(B)(9) Bars Review Of Petitioner's Claims In Counts II, III, And IV Of The Petition.

Under § 1252(b)(9), "judicial review of all questions of law . . . including interpretation and application of statutory provisions . . . arising from any action taken . . . to remove an alien from the United States" is only proper before the appropriate court of appeals in the form of a petition for review of a final removal order. *See* 8 U.S.C. § 1252(b)(9); *Reno v. American-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 483 (1999) ("*AADC*"). Section 1252(b)(9) is an "unmistakable 'zipper' clause" that "channels judicial review of all [claims arising from deportation proceedings]" to a court of appeals in the first instance. *Id.*; *see Lopez v. Barr*, No. CV 20-1330 (JRT/BRT), 2021 WL 195523, at *2 (D. Minn. Jan. 20, 2021) (citing *Nasrallah v. Barr*, 590 U.S. 573, 579–80 (2020)). Moreover, § 1252(a)(5) provides that a petition for review is the exclusive means for judicial review of immigration proceedings. Notwithstanding any other provision of law (statutory or nonstatutory), . . . a petition for review filed with an appropriate court of appeals in accordance with this section shall be the sole and exclusive means for judicial review of an order of removal entered or issued under any provision of this chapter, except as provided in subsection (e) [concerning aliens not admitted to the United States]. 8 U.S.C. § 1252(a)(5). "Taken together, § 1252(a)(5) and § 1252(b)(9) mean that *any* issue—whether legal or factual—arising from *any* removal-related activity can be reviewed *only* through the [petition-for-review] process." *J.E.F.M. v. Lynch*, 837 F.3d 1026, 1031 (9th Cir. 2016) (emphasis in original); *see id.* at 1035 ("§§ 1252(a)(5) and [(b)(9)] channel review of all claims, including policies-and-practices challenges . . . whenever they 'arise from' removal proceedings"); *accord Ruiz v. Mukasey*, 552 F.3d 269, 274 n.3 (2d Cir. 2009) (only when the action is "unrelated to any removal action or proceeding" is it within the district court's jurisdiction); *cf. Xiao Ji Chen v. U.S. Dep't of*

Justice, 434 F.3d 144, 151 n.3 (2d Cir. 2006) (a "primary effect" of the REAL ID Act is to "limit all aliens to one bite of the apple" (internal quotation marks omitted)).

Critically, "[§] 1252(b)(9) is a judicial channeling provision, not a claim-barring one." *Aguilar v. ICE*, 510 F.3d 1, 11 (1st Cir. 2007). Indeed, 8 U.S.C. § 1252(a)(2)(D) provides that "[n]othing . . . in any other provision of this chapter . . . shall be construed as precluding review of constitutional claims or questions of law raised upon a petition for review filed with an appropriate court of appeals in accordance with this section." *See also Ajlani v. Chertoff*, 545 F.3d 229, 235 (2d Cir. 2008) ("[J]urisdiction to review such claims is vested exclusively in the courts of appeals[.]"). The petition-for-review process before the court of appeals ensures that aliens have a proper forum for claims arising from their immigration proceedings and "receive their day in court." *J.E.F.M.*, 837 F.3d at 1031–32 (internal quotations omitted); *see also Rosario v. Holder*, 627 F.3d 58, 61 (2d Cir. 2010) ("The REAL ID Act of 2005 amended the [INA] to obviate . . . Suspension Clause concerns" by permitting judicial review of "nondiscretionary" BIA determinations and "all constitutional claims or questions of law.").

In evaluating the reach of subsections (a)(5) and (b)(9), the Second Circuit explained that jurisdiction turns on the substance of the relief sought. *Delgado v. Quarantillo*, 643 F.3d 52, 55 (2d Cir. 2011). Those provisions divest district courts of jurisdiction to review both direct and indirect challenges to removal orders, including decisions to detain for purposes of removal or for proceedings. *See Jennings*, 583 U.S. at 294–95 (section 1252(b)(9) includes challenges to the "decision to detain [an alien] in the first place or to seek removal[.]"). Here, Petitioner challenges the decision and action to detain him, which arises from DHS's decision to commence removal proceedings, and is thus an "action taken . . . to remove [him/her] from the United States." *See* 8 U.S.C. § 1252(b)(9); *see also, e.g.*, *Jennings*, 583 U.S. at 294–95; *Velasco Lopez v. Decker*, 978

F.3d 842, 850 (2d Cir. 2020) (finding that 8 U.S.C. § 1226(e) did not bar review in that case because the Petitioner did not challenge "his initial detention"); *Saadulloev v. Garland*, No. 3:23-CV-00106, 2024 WL 1076106, at *3 (W.D. Pa. Mar. 12, 2024) (recognizing that there is no judicial review of the threshold detention decision, which flows from the government's decision to "commence proceedings"). As such, the Court lacks jurisdiction over this action. The reasoning in *Jennings* outlines why the Petitioner's claims cannot be reviewed by the Court.

While holding that it was unnecessary to comprehensively address the scope of § 1252(b)(9), the Supreme Court in *Jennings* provided guidance on the types of challenges that may fall within the scope of § 1252(b)(9). *See Jennings*, 583 U.S. at 293–94. The Court found that "§1252(b)(9) [did] not present a jurisdictional bar" in situations where "respondents . . . [were] not challenging the decision to detain them in the first place." *Id.* at 294–95. In this case, the Petitioner *does* challenge the government's decision to detain him in the first place. Though the Petitioner frames his challenge as relating to detention authority, rather than a challenge to DHS's decision to detain him in the first instance, such creative framing does not evade the preclusive effect of § 1252(b)(9).

The fact that the Petitioner is challenging the basis upon which he is detained is enough to trigger § 1252(b)(9) because "detention *is* an 'action taken . . . to remove' an alien." *See Jennings*, 583 U.S. at 319 (Thomas, J., concurring); 8 U.S.C. § 1252(b)(9). The Court should dismiss the Petitioner's claims for lack of jurisdiction under § 1252(b)(9). The Petitioner must present his claims before the appropriate court of appeals because he challenges the government's decision or action to detain him, which must be raised before a court of appeals, not this Court. *See* 8 U.S.C. § 1252(b)(9).

D. Neither the Habeas Statute nor the APA Provides Jurisdiction Over a Claim Challenging the Revocation of an OSUP.

Neither the habeas statute (28 U.S.C. § 2241) nor the Administrative Procedures Act (5 U.S.C. § 702, *et seq*. (APA)) provides for judicial review of ICE's decision to revoke Petitioner's OSUP. This Court's jurisdiction pursuant to 28 U.S.C. § 2241, by its plain language, permits courts to rule on claims related to an "applicant's commitment or detention." 28 U.S.C. § 2241. The clear language of the statute and "the common-law history of the writ" showed that "the essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and that the traditional function of the writ is to secure release from illegal custody." *Alawieh v. Tweedie*, Case No. 25-10614-LTS, 2025 WL 3171170, at *3 (D. Mass. 2025), *appeal docketed*, No. 25-2238 (1st Cir. Dec. 31, 2025) (quoting *Preiser v. Rodriguez*, 411 U.S. 475 (1973)) (citing *Munaf v. Geren*, 553 U.S. 674, 693 (2008)). If a "Petitioner seeks relief that 'falls outside the scope of the writ as it was understood when the Constitution was adopted,' [those] claims are beyond the reach of a federal court's habeas jurisdiction." *Id.* (quoting *Dep't of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 119 (2020)). Thus, to prevail, Petitioner must show that the alleged violations that he claims, based on the factual predicate that he alleges, fall within the reach of this Court's ability to grant habeas relief. *See, generally, Mayers v. U.S. Dept. of I.N.S.,* 175 F.3d 1289, 1300 (11th Cir. 1999) (describing how in *United States ex rel. Accardi v. Shaughnessy,* 347 U.S. 260, 265, 268, (1954), the Supreme Court explained that the "crucial question is whether the alleged conduct . . . deprived Petitioner of any of the rights guaranteed [to] him by the statute or by the regulation issued pursuant thereto.").

In this case, Petitioner cannot do so. As a district court recently observed, "[w]hile some procedural violations may, in some circumstances, rise to the level of a due process violation," not all alleged violations "rise to the level of a due process violation and/or would independently entitle [a Petitioner] to a grant of habeas relief in the form of release from detention." *Van v. Oddo*, Case

No. 3:25-CV-00322, 2025 WL 3492736, at *4 (W.D. Pa., Dec. 5, 2025) (finding no habeas relief for alleged failures to provide notice for reasons of revocation and lack of "informal review"). Further, under 8 C.F.R. § 241.4(l), ICE has the discretion to revoke an OSUP if the purposes of release have been served, or if the alien violates a condition of release, or if it is appropriate to enforce a removal order or to commence removal proceedings, or if any circumstance indicates that release would no longer be appropriate. See 8 C.F.R. § 241.4(l).

Here, Petitioner asks for the Court to declare that his detention violates the APA. *See* [ECF No. 1, at 22]. However, Petitioner was given an informal interview on January 11, 2026, where he was given Notice of Revocation. *See* Exhibit E, *Declaration of Deportation Officer Carlo Burry, dated February 25, 2026*, at 2. Deportation Officer Burry told Petitioner that his OSUP was being revoked to enforce his removal from the United States. *Id.* Moreover, Petitioner was given an opportunity to ask questions, and he declined. *Id.* The alleged violations do not rise to a level of a constitutional claim. *See, e.g., Van v. Oddo*, 2025 WL 3492736 at *4 (finding no violation). For these reasons, Petitioner's reliance on technical violations of internal policies do not relate to Petitioner's "commitment or detention" and do not rise to a Constitutional or statutory violation warranting habeas relief. *Id.*

As for Petitioner's challenges with respect to the revocation of the OSUP under the APA, the Act does not confer jurisdiction over a claim arising from the execution of a final order of removal. *See, e.g., Westley v. Harper*, No. 25-229, 2025 WL 592788 at *6 (E.D.La. Feb. 24, 2025) (concluding that APA did not confer jurisdiction over habeas Petitioner's challenge to ICE's revocation of OSUP for the purpose of effecting removal); *Berhane v. Prendis*, No. 3:04-CV-2145-N, 2004 WL 2348226, at *3 (N.D. Tex. Oct. 18, 2004) (explaining that no general jurisdiction provisions, including the APA, federal question, the Declaratory Judgment Act, the All Writs Act,

the mandamus provision, the suspension clause, or common law gives a federal district court jurisdiction over a Petitioner's claims arising from the execution of a final order of removal), *adopted*, 2004 WL 2624260 (N.D. Tex. Nov. 12, 2004).

CONCLUSION

For the foregoing reasons, this Court lacks subject matter jurisdiction and therefore the Petition should be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 28, 2026, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

/s/ Chantel Doakes Shelton
Chantel Doakes Shelton
Assistant United States Attorney

EXHIBIT LIST
Case No. 26-60340-CIV-ARTAU

Exhibit A: Record of Negative Credible Fear Finding, dated March 25, 2021

Exhibit B: Order of the Immigration Judge, dated April 1, 2021

Exhibit C: December 2, 2025 Policy Memorandum

Exhibit D: January 1, 2026 Policy Memorandum

Exhibit E: Declaration of Deportation Officer Carlo Burry, dated February 25, 2026