UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

STANKO KUZMIC, **Petitioner,** v. JUAN BALTASAR, Warden, GEO Group ICE Processing Center; GEORGE VALDEZ[1], Acting Director of the Denver Field Office for U.S. Immigration and Customs Enforcement; TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement; KRISTI NOEM, Secretary, U.S. Department of Homeland Security; PAMELA BONDI, U.S. Attorney General; and, in their official capacities, **Respondents.**	Case No.: 26-cv-577-CYC **EXPEDITED CONSIDERATION UNDER 28 USC § 1657(a) REQUESTED**

TRAVERSE IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

[1] As noted in the Respondent's Response (ECF No. 9), Acting Field Office Director George Valdez is substituted for Robert G. Hagan pursuant to Fed. R. Civ. P. 25(d).

Petitioner, Stanko Kuzmic, through counsel, now submits this traverse in accordance with 28 U.S.C. § 2248 in support of his petition for a writ of habeas corpus.

I. PROCEDURAL HISTORY

On February 12, 2026, Petitioner filed a Petition for a Writ of Habeas Corpus. ECF No. 1. On February 17, 2026, the Court ordered Respondents to respond to the Petition within seven days of service and show cause why the Petition should not be granted. ECF No. 4. Respondents filed a response on February 25, 2026. ECF No. 9. Petitioner respectfully submits this reply to address the arguments presented by Respondents.

II. ARGUMENT

A. Exhaustion as a Prudential Matter Should Not be Required

Respondents acknowledge that exhaustion is not required prior to seeking a writ of habeas corpus under § 2241. ECF No. 9 at 5. While Respondents cite cases outside this district to argue that, as a prudential matter, the Court should require Petitioner to exhaust administrative remedies, ECF No. 9 at 5, the interests of the Petitioner weigh heavily against requiring administrative exhaustion.

1. As a prudential matter, administrative exhaustion should not be required.

Exhaustion is not required for habeas claims to immigration detention in the Tenth Circuit. *See Hoang v. Comfort*, 282 F.3d 1247, 1254 (10th Cir. 2002) ("With regard to immigration laws, exhaustion of remedies is statutorily required only for

appeals of final orders of removal."). While "courts may, in their discretion, require exhaustion of administrative remedies," that requirement is prudential, not jurisdictional. *Id.* Relying on *McCarthy v. Madigan*, 503 U.S. 140 (1992), the *Hoang* court outlined "broad circumstances in which the interests of the individual weigh heavily against requiring administrative exhaustion," including where "the administrative remedy is inadequate because of doubt as to whether the agency is empowered to grant relief." *Id.*

Here, the Board of Immigration (BIA) is not empowered to grant relief on the claim that Petitioner has raised—a constitutional challenge to the BIA's interpretation of 8 U.S.C. § 1226(a) requiring the noncitizen to bear the burden of proof in bond proceedings. *Hoang*, 282 F.3d at1254 ("The . . . BIA does not have the power to reach constitutional arguments, and thus is not empowered to grant effective relief."). Therefore, the Court should not require Petitioner to complete the appeals process through the BIA on a constitutional argument for which the BIA cannot grant relief.

Indeed, many other courts, including in this district, have routinely recognized that prudential exhaustion does not bar habeas review where the claim presented is constitutional in nature or where administrative review cannot provide the relief requested. *See, e.g. L.G., Petitioner, v. Choate*, 744 F. Supp. 3d 1172, 1182 (D. Colo. 2024) (citing *Miranda v. Garland*, 34 F.4th 338 (4th Cir. 2022)); *Milosevic v. Ridge*, 301 F. Supp. 3d 337, 344 (M.D. Pa. 2003) ("[T]here is an exception to exhaustion for constitutional or statutory claims which the Board can neither consider nor correct.")

(citing *Sewak v. Immigration & Naturalization Serv.*, 900 F.2d 667, 670 (3d Cir. 1990).

Respondents also argue that even if it would have been futile to raise constitutional due process arguments to the BIA, "Petitioner could have raised other arguments" such as asking the BIA to review the immigration judge's flight risk determination. ECF No. 9 at 6. Then, according to Respondents, if the Petitioner prevails on the merits of his BIA appeal, "that favorable decision will moot the constitutional question before the Court." ECF No. 9 at 6. This argument misunderstands the nature of the claim.

The constitutional violation occurred when Petitioner was given a bond hearing that placed the burden of proof on him. This due process violation, resulting in Petitioner's continued detainment, is what this habeas petition seeks to remedy. Requiring completion of the full administrative appeal process through the BIA, particularly where the agency lacks authority to provide relief, would prolong detention without addressing the core legal issue – whether the government should bear the burden of proof in § 1226(a) bond proceedings. Because Petitioner raises a purely legal constitutional challenge to the framework governing his detention, the Court should not require Petitioner to engage in a futile appeal to the BIA.

2. **Exhaustion should not be required as the BIA is not an impartial agency and an appeal is futile.**

As noted above, Respondents argue that Petitioner has not exhausted his administrative remedies because Petitioner could ask the BIA to consider other arguments apart from the burden-of-proof allocation argument, such as the IJ's flight

risk determination. ECF No. 9 at 6. Respondents accurately recited the salient facts of Petitioner's case:

> The IJ found, unequivocally, that Petitioner "is not a danger to persons or property," and noted factors that suggest Petitioner is not a flight risk: he is economically self-sufficient, has his own business, has paid taxes since 2021, and has significant support from the community.

Id. (citing ECF No. 1-2 at 2).

Respondents even argued that based on these facts, "it is possible—perhaps even likely—that the BIA will grant bond." ECF No. 9 at 6. Unfortunately, in the present day, neither IJs nor the BIA is a neutral arbiter and therefore the outcome of Respondent's appeal is predetermined.

The Executive Office for Immigration Review (the agency encompassing both immigration judges and the BIA) is not an independent judiciary. It is an agency within the Department of Justice (DOJ), overseen by the Attorney General. *See* 8 C.F.R. § 1003.0(a). Immigration judges are DOJ employees. 8 C.F.R. § 1003.10(a). The BIA likewise operates under the Attorney General's authority. 8 C.F.R. § 1003.1(a)(1). This arrangement places adjudicators under the supervision of the same Executive Branch official responsible for immigration enforcement policy.

Though the regulations provide that IJs and BIA members "shall exercise their independent judgment and discretion," 8 C.F.R. §§ 1003.10(b); 1003.1(d)(1)(ii), such independence has been reduced to a husk over the past year. EOIR has shed all pretense that it is an agency independent from the Trump administration's goal of mass deportations. Consider the following:

i. *Purge of IJs it Sees as Obstacles to its Mass Deportation Plan*

The Trump administration fired 128 IJs as of September 26, 2025.[2] The administration did not give the terminated IJs reasons for their firing, but former IJ Kim explained that: "I do not know the exact reason for my termination, but most of those dismissed, including myself, were judges with high asylum approval rates."[3] Former IJ Kim is not alone in this sentiment. Former IJ Soper stated that he believes the current administration "does not fundamentally see the immigration courts as neutral-decision makers. I think that they see the immigration courts as a tool for this administration to advance its policy objectives."[4]

Moreover, IJs express that there is a climate of fear designed to ensure compliance with the administration's deportation goals. Former IJ Koelsch described it as "an atmosphere of paranoia and fear, which is exactly what they want."[5] Once again, this IJ is not alone. Former IJ Caldas explained that IJs are working "under constant threat of getting fired if they don't follow certain rules from leadership."[6]

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[2] *Trump Administration Continues Firing Immigration Judges -- IFPTE responds*, IFPTE (Sept. 26, 2025), https://www.ifpte.org/news/trump-administration-continues-firing-immigration-judges-ifpte-respondsnbsp.

[3] Woo-Sun Lim, *Former judge highlights legal failures in U.S. worker detentions*, The Dong-A Ilbo (Sept. 20, 2025), https://www.donga.com/en/article/all/20250920/5859412/1.

[4] Geoff Bennett & Ali Schmitz, *Ousted Immigration Judge Describes Deepening Court Backlog*, PBS NewsHour (Nov. 12, 2025), https://www.pbs.org/newshour/show/ousted-immigration-judge-describes-deepening-court-backlog.

[5] Marco Poggio, *Judges See an Immigration Court Gutted from Inside*, Law360 (Oct. 31, 2025), https://www.law360.com/articles/2381003/judges-see-an-immigration-court-gutted-from-inside.

[6] Isabela Dias, *"Fired for No Reason": Former Immigration Judges Speak Out Against Trump's Assault on the Courts*, Mother Jones (Oct. 9, 2025), https://www.motherjones.com/politics/2025/10/immigration-court-judge-trump-assault-purge-dhs-ice/.

Due to this climate of fear, the remaining IJs are unable to independently adjudicate the cases before them. Former IJ Young explained: "I've talked to many of [the judges still serving] and they're like, 'When I go to court, I am concerned about applying the law, but I'm also concerned that I should deny more, because if I don't, then I'll get fired."[7]

Under such pressures, IJs are no longer independent adjudicators. They either comply with the administration's goal of mass deportation or risk losing their position.

ii. *Purge of Appellate Judges Viewed as Obstacles to its Mass Deportation Plan*

The Trump administration fired all of former President Biden's appointees to the BIA, reducing the BIA's members from 28 to 15.[8] The change had an immediate impact. As of January 22, 2026, the reconstructed BIA has published 80 precedent decisions.[9] Of those precedent decisions, which bind future adjudicators considering future cases under 8 C.F.R. § 1003.1(g), 78 decisions (98%) favored ICE.[10] In contrast, during Biden's entire four-year term, the BIA issued 76 published decisions.[11] Of those, 46 decisions (60%) favored ICE.

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[7] Marco Poggio, *Judges See an Immigration Court Gutted from Inside*, Law360 (Oct. 31, 2025), https://www.law360.com/articles/2381003/judges-see-an-immigration-court-gutted-from-inside.

[8] Am. Imm. Council, *DOJ Moves to End Administrative Immigration Appeals to Speed Up Mass Deportations* (February 13, 2026), https://www.americanimmigrationcouncil.org/blog/justice-departments-end-immigration-appeals-deportations/.

[9] Exec. Off. for Immigr. Rev., *Volume 29*, U.S. Dep't of Just. (Feb. 27, 2026), https://www.justice.gov/eoir/volume-29.

[10] Of the remaining two decisions: 1 decision was neutral (involving attorney sanctions) and 1 decision disfavored the administration.

[11] Exec. Off. for Immigr. Rev., *Volume 28*, U.S. Dep't of Just. (June 13, 2025),

iii. *Recruitment of "Deportation Judges"*

To replace the appellate judges and IJs the administration fired, the DOJ launched a recruitment campaign explicitly for "deportation judges."[12] DHS promoted these openings on social media with enforcement-based language: "Bring the hammer down on criminal illegal aliens" and "Defend your communities, your culture, your very way of life."[13]

In addition to its recruitment of "deportation judges," the DOJ authorized up to 600 military lawyers to server as temporary IJs for renewable terms not to exceed six months, while eliminating many of the requirements to serve. For example, the administration removed all prior requirements related to having served as former IJ or an administrative judge within another agency, swapping those criteria with "any attorney" being permitted to serve, if they attend a two week training session, which was previously six weeks.[14]

iv. *EOIR Directives to Ignore Federal Court Orders Contrary to the Administration's Deportation Objectives*

In perhaps the most startling example, the Chief IJ for EOIR explicitly ordered IJs to ignore a federal court order protecting noncitizens' access to bond. On

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https://www.justice.gov/eoir/volume-28. (First decision, *Matter of DIKHTYAR*, 28 I&N Dec. 214 (BIA 2021), issued 01/22/2021).

[12] The Guardian, *US justice department recruiting legal experts to serve as 'deportation' judges': Trump officials have been purging immigration judges whose philosophies are different, largely in sanctuary cities* (Nov. 21, 2025), https://www.theguardian.com/us-news/2025/nov/21/us-justice-department-ad-deportation-judges.

[13] dhsgov, Instagram (Nov. 21, 2025), https://www.instagram.com/p/DRVT8DmCQKD/?hl=en.

[14] Margy O'Herron, *Using Military Lawyers as Immigration Judges is Ill-Advised and Potentially Illegal*, Brennan Ctr. for Just. (Sept. 29, 2025), https://www.brennancenter.org/our-work/analysis-opinion/using-military-lawyers-immigration-judges-ill-advised-and-potentially.

November 20, 2025, the Central District of California granted partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners' Motion for Partial Summary Judgment). The declaratory judgement held that the Bond Denial Class members are detained under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

On December 18, 2025, the *Maldonado Bautista* court issued another order, explicitly vacating DHS' policy of applying § 1225(b) nationwide to members of the class. *Maldonado Bautista v. Santacruz*, ---F.Supp.3.---, 2025 WL 3713987, *22 (C.D. Cal. 2025) ("[B]ecause the Court declares the DHS policy unlawful, the Court must set aside the DHS policy. As such, the Court VACATES the DHS Policy under the APA") (emphasis in original). Rather than comply with the nationwide vacatur, Chief IJ Riley sent the following email to all IJs instructing assistant chief IJs to:

> [P]rovide the following guidance to all immigration judges forthwith: *Maldonado Bautista* is not a nationwide injunction and does not purport to vacate, stay, or enjoin *Yajure Hurtado*. Therefore *Yajure Hurtado* remains binding precedent on agency adjudications. For clarification,

> declaratory judgments differ from injunctions in that the former clarifies the parties' legal rights and relationships without ordering specific action, while the latter is a court order compelling a party to do or stop doing a specific act. A declaratory judgment is not an equitable remedy and does not, by itself, have the effect of compelling specific action by a party. Thank you for your attention to this matter.[15]

EOIR is now ordering IJs to ignore the federal courts. In this environment, the denial of Petitioner's bond appeal to the BIA is a foregone conclusion. EOIR's lack of neutrality not only weighs against administrative exhaustion, but also demonstrates that immediate release, rather than another bond hearing, is the appropriate remedy in this environment.

B. Petitioner's Bond Hearing Violated Due Process When It Placed the Burden of Proof on Petitioner

Respondents claim that the statutory and regulatory text, Supreme Court precedent, and the *Matthews* test all support the conclusion that Petitioner received a bond hearing that comports with due process. ECF No. 9 at 7-13. These arguments fail.

1. Statutory and regulatory text

Respondents and Petitioner both acknowledge the statutory text at § 1226(a) is silent as to which party bears the burden of proof in bond proceedings. ECF No. 9 at 7. And while Respondents cite *Jennings v. Rodriguez* to build support for their assertion that the burden is properly allocated on the noncitizen, ECF No. 9 at 7, the Supreme Court has never actually ruled on this issue. *Jennings v. Rodriguez*, 583

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[15] Am. Immigr. Laws. Ass'n, Practice Alert: EOIR Issues Nationwide Guidance on *Maldonado Bautista*, AILA Doc. No. 26011404 (Jan. 16, 2026), https://www.aila.org/library/practice-alert-eoir-issues-nationwide-guidance-on-maldonado-bautista.

U.S. 281, 306 (2018); *L.G., Petitioner*, 744 F. Supp. 3d at 1179 ("To date the question of the appropriate burden of proof under 1226(a) remains unresolved.") (citing *Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1203 (9th Cir. 2022).

2. Supreme Court precedent does not support placing the burden of proof on the noncitizen at a bond hearing.

Respondents contend that Supreme Court precedent "suggests that noncitizens must bear the burden of proof at § 1226(a) bond hearings," ECF No. 9 at 7 (citing *Demore v. Kim*, 538 U.S. 510, 531 (2003); *Reno v. Flores*, 507 U.S. 292, 305-06 (1993); *Carlson v. Landon*, 342 U.S. 524, 538 (1952). This argument overreads those decisions. None of them addressed, let alone resolved, the constitutional question of the allocation of the burden of proof in a bond hearing under § 1226(a). *See Diaz-Ceja v. McAleenan*, No. 19-cv-00824-NYW, 2019 WL 2774211 (D. Colo. July 19, 2019) (discussing Supreme Court precedent and finding that no case has yet addressed the appropriate burden of proof under § 1226(a) bond proceedings).

For example, in *Demore* the Supreme Court was addressing a fundamentally different statutory scheme, mandatory detention under 8 U.S.C. § 1226(c) for certain criminal noncitizens, and the constitutional question of whether Congress could mandate detention categorically without a bond hearing. *Demore*, 538 U.S. at 517. The correct allocation of the burden of proof in § 1226(a) was not a question before the Court.

Rather than suggest that noncitizens must bear the burden of proof, Supreme Court precedent supports the opposite conclusion—when the government seeks to restrain one's physical liberty through civil detention, it bears the burden of justifying

that restraint. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) ("Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process Clause] protects."); *Addington v. Texas,* 441 U.S. 418, 425 (1979) ("[C]ivil commitment for any purpose constitutes a significant deprivation of liberty that requires due process protection.").

Finally, Respondents repeatedly invoke broad congressional power over immigration matters to justify allocating the burden of proof to noncitizens in § 1226(a) bond proceedings. ECF No. 9 at 10. Yet this broad power is not without limits, and does not eliminate due process constraints. *See Demore,* 538 U.S. at 523 ("It is well established that the Fifth Amendment entitles [non-citizens] to due process of law") (quoting *Flores,* 507 U.S. at 306).

3. Allocating the burden of proof to noncitizens in § 1226(a) bond proceedings fails the *Matthews* test.

Respondents argue that the current § 1226(a) bond framework where the detained noncitizen bears the burden of proof satisfies due process under *Mathews v. Eldridge*, 424 U.S. 319 (1976). ECF No. 9 at 10. Properly applied, however, the *Mathews* factors compel the opposite conclusion. [16]

[16] Courts in this district are split on the appropriate framework to apply when considering a due process challenge to § 1226(a) bond procedures. *See, e.g., Diaz-Ceja*, 2019 WL 2774211, at *9 (finding the *Matthews* framework not the most appropriate and using the framework identified for situations of involuntary civil detention); *L.G., Petitioner*, 744 F. Supp. 3d at 1180-81 (using the *Matthews* framework). Regardless of which test the Court uses here, the outcome would result in the same outcome of the government bearing the burden. *See Vences Nunez v. Noem*, 1:25-cv-04046-RBJ, at *6 n.2 (D. Colo. Jan. 16, 2026).

a. Factor 1 – Private Interest

Respondents attempt to minimize the private interest by emphasizing Congress's broad immigration power and suggesting that noncitizens possess diminished liberty interests simply because he is in removal proceedings. ECF No. 9 at 11.

Here, Petitioner's private interest at stake is freedom from detention. While Congress has broad authority over immigration, that authority does not eliminate the fundamental liberty interest protected by the Fifth Amendment. *See Foucha v. Louisiana,* 504 U.S. 71, 80, 112 S.Ct. 1780, 118 L.Ed.2d 437 (1992) ("Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause from arbitrary governmental action.") (citing *Youngberg* v. *Romeo,* 457 U. S. 307, 316 (1982)).

Petitioner has been detained since October 23, 2025, at the Denver Contract Detention Facility. ECF No. 9-2, ¶¶ 7, 9. Another court in this District describes detention conditions at this facility as "more akin to incarceration than civil confinement." *Daley v. Choate,* No. 22-CV-03043-RM, 2023 WL 2336052, at *4 (D. Colo. Jan. 6, 2023). In such conditions, Petitioner's interest in being free from civil detention is great.

In recent months, many courts considering habeas petitions have found that this first *Matthews* factor weighs in favor of the noncitizen, and this Court should do the same. *See, e.g., Velasquez Salazar v. Dedos,* 1:25-cv-00835-DHU-JMR, ---F. Supp.3d---, 2025 WL 2676729, at *7 (D.N.M. Sept. 17, 2025) (finding the first

Matthews factor weighs in favor of the petitioner even though he had been detained less than three months); *Vences Nunez v. Noem*, 1:25-cv-04046-RBJ, at *7 (D. Colo. Jan. 16, 2026) (finding, in part, that the "extraordinary weight of [petitioner's] liberty interest . . . counsel against a procedural scheme that presumes continued detention without requiring the government to justify it").

b. Factor 2 – Risk of erroneous deprivation

Respondents argue that the risk of erroneous deprivation is "relatively small," ECF No. 9 at 12. This mischaracterizes the risk. Under the current bond framework, Petitioner is charged with the inherently challenging task of proving a negative—that he is *not* a flight risk. Courts in this district have recognized this difficulty. *See L.G., Petitioner*, 744 F. Supp. 3d at 1183-84 ("Petitioner argues, and the Court agrees, proving a negative is difficult."); *Vences Nunez*, 1:25-cv-04046-RBJ, at *8 ("[A]llocating the burden of proof to petitioner would require him to prove that he is neither a flight risk nor a danger to the community—an inherently difficult proposition."). Due process does not permit the government to incarcerate someone simply because they cannot prove a negative.

Moreover, the government has vast resources, and when compared to a detained noncitizen, is in a better position to collect and present evidence. *Vences Nunez*, 1:25-cv-04046-RBJ, at *8-9 (citing *Alfaro Herrera v. Baltazar*, 1:25-cv-04014-CNS, 2026 WL 91470, at *11 (D. Colo. Jan. 13, 2026) ("The government, with its extensive resources and expertise in immigration law, is better equipped to properly

collect and present evidence that would allow an IJ to determine whether [p]etitioner is a flight risk or danger to the community.").

Petitioner's case illustrates this point. The IJ found that Petitioner was not a danger. ECF No. 1-2 at 2. But despite Petitioner's best efforts to gather evidence *while he was detained* to demonstrate that he was not a flight risk, the IJ found he had not met his burden and denied bond. *Id.*

Respondents also argue that existing procedural protections, including the IJ hearing and BIA appeal, sufficiently guard against error. ECF No. 9 at 12–13. But procedural form does not cure a constitutionally defective burden allocation. A hearing in which the wrong party bears the burden remains constitutionally flawed. Allocating the burden of proof to Petitioner forces him to "share equally with society the risk of error when the possible injury to the individual is significantly greater than any possible harm to the [Government]" *Diaz-Ceja*, 2019 WL 2774211, at *10. Accordingly, this *Matthews* factor cuts in favor of Petitioner.

c. Factor 3 – Government's interest

Respondents argue that placing the burden on the government would create practical difficulties because the noncitizen is often in the best position to present evidence relevant to lack of dangerousness and because "[t]he government may have little to no information about a detained noncitizen apart from the fact that he is not a citizen and is not in the country legally." ECT No. 9 at 13. This argument fails, as it does not recognize the "the government has a vast number of resources at its

disposal to gather information." *L.G., Petitioner*, 744 F. Supp. 3d at 1185 (citing *Velasco Lopez v. Decker*, 978 F. 3d 842, 855 (2nd Cir. 2020)).

Finally, Petitioner acknowledges Respondents' argument that the government has a strong interest in the orderly administration of our immigration laws, ensuring noncitizens attend their scheduled hearings and that noncitizens ordered removed are removed. ECF No. 9 at 13. Yet, as one court in this district recently explained, "the government has not (and likely cannot) articulate any interest in ensuring the detention of noncitizens who are neither dangerous nor a risk of flight . . . and shifting the burden of proof to the Government to justify continued detention promotes the Government's interest . . . in minimizing the enormous impact of incarceration in cases where it serves no purpose." *Alfaro Herrera v. Baltazar, et. al,* No. 1:25-cv-04014-CNS, 2026 WL 91470, at *30 (D. Colo. Jan. 13, 2026) (internal citation omitted). This final *Matthews* factor, like the first two, weighs in favor of Petitioner.

III. CONCLUSION

Petitioner has now been detained for more than four months. This detention is without lawful justification. For the foregoing reasons and those articulated in his petition, Petitioner respectfully requests that the Court grant his petition for a writ of habeas corpus and order his immediate release.

Respectfully submitted this 28th day of February 2026,

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CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail address:

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