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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

Chenrui MIAO,

Petitioner,

v.

WARDEN, Folkston Ice Processing Center;
KRISTEN SULLIVAN, Director/Acting
Director, Atlanta Field Office, United States
Immigration and Customs Enforcement;
TODD M. LYONS, Acting Director, United
States Immigration and Customs Enforcement;
KRISTI NOEM, Secretary of Homeland
Security; PAMELA JO BONDI, United States
Attorney General, *in their official capacities*,

Respondents.

Case No. 5:26-cv-

**PETITION FOR WRIT OF
HABEAS CORPUS**

INTRODUCTION

1. Petitioner Ruichen MIAO by and through undersigned counsel, respectfully petitions this Honorable Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 to challenge his ongoing civil immigration detention by the United States Department of Homeland Security and its agents. Petitioner is a citizen and national of China and is currently detained in the custody of Immigration and Customs Enforcement at Folkston Ice Processing Center in Folkston, Georgia.
2. Petitioner challenges the legality of his prolonged detention and the categorical denial of any meaningful bond hearing. Petitioner is charged as inadmissible under INA § 212(a)(6)(A)(i) Exhibit A.
3. Although the Department of Homeland Security has characterized him as an applicant for admission, his continued detention without an individualized bond hearing violates the Due Process Clause of the Fifth Amendment and exceeds the authority granted by the Immigration and Nationality Act. The Notice to Appear (“NTA”) characterizes him as “an alien who has not been admitted or paroled.” Exhibit A.
4. Any attempt to classify Petitioner as an “arriving alien” subject to mandatory detention under 8 U.S.C. § 1225(b), and to justify his continued confinement without bond on that basis, is legally erroneous. Petitioner’s custody is governed by 8 U.S.C. § 1226(a), which expressly contemplates discretionary detention and individualized determinations regarding release on bond.
5. This case falls squarely within the parameters of *Villa v. Normand*, No. 5:25-cv-089-LGW-BWC, (S.D. Ga. Nov. 4, 2025) in which the Southern District of Georgia held that noncitizens found in the United States without inspection are entitled to discretionary bond

1 hearings under Section 1226(a). The Court recently issued a Standing Order recognizing
2 that the Governments continued refusal to provide bond hearings in such cases constitutes
3 an administrative judicial emergency and authorizing expedited screening and immediate
4 relief.

- 5 6. For the foregoing reasons, issuance of the writ of habeas corpus is warranted. Petitioner
6 seeks a declaratory judgment from this Court affirming that his detention should be under
7 8 U.S.C. § 1226(a). The Petitioner requests an order for his immediate release without
8 restrictions or conditions due to his unlawful arrest. Alternatively, the Petitioner seeks an
9 order for a discretionary bond hearing under § 1226(a) before an Article III judge, where
10 the government must prove by clear and convincing evidence that he is a danger to the
11 community or a flight risk. Additionally, the Petitioner requests that Respondents be
12 prohibited from re-detaining him or put any restraints on his liberty unless they can meet
13 the same evidentiary standard.

14
15 **JURISDICTION**

- 16 7. This Court has jurisdiction under several legal provisions, including 28 U.S.C. § 2241,
17 which grants federal courts the authority to issue writs of habeas corpus, and 28 U.S.C. §
18 1331, which provides for federal question jurisdiction. Jurisdiction over habeas claims is
19 conferred by 28 U.S.C. § 2241, while non-habeas claims for declaratory and injunctive
20 relief arise under 28 U.S.C. § 1331, the APA, and the Declaratory Judgment Act.
- 21 8. Additionally, jurisdiction is supported by Article I, § 9, cl. 2 of the Constitution, known as
22 the Suspension Clause, and Article III, Section 2, which addresses the Court's authority to
23 hear constitutional issues raised by the Petitioner. The Petitioner seeks immediate judicial
24

1 intervention to address ongoing violations of constitutional rights by the Respondents. This
2 action is grounded in the United States Constitution, the Immigration & Nationality Act of
3 1952, as amended (INA), 8 U.S.C. § 1101 *et seq.*, and the APA, 5 U.S.C. § 551 *et seq.*
4 Furthermore, the Court may also exercise jurisdiction under 28 U.S.C. § 1331, as the action
5 arises under federal law, and may grant relief pursuant to the Declaratory Judgment Act,
6 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651. The Court has authority
7 to issue a declaratory judgement and to grant temporary, preliminary and permanent
8 injunctive relief pursuant to Rules 57 and 65 of the Federal Rules of Civil Procedure
9 (FRCP), as well as 28 U.S.C. §§ 2201-2202. Additionally, the Court can utilize the All
10 Writs Act and its inherent equitable powers to provide such relief. Furthermore, the Court
11 has the authority to issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241.

12 9. This Court possesses federal question jurisdiction under the APA to “hold unlawful and set
13 aside agency action” deemed “arbitrary, capricious, an abuse of discretion, or otherwise
14 not in accordance with law,” as outlined in 5 U.S.C. § 706(2)(A). In the absence of a
15 specific statutory review process, APA review of final agency actions can proceed through
16 “any applicable form of legal action,” which includes actions for declaratory judgments,
17 writs of prohibitory or mandatory injunction, or habeas corpus, in a court of competent
18 jurisdiction, as specified in 5 U.S.C. § 703.

19 10. In *I.N.S. v. St. Cyr*, the Supreme Court held that federal courts retain *habeas corpus*
20 jurisdiction under 28 USC § 2241, despite restrictions on judicial review enacted under the
21 Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) and the
22 Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA). 533 U.S. 289 (2001).
23 Consequently, section 2241 habeas review remains available to Petitioner.
24

11. The U.S. Supreme Court has recognized district courts' jurisdiction to entertain habeas petitions raising colorable constitutional claims—including those alleging deprivation of liberty without due process, arbitrary or indefinite detention, and agency action contrary to law. Even though the government may detain individuals during removal proceedings, *Denmore v. Kim*, 538 U.S. 510, (2003) (although that case involved detention under §1226(c) of certain criminal aliens), there are limitations to this power of the executive branch. Limitations like the Due Process Clause restrict the Government's power to detain noncitizens. It is well settled that individuals in deportation proceedings are entitled to due process of law under the Fifth Amendment. *Reno v. Flores*, 507 U.S. 292, 306, (1993). Courts must review immigration procedures and ensure that they comport with the Constitution.

12. Federal courts have retained the statutory authority to grant writs of habeas corpus since enactment of the Judiciary Act of 1789. In *Felker v. Turpin*, 518 U.S. 651 (1996), the Supreme Court declined to find a repeal of § 2241 by implication as to its original habeas corpus jurisdiction. See also *Boumediene v. Bush*, 553 U.S. 723 (2008). In addition to the Supreme Court in many cases, all Circuit Courts of Appeals have recognized district courts' jurisdiction to entertain habeas petitions raising colorable constitutional claims—including those alleging deprivation of liberty without due process, arbitrary or indefinite detention, and agency action contrary to law.

13. In this case, Petitioner asserts substantial constitutional violations—including deprivation of liberty without due process, arbitrary and capricious agency action, violations of the *Accardi* doctrine, and other injuries without notice or opportunity to be heard. These claims fall squarely within the scope of habeas review preserved by statute and recognized by

1 controlling precedent. Accordingly, this Court has both the authority and the obligation to
2 adjudicate the constitutional and statutory claims presented in this Petition and to grant
3 appropriate relief to remedy ongoing violations of Petitioner's rights.

4 14. Petitioner's claims challenge only his civil immigration detention and the procedures used
5 to prolong it—not the merits of removability or any final order of removal—and therefore
6 fall outside 8 U.S.C. § 1252(b)(9)'s channeling provision. *See Jennings v. Rodriguez*, 138
7 S. Ct. 830, 840–41 (2018) (detention challenges are not “questions of law or fact arising
8 from” removal proceedings). Consistent with that framing, any injunctive relief sought here
9 is strictly as-applied to Petitioner—for example, directing Petitioner's release under §
10 1226(a) or barring application of § 1225 as to Petitioner—and does not “enjoin or restrain
11 the operation” of any statute within § 1252(f)(1)'s bar. In any event, § 1252(f)(1) permits
12 individualized, as-applied relief for a single noncitizen, even while prohibiting class-wide
13 injunctions. *See Garland v. Aleman Gonzalez*, 596 U.S. 543, 548–49 (2022).

14 15. Section 1252(f)(1) does not bar the individualized injunctive relief sought here. That
15 provision limits lower courts' authority to “enjoin or restrain the operation” of the INA's
16 detention and removal provisions on a class-wide or programmatic basis but expressly
17 preserves injunctive relief “with respect to the application of such provisions to an
18 individual alien against whom proceedings under such part have been initiated.” 8 U.S.C.
19 § 1252(f)(1); *Garland v. Aleman Gonzalez*, 596 U.S. 543, 548–50 (2022). Petitioner seeks
20 only as-applied relief tailored to Petitioner—e.g., directing Petitioner's release under §
21 1226(a) or precluding DHS from enforcing the “arriving alien” definition of § 1225 toward
22 Petitioner. That relief neither halts the general operation of any INA provision nor provides
23 class-wide relief and thus falls squarely within § 1252(f)(1)'s carve-out.

1 16. Section 1252(g) is likewise inapplicable. It is a “narrow” jurisdictional bar that applies only
2 to three discrete decisions or actions: “to commence proceedings, adjudicate cases, or
3 execute removal orders.” *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471,
4 482 (1999). Petitioner does not challenge any such decision. Petitioner challenges ongoing
5 civil detention and DHS’s use of an unlawful interpretation to nullify the plain language of
6 the INA and its regulations as applicable to these agencies. Such detention-related claims
7 and challenges to custody procedures fall outside § 1252(g). *See id.* at 482–83; cf. *Jennings*
8 *v. Rodriguez*, 138 S. Ct. 830, 840–41 (2018) (§ 1252(b)(9) does not channel detention
9 claims).

10 17. To prevent ouster of this Court’s habeas jurisdiction, the Court should, pursuant to 28
11 U.S.C. § 1651(a) (All Writs Act) and 28 U.S.C. § 2241, issue an immediate limited order
12 prohibiting Respondents from transferring Petitioner outside the court’s District or
13 otherwise changing Petitioner’s immediate custodian without prior leave of Court while
14 this action is pending. Such relief is necessary in aid of jurisdiction because habeas is
15 governed by the district-of-confinement/immediate-custodian rule, and transfer can
16 frustrate effective review. *See Rumsfeld v. Padilla*, 542 U.S. 426, 441–42 (2004); *Ex parte*
17 *Endo*, 323 U.S. 283, 307 (1944); *FTC v. Dean Foods Co.*, 384 U.S. 597, 603–05 (1966).

18 18. This Complaint in part also seeks a civil action for mandamus, injunctive and declaratory
19 relief brought pursuant to 8 U.S.C. §§ 1329, 1331, 1391, 2201 and 28 U.S.C. § 1361 (to
20 compel an officer or employee of the United States or agency thereof to perform a duty
21 owed to the plaintiff). Jurisdiction is also conferred by 5 U.S.C. § 555(b) which directs
22 agencies to conclude matters presented to them “within a reasonable time,” § 704 (no other
23 adequate remedy), and § 706 (to compel agency action unlawfully withheld or
24

1 unreasonably delayed). *See* also 5 U.S.C. § 551 *et seq.*; 5 U.S.C. § 701 *et seq.* Relief is
2 requested pursuant to said statutes and 28 U.S.C. § 1361 (Mandamus Act), (to compel an
3 officer or employee of the United States or agency thereof to perform a duty owed to the
4 plaintiff), 28 U.S.C. § 2201 (Declaratory Judgment Act), 28 U.S.C. § 2202 (injunctive
5 relief), and 28 U.S.C. § 2412 (costs and fees). Relief is requested pursuant to said statutes.

6 7 VENUE

8 19. Venue is proper because Petitioner is detained at Folkston D Ray ICE Processing
9 Center, Folkston, GA, which is within the jurisdiction of the United States District Court for the
10 Southern District of Georgia.

11 20. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
12 Respondents are employees, officers, and agencies of the United States, and because a
13 substantial part of the events or omissions giving rise to the claims occurred in the Southern
14 District of Georgia.

15 16 REQUIREMENTS OF 28 U.S.C. § 2243

17 21. Petitioner is a member of the nationwide class certified in *Maldonado Bautista v. Santacruz*,
18 No. 5:25-CV-01873, 2025 WL 3288403 (C.D. Cal. December 18, 2025). There has been a
19 class action decision in *Maldonado Bautista v. Santacruz et. al.*, No. 5:25-cv-01873 (C.D.
20 Cal.) on December 18, 2025. However, not one Immigration Judge in Georgia has found
21 jurisdiction to grant bond to date, stating they are bound by *Yajure Hurtado*, and have not
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1 been given guidance to hold a bond hearing in a case like Petitioner's.¹

2 22. Further, the certification of a class action under Federal Rule of Civil Procedure 23(b)(2),
3 which seeks and obtains only **declaratory** relief, does not extinguish an individual's
4 fundamental right to petition for a writ of habeas corpus and seek immediate release
5 from unlawful detention.

6 23. As the Supreme Court clarified in *Garland v. Aleman Gonzalez*, 596 U.S. 543 (2022),
7 this statutory scheme deliberately separates broad, class-wide declaratory relief from
8 coercive individual remedies. Consequently, the *Maldonado Bautista* court could only
9 declare the government's detention policy unlawful; it could not order the release of any
10 class member. This creates a right without a remedy at the class level. The Suspension
11 Clause protects the writ of habeas corpus, not requests for injunctive relief, see *Jennings*
12 *v. Rodriguez*, 583 U.S. 281, 309 (2018), and individual habeas petitions remain the
13 necessary and distinct vehicle to enforce the rights established by a class-wide
14 declaratory judgment. See *Hamama v. Adducci*, 912 F.3d 869, 879 (6th Cir. 2018).

15 24. Petitioner's membership in the *Maldonado Bautista* class does not preclude this
16 individual habeas action because this petition does not seek the "same" relief as the class
17 action. The *Maldonado Bautista* class sought and obtained a declaration of rights—that
18 class members are eligible for bond hearings under 8 U.S.C. § 1226(a). This petition
19 seeks **release from unlawful detention**, a coercive, individual remedy that the class
20 action could not provide due to the remedial limitations of 8 U.S.C. § 1252(f)(1), as
21 affirmed in *Garland v. Aleman Gonzalez*, 596 U.S. 543 (2022).

22
23 ¹ The Georgia-Alabama American Immigration Lawyers' Association chapter and various nonprofits are
24 communicating about this issue, but so far there have been no reports of success with bond jurisdiction in
immigration court for an individual situated like the Petitioner absent a habeas grant order.

1 25. Neither claim preclusion nor the exhaustion doctrine bars this Court from granting
2 habeas relief. The doctrine of claim preclusion is inapplicable because Petitioner was
3 unable to seek the core habeas remedy of immediate release in the prior class action. As
4 courts have recognized, preclusion is meant to prevent a second bite at the apple, not
5 deny the first. Because the Maldonado Bautista court was statutorily barred from
6 awarding class-wide coercive relief, that action cannot preclude a subsequent, individual
7 petition that specifically seeks that remedy. The declaratory judgment serves as a
8 predicate for further relief, not a bar to it.

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

15
16 **PARTIES**

17 27. Petitioner Chenrui MIAO (A-Number ) is a citizen of China who has
18 been in immigration detention since December 30, 2025. After the Petitioner was arrested, ICE
19 did not set bond. To this day, the petitioner has not had a bond hearing scheduled, despite
20 expressing his intention to initiate one. Petitioner has resided in the United States since May 14,
21 2024.

1 35. On or around May 16, 2024, DHS issued the Petitioner a Form I-220A (Order of
2 Release on his own Recognizance), expressly releasing him pursuant to INA §236, not
3 §235. DHS then determined at that time that Petitioner posed no danger and no flight risk
4 and permitted him to live freely in the community under minimal reporting conditions.

5 36. On June 11, 2024, Petitioner, through his counsel, Chuangchuang Chen, Esq.,
6 timely filed a Form I-589 Application for Asylum.

7 37. After his release, Petitioner has lived openly and lawfully, complying with all
8 immigration requirements.

9 38. On December 30, 2025, Petitioner was apprehended by ICE during a regular
10 routine check-in.

11 39. Petitioner has no criminal record of any kind and has demonstrated good moral
12 character.

13 40. Petitioner was suddenly detained without any allegation of noncompliance,
14 danger, or flight risk. ICE provided no explanation for reversing its earlier §236(a)
15 release determination.

16 Petitioner now seeks a Writ of Habeas Corpus under 28 U.S.C. § 2241, as his detention is
17 unlawful, arbitrary, and violates the Fifth Amendment, the Suspension Clause, and statutory
18 limits under 8 U.S.C. § 1226(a). He respectfully requests immediate release or, in the
19 alternative, a prompt individualized bond hearing.

20
21 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

22 41. Petitioner has exhausted his administrative remedies to the extent required by law. He has
23 fully cooperated with the Respondents and has not delayed or obstructed his detention.
24

1 42. Petitioner's only remedy is by way of this judicial action. He has no other adequate or
2 effective remedy to challenge the legality of detention. Administrative remedies are
3 unavailable because immigration courts lack jurisdiction to provide custody review.

4
5 **CLAIM FOR RELIEF**

6 **COUNT ONE**

7 **Violation of the INA:**

8 **Request for Relief Pursuant to *Maldonado Bautista***

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

11 44. As a member of the *Bautista* Bond Eligible Class, Petitioner is entitled to
12 consideration for release on bond under 8 U.S.C. § 1226(a).

13 45. The order granting partial summary judgment in *Maldonado Bautista* holds that
14 Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class
15 members.

16 46. The order granting class certification in *Maldonado Bautista* further orders that
17 "[w]hen considering this determination with the MSJ Order, the Court extends the same
18 declaratory relief granted to Petitioners to the Bond Eligible Class as a whole."

19 47. The final judgment in *Maldonado Bautista* further vacates the Department of
20 Homeland Security policy described in the July 8, 2025, "Interim Guidance Regarding Detention
21 Authority for Applicants for Admission" under the Administrative Procedure Act as not in
22 accordance with law. 5 U.S.C. § 706(2)(A).

23 48. Respondents are parties to *Maldonado Bautista* and bound by the Court's
24 declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C.
§ 2201(a).

49. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA and the Court's judgment in *Maldonado Bautista*.

COUNT TWO

Detention Exceeds Authority Under 8 U.S.C. § 1226(a)

50. Even if the Petitioner is not found as a member of the *Bautista* Bond Eligible Class, it is still wrong for Respondents to apply 8 U.S.C. § 1225(b)(2)(A) to individuals like Petitioner, who has been residing in the United States “for over two years”, because § 1225(b)(2)(A) applies only to noncitizens who are actively, i.e., affirmatively, “seeking admission” to the United States.

51. Petitioner is a § 1226(a) non-mandatory detainee, originally released under INA §236(a). ICE may only detain such individuals upon an individualized finding of danger or flight risk.

52. No such finding exists here. Petitioner complied with every requirement for over two years and has no criminal record.

53. ICE's unexplained reversal of its §236(a) release order constitutes arbitrary detention contrary to *Jennings v. Rodriguez*, 583 U.S. 281 (2018).

COUNT THREE

Fifth Amendment Due Process Violation

54. In any event, Petitioner's continued mandatory detention under § 1225(b)(2)(A) violates his procedural due process rights. The Fifth Amendment prohibits detention that is arbitrary, prolonged, or not reasonably related to its purpose. *Zadvydas v. Davis*, 533 U.S. 678 (2001). "[T]he Due Process Clause applies to all 'persons' within the United

1 States, including aliens, whether their presence here is lawful, unlawful, temporary, or
2 permanent.” *Id.* at 693.

3 55. To determine what process is due, courts apply the balancing test set forth in
4 *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976). Under *Mathews*, courts weigh three
5 factors: (1) “the private interest that will be affected by the official action;” (2) “the risk
6 of an erroneous deprivation of such interest through the procedures used, and the
7 probable value, if any, of additional or substitute procedural safeguards;” and (3) “the
8 Government’s interest, including the function involved and the fiscal and administrative
9 burdens that the additional or substitute procedural requirement would entail.” *Mathews*,
424 U.S. at 335; B.C., 12 F.4th at 315.

10 56. Here, the first factor weighs heavily in Petitioner’s favor, as the official action has
11 deprived him of his physical liberty. *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)
12 (“[T]he most elemental of liberty interests [is] the interest in being free from physical
13 detention by [the] government.”); *Zadvydas*, 533 U.S. at 690 (“Freedom from
14 imprisonment—from government custody, detention, or other forms of physical
restraint—lies at the heart of the liberty [the Due Process Clause] protects.”)

15 57. Similarly, the second *Mathews* factor weighs heavily in Petitioner’s favor, as he is
16 presently and erroneously detained under the mandatory detention provisions of § 1225,
17 without an opportunity for a bond hearing. Nor do Respondents suggest that he would be
18 denied bond if he were afforded such a hearing.

19 58. Finally, the third *Mathews* factor, the Government’s interests in detaining
20 noncitizens are typically “ensuring the appearance of aliens at future immigration
21 proceedings” and “preventing danger to the community.” See, e.g., *Zadvydas*, 533 U.S. at
22 690. This factor weighs moderately in Petitioner’s favor, as Respondents have made no
23 individualized assessment and provided no reason for the deprivation of liberty after two
24 years of peaceful compliance, nor have shown his danger or flight risk.

1 59. Taken together, the *Mathews* factors weigh decisively in Petitioner's favor, and as
2 such, his mandatory detention under § 1225(b)(2)(A) violates his procedural due process
3 rights.

4 **COUNT FOUR**

5 **Violation of the Suspension Clause**

6
7 60. Arbitrary executive detention without timely judicial review violates the
8 Suspension Clause. *Boumediene v. Bush*, 553 U.S. 723 (2008).

9 61. DHS's sudden detention of a compliant asylum applicant is the type of unchecked
10 detention the writ of habeas corpus is designed to prevent.

11
12 **PRAYER FOR RELIEF**

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

- 14 a. Assume jurisdiction over this matter;
- 15 b. Issue a writ of habeas corpus requiring that, within three days, Respondents
16 release Petitioner;
- 17 c. Alternatively, issue a writ of habeas corpus requiring Respondents to release
18 Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within
19 seven days;
- 20 d. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act
21 (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under
22 law; and
- 23 e. Grant any other and further relief that this Court deems just and proper.

24 DATED February 12, 2026.

1 Respectfully submitted

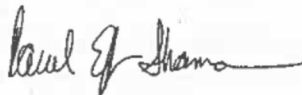
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7 Norcross, GA 30092
8 rachel@dreampathlaw.com
9 Tel: (470) 273-3444

10 DECLARATION OF LOCAL COUNSEL REGARDING VERIFICATION

11 I am local counsel for Petitioner in this matter. I have not yet had direct contact with Petitioner in
12 order to verify this petition. The Petition for writ of habeas corpus is based on information
13 provided by lead counsel and local counsel's review of all available records. Counsel will file a
14 verification from Petitioner as soon as counsel receives it, or in the alternate, lead counsel will
15 file a complete verification once admitted pro hac vice. Due to Petitioner being detained far from
16 his counsel, it will take extra time to obtain verification from Petitioner directly, but because this
17 is an urgent matter, counsel requests leave of the court to file the verification as soon as it is
18 available.

19 Dated this 12th day of February, 2026.

20 

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