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UNITED STATES DISTRICT COURT
OF THE STATE OF COLORADO

YELKA DORIBEL LIRA-JARQUIN

Petitioner

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security,

TODD LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement,

ARTHUR WILSON, in his official capacity as ICE Field Officer Director,

JOHNNY CHOATE, in his official capacity as warden of the Aurora Immigration Detention Facility,

PAMELA BONDI, in her official capacity as the United States Attorney General,

The Executive Office for Immigration Review,

United States Immigration and Customs Enforcement,

The Board of Immigration Appeals,

Respondents,

Case No. _____

VERIFIED PETITION FOR HABEAS CORPUS

IMMIGRATION HABEAS CASE

INTRODUCTION

YELKA DORIBEL LIRA-JARQUIN (Petitioner), by and through her undersigned counsel, hereby files this petition for a writ of habeas corpus. Upon information and belief, Petitioner entered the United States on or about May 29, 2024 without parole or inspection. (Exhibit 1 at 3). Petitioner is a native of Nicaragua. (Exhibit 1 at 3). Petitioner was apprehended by the Department of Homeland Security (DHS) on or about September 6, 2025. It does not appear that petitioner has any disqualifying criminal convictions or other violations under INA § 101(f).

Petitioner has not filed an application for bond determination. Pursuant to the holding in *Matter of Yajure Hurtado*, 29 I&N Dec. 216, 228 (BIA 2025)[1], Petitioner has elected to postpone a bond hearing knowing such request would be futile under the current BIA framework. The decision in *Matter of Hurtado* dictates that U.S.C. § 1225(b)(2)(A) bars individuals who entered without inspection from receiving a bond redetermination from an immigration judge, thereby depriving the Immigration Court of relevant jurisdiction for bond determination. *Id.* at 229.

Under 8 U.S.C. § 1226(a), aliens who have been apprehended within the United States and placed in removal proceedings – other than arriving aliens – are generally eligible for bond redetermination before an immigration judge. This statutory framework authorizes immigration officers to initially arrest and detain such individuals pending a determination in the relevant removal proceedings but also providing and permitting release or bond or conditional parole based on a discretionary custody determination. This also circumvents prolonged detention as a

[1] Holding, "[t]herefore, just as Immigration Judges have no authority to redetermine the custody of arriving aliens who present themselves at a port of entry, they likewise have no authority to redetermine the custody conditions of an alien who crossed the border unlawfully without inspection, even if that alien has avoided apprehension for more than 2 years." (at 228).

result of nonexistent relief for individuals like Petitioner. The provisions of 8 U.S.C. § 1226(a) apply to noncitizens who have been living within the United States, including those who entered without inspection or overstayed a lawful admission, and were designed with the intention of providing a neutral review of custody decisions. During this process, the individual may request a bond hearing before an immigration judge who is tasked with evaluating relevant factors such as flight risk and danger to the community. Where the immigration judge ascertains that the relevant bond redetermination factors have been satisfactorily proven, the judge may subsequently set bond or impose conditions of supervision. However, at-issue, is the bond redetermination mechanism which does not extend to arriving aliens, who remain subject to a separate parole framework under 8 U.S.C. § 1182(d)(5). This distinct and separate classification underscores detention and release provisions that are otherwise applicable to different categories of noncitizens.

In *Matter of Hurtado*, 29 I&N Dec. 216 (BIA 2025), the Department of Justice has articulated its position that certain individuals who entered the United States without inspection (EWI) may be classified as "arriving aliens" for custody determination purposes, despite their physical presence in the interior of such. In the decision, the Board affirmed the same – holding that the regulatory definition of an arriving alien includes noncitizens encountered in the United States, after having crossed the border without lawful admission. In its holding, the Board reasoned that individuals who have crossed the border without lawful admission have not been formally admitted and therefore remain "applicants for admission" under 8 U.S.C. § 1225. The problematic nature of the ruling allows DHS to process these individuals under the same detention framework applicable to arriving aliens, thereby remitting them to a category of individuals traditionally ineligible for bond redetermination by an immigration judge. As a result,

individuals who EWI may be – and are – treated as subject to mandatory and perpetual detention and parole-only release schemes, rather than the more favorable but simultaneously discretionary bond review available to most non-arriving respondents. Importantly, this reading highlights the DOJ's increasingly expansive view of the arriving-alien classification and its problematic and disproportionate impact on custody jurisdiction in the confines of removal proceedings.

The Board of Immigration Appeals' classification of individuals who entered without inspection as "arriving aliens" is erroneous in its expansive and unlawful application to individuals like Petitioner, who are otherwise eligible for bond redetermination under the plain text of the Immigration and Nationality Act (INA), as well as the existent structure of the custody regulations. The INA makes a point to expressly distinguish between "arriving aliens" – defined as those individuals who present themselves at a port of entry – and "applicants for admission" under 8 U.S.C. § 1225(a)(1) – who are individuals apprehended only *after* entering the United States. These applicants for admission – like petitioner – are processed under the detention authority articulated in 8 U.S.C. § 1226(a). The INA made certain to draw the distinction, perhaps in anticipation that DHS might seek a more expansive and overbroad application of bond ineligibility to otherwise eligible applicants under the code. In further assertion of its plain text, the INA regulations reinforce the critical distinction by clearly defining an "arriving alien" as "one who is coming to the United States" at a port of entry, but not someone already present within the interior – regardless of lawfulness at the point therein.[2] The statutory and regulatory purpose of 8 U.S.C. § 1226(a) provides a bond relief mechanism for individuals apprehended

[2] *See* 8 U.S.C. § 1226(a) and (c) (noting that § 1226(a)(1)-(2) describes *discretionary* release by the Attorney General on bond and § 1226(c) describes the conditions where it is *necessary* and *mandatory* to keep a detained alien in custody. This section of the INA refers specifically to aliens detained within the territory of the United States).

within the country; the BIA's decision in *Matter of Hurtado* subsequently seeks to collapse the relevant statutory and regulatory distinctions and thereby deprive otherwise eligible individuals of their entitled relief. While the collapse and nullification of decades of regulatory practice is problematic in-and-of itself, the BIA's holding creates a mechanism to collapse non-arriving-alien custody jurisdictions, thereby rendering bond redetermination an effectively meaningless gesture only situated to produce prolonged detention and mitigated relief. While the Board's holding certainly cannot be rectified with existing statutory text, regulatory definitions, or the broader Congressional scheme, perhaps that is void of the point. Perhaps the point is to void decades of an existing regulatory scheme to reinforce the prolonged detention of individuals like Petitioner.

The "Bond Eligible Class" certified in *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. Nov. 25, 2025) (class certification order), 2025 WL 3288403, includes all noncitizens who entered the United States without inspection (EWI), who were not apprehended at the time of entry, and who are not subject to mandatory detention under 8 U.S.C. §§ 1226(c), 1225(b)(1), or 1231. Based on Petitioner's status, she is a member of the foregoing "Bond Eligible Class" certified in *Maldonado Bautista*, as Petitioner meets each of the relevant criteria therein certified. A denial of Petitioner's bond application would highlight a futile attempt at exercising the relief articulated in the INA by Petitioner. More importantly, however, it highlights the Department of Justice's unlawful exercise of conflicting BIA holdings, and a subsequent commitment by the Department of Justice to hollow decades of statutory and regulatory framework, while simultaneously ignoring the *Maldonado Bautista* decision by systemically denying bond to the Bond Eligible Class. Perhaps most significantly is the Department of Justice's ongoing refusal to comply with the class-wide order, in connection with

its perpetual disregard of the INA, which constitutes unlawful detention in violation of 8 U.S.C. § 1226(a) and the Due Process Clause of the United States Constitution.

Pursuant to *Loper Bright Enterprises v. Raimondo*, 603 U.S. ____ (2024), the United States Supreme Court held that the federal courts must "exercise independent judgement" when interpreting statutes and need no longer defer to an agency's reasonable interpretation simply reliant on the ambiguity of a specific statute. This ruling suggests that the BIA's interpretation – particularly those in *Matter of Hurtado* or *Matter of Q. Li* – could not find itself void of automatic command deference, particularly because those interpretations rely on fundamentally arbitrary reasoning. The abolition of deference precedent in *Loper Bright* empowers reviewing courts to scrutinize the BIA policy choices on their problematic and inconsistent merits, rather than deference to unlawful agency interpretations.

JURISDICTION AND VENUE

This court has jurisdiction over the present action pursuant to 28 U.S.C. § 1331, general federal question jurisdiction; 5 U.S.C. § 710 et seq., the Due Process Clause of the United States Constitution and the Immigration Naturalization Act (INA). This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., and All Writs Act, 28 U.S.C. § 1651.

Federal district courts have jurisdiction to hear habeas claims by noncitizens challenging the lawfulness or constitutionality of conduct perpetuated by DHS and DOJ. Federal courts are not stripped of jurisdiction under 8 U.S.C. § 1252; *see Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

Venue is proper pursuant to 28 U.S.C. § 1391(e) because Respondents are agencies of the United States or officers or employees thereof acting in their official capacity or under color of

legal authority. Petitioner is also in custody of the Aurora Detention Center, which is in the jurisdiction of the Colorado District Court. There is no real property involved in this action.

Finally, there is no requirement for exhaustion of administrative remedies in the present case as neither the habeas statute, 8 U.S.C. § 2241, nor the relevant sections of the INA require Petitioner to exhaust administrative remedies prior to filing petitions for habeas corpus – particularly those situated on unlawful and prolonged detention.

REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243

The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents forthwith, unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court must require Respondents to file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

Courts have long recognized the significance of the habeas statute protecting individuals from unlawful detention – particularly detention that is prolonged and absent avenues for relief. The Great Writ has been referred to as "perhaps the most important writ known to the constitutional law of England, affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Faye v. Noia*, 372 U.S. 391, 400 (1963).

Petitioner is "in custody" for applicability determination of 28 U.S.C. § 2241 because Petitioner is arrested and detained by Respondents.

PARTIES

PETITIONER

Petitioner, Yelka Doribel Lira-Jarquin, is a Nicaraguan citizen who is currently in the custody of the Department of Homeland Security in Aurora, Colorado.

RESPONDENTS

Respondent Kristi Noem ("Secretary Noem") is the Secretary of the Department of Homeland Security, the parent agency of Immigration and Customs Enforcement, which is currently engaging in the prolonged and unlawful detention of Petitioner. Respondent Kristi Noem is sued in her official capacity as an agent of the United States.

Respondent Todd Lyons is the acting director of the United States Immigration and Customs Enforcement and has the authority over the actions of respondent Aurthur Wilson, Johnny Choate, and ICE in general. Respondent Lyons is a legal custodian of Petitioner.

Respondent Aurthur Wilson is the Field Office Director of Immigration and Customs Enforcement which detains individuals currently pending removal proceedings and determination in the Colorado District Court. Respondent Arthur Wilson is sued in his official capacity as an agent of the United States.

Respondent Pamel Bondi is the Attorney General of the United States and, as such, has authority over the Department of Justice and is entrusted with the pivotal task of faithfully administering the immigration laws of the United States. Pamela Bondi is sued in her official capacity as an agent of the United States.

Respondent Executive Office for Immigration Review is the federal agency responsible for custody redeterminations relating to non-citizens charged with being removable from the United States.

Respondent Johnny Choate is the warden of the Aurora Detention Center and thus has custody over the Petitioner. Respondent Johnny Choate is sued in his official capacity as an agent of the United States.

Respondent United States Immigration and Customs Enforcement is the federal agency responsible for custody decisions relating to non-citizens charged with being removable from the United States – including the arrest, detention, and custody status of non-citizens. Respondent The Board of Immigration Appeals is the federal agency responsible for appeals of custody redeterminations relating to non-citizens charged with being removable from the United States. Particularly, the same Board who issued the pertinent at-issue rulings in *Q. Li* and *Matter of Hurtado*.

PROCEDURAL AND FACTUAL BACKGROUND

Upon information and belief, Petitioner entered the United States on or about May 29, 2024. (Exhibit 2 at 1). She is an applicant for an I-360 Special Immigration Juvenile Visa. (Exhibit 1). On December 16th, 2025, the Honorable District Court of Denver County, Colorado, ordered that the minor applicant is under the jurisdiction of the Circuit Court as reunification with the Petitioner's parents is no longer a viable option due to abuse, abandonment, and neglect and that it is not in her best interest to return to Nicaragua. (Exhibit 3).

LEGAL FRAMEWORK

I. Habeas Standard

"Challenges to immigration detention are properly brought through habeas." *Sobreanes v. Comfort*, 388 F.3d 1305, 1310 (10th Cir. 2004). More specifically, 28 U.S.C. § 2241 "confers jurisdiction upon the federal courts to hear [such cases]." *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001) (citing 28 U.S.C. § 2231(c)(3) (authorizing any person to claim in federal court that they are being held "in custody in violation of the Constitution or laws . . . of the United States")). "The fundamental purpose of a § 2241 habeas proceeding is the same as that of § 2254 habeas and § 2255 proceedings; they are an 'attack by a person in custody on the legality of that

custody, and . . . the traditional function of the writ is to secure release from illegal custody.'" *McIntosh v. U.S. Parole Com'n*, 115 F.3d 809, 811 (10th Cir. 1997) (quoting *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973)).

II. Petitioner's Detention Pursuant to 8 U.S.C. § 1225 or § 1226

8 U.S.C. § 1225(a) provides that "[a]n alien present in the United States who has not been admitted or who arrives in the United States . . . shall be deemed for the purpose of this chapter an applicant for admission." 8 U.S.C. § 1225(b)(1) and those covered by § 1225(b)(2). *See Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018). Noncitizens detained under 1225(b)(2) must remain in custody for the duration of their removal proceedings, while those detained under 1226(a) are entitled to a bond hearing before an IJ at any time before the entry of a final removal order. *See e.g. Rodriguez v. Bostock*, 779 F. Supp. 3d 1239, 1247 (W.D. Wash. 2025).

Ms. Yelka Doribel Lira-Jarquin's physical presence in the United States indicates that her status was no longer that of an "arriving alien" under § 1225(b)(2), but rather an "alien present in the United States" and therefore subject to § 1226(a). In *Jennings*, the Court explained that § 1225(b) governs "aliens already in the country" who are subject to removal proceedings. 583 U.S. at 289. For those who have already entered into the interior of the United States, "the Court has recognized additional rights and privileges not extended to those in the former category who are merely 'on the threshold of initial entry.'" *Leng May Ma v. Barber*, 357 U.S. 185, 187 (1958) (internal citation omitted). Congress did not intend § 1225(b)(2) to apply to persons like Ms. Yelka Lira-Jarquin who were detained after being present in the United States, who has not committed any crimes, who has attended every required meeting with immigration officials, and is currently applying for a Special Immigrant Juvenile visa. Ms. Lira-Jarquin is not subject to

mandatory detention and cannot be denied a bond redetermination hearing for lack of jurisdiction under *Matter of Hurtado*.

III. Petitioner's Detention Violates the Due Process Clause

The Fifth Amendment to the United States Constitution provides that "[n]o person shall . . . be deprived of life, liberty, or property, without due process of law." U.S. Const. amend. V. "Freedom from imprisonment – from government custody, detention, or other forms of physical restraint – lies at the heart of the liberty that Clause protects." *Zadvydas*, 533 U.S. at 690. It is well-established that "the Due Process Clause applies to 'all persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." *Id.* at 693. To determine whether civil detention violates a detainee's Fifth Amendment procedural due process rights, courts apply the familiar three-part test articulated in *Matthews v. Eldridge*, 424 U.S. 319 (1976). *Matthews* requires courts to weigh three factors: (1) "the private interest that will be affected by the official action," (2) "the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards," and (3) "the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail." *Id.* at 335-36.

A. Petitioner has a Legitimate Private Interest in Remaining Free from Physical Detention

"The interest in being free from physical detention" is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004). Petitioner, Yelka Doribel Lira-Jarquin, asserts that the government has violated her due process rights by subjecting her to mandatory detention during the course of her removal proceedings. Releasing Ms. Lira-Jarquin does not preclude the government from moving forward with its removal proceedings at the appropriate

time. Moreover, her liberty interest is not so diminished because of her illegal status that she should be summarily denied a bond hearing.

B. There is a Significant Risk of Erroneous Deprivation of Petitioner's Due Process Rights

Ms. Lira Jarquin has not received the basic amount of process due to her regarding her detention status. As discussed above, § 1226 governs her detention, Ms. Lira-Jarquin is entitled to a bond hearing, which she will not receive even if she should request one. The second *Matthews* factor weighs heavily in her favor as she is presently and erroneously detained under the mandatory detention provisions of § 1225 without an opportunity for a bond hearing.

C. The Government Must Show a Compelling Interest in Detaining Petitioner

Undoubtedly, the current administration, Congress, and public opinion consider immigration enforcement to be a vital public interest. However, it is also in the public interest that the due process rights of individuals subject to this enforcement are adequately protected by an individualized determination of an immigration judge as to whether said individuals are to be incarcerated for the entirety of their removal proceedings. Releasing Ms. Lira-Jarquin on bond, pursuant to an Immigration Judge's recommendation, does not preclude the government from moving forward with its removal proceedings. Moreover, if appropriate, the judge may deny bond in a hearing.

All three *Matthews* factors weigh in Ms. Lira-Jarquin's favor. A finding of lack of jurisdiction for a bond redetermination under *Matter of Hurtado* is a violation of her due process rights under the Fifth Amendment.

IV. Administrative Exhaustion Would be Futile

The exhaustion of administrative remedies is a prerequisite for § 2241 habeas relief, although the Tenth Circuit recognizes that the statute itself does not expressly contain such a

requirement. Garza v. Davis, 596 F.3d 1198, 1203 (10th Cir. 2010) (citing Williams v. O'Brien, 792 F.2d 986, 987 (10th Cir. 1986) (per curiam)). A narrow exception to the exhaustion requirement applies if a petitioner can demonstrate that the exhaustion requirement is futile. Id. (citing Fazzi v. Ne. Ohio Corr. Ctr., 473 F.3d 229, 235-36 (6th Cir. 2006); Fairchild v. Workman, 579 F.3d 1134, 1155 (10th Cir. 2009)). Futility in administrative remedy may be found where, "the administrative body is shown to be biased or has otherwise predetermined the issue before it." McCarthy v. Madigan, 503 U.S. 140, 148 (1992); see also Gibson v. Berryhill, 411 U.S. at 575, n. 14 (1973).

As stated above, Petitioner has not requested a bond hearing due to the BIA's decision in Matter of Hurtado. The administrative body has predetermined the issue.

CAUSES OF ACTION

1. FIRST CAUSE OF ACTION: Violation of Fifth Amendment Right to Due Process

Petitioner incorporates and references the above allegations herein.

The Due Process Clause of the Fifth Amendment to the United States Constitution prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V. Due Process protects "all 'persons' within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas*, 533 U.S. at 693. These protections extend to Petitioner, particularly considering the prolonged unlawful detention being perpetuated by the Department of Justice and Department of Homeland Security- very agents of the federal government the Fifth Amendment seeks to protect against.

Here, the Petitioner is being deprived of due process under the Fifth Amendment to the United States Constitution because DHS and the DOJ have determined unilaterally that Petitioner is statutorily ineligible for bond, despite his placement in removal proceedings and the absence of any statutory bar to custody review. DHS and the DOJ have unilaterally undermined the very relief Petitioner would otherwise have been entitled to under the Immigration and Nationality Act, while simultaneously refusing to rectify statutory and regulatory inconsistencies in their conduct. Under the INA, noncitizens in § 1226(a) proceedings are entitled to an individual bond determination before a neutral adjudicator, and the United States Supreme Court has further emphasized that civil immigration detention must include adequate procedural safeguards to satisfy the Fifth Amendment. Nevertheless, DHS has classified the Petitioner as an

"arriving alien" under *Matter of Hurtado* and *Matter of Q. Li* solely because he entered without inspection, and absent the very distinction the INA addresses in its plain text. The DOJ has further adopted the position that immigration judges thereby lack jurisdiction to review Petitioner's custody, depriving Petitioner from adequate protection and remedy under the INA and Fifth Amendment to the United States Constitution. As a result, Petitioner is being held unlawfully, despite meeting the plain eligibility requirements under the INA for bond.

SECOND CAUSE OF ACTION: Violation of the Immigration and Nationality Act

Petitioner incorporates and references the above allegations herein.

The Immigration and Nationality Act (INA) sets forth specific circumstances under which the federal government may detain non-citizens. Under 8 U.S.C. § 1225(b)(1), arriving aliens may be detained pending a determination of admissibility. Under 8 U.S.C. § 1226(a), the Attorney General may take into custody aliens who are already in removal proceedings. Furthermore, 8 U.S.C. § 1226(c) mandates detention for certain criminal aliens during removal proceedings (none of which are applicable to Petitioner, as there is no evident criminal history for Petitioner). Once an alien is no longer subject to expedited removal, has completed credible fear proceedings, or does not fall within one of these statutory categories, the INA does not provide any authority to substantiate continued or prolonged detention. *Zadvydas v. Davis*, 533 U.S. 678, 682 (2001); *Jennings v. Rodriguez*, 583 U.S. 281, 298 (2018).

At issue is the impermissible expansion of "arriving alien" in *Matter of Hurtado* beyond the limits established by Congress. The very impermissibility underlying the definition expansion cannot subsequently and simultaneously serve as a basis to deny Petitioner a bond

hearing, or bond altogether. The INA intentionally and expressly distinguishes between individuals seeking admission at the border ("arriving aliens") and those apprehended inside the United States ("applicants for admission"), assigning the former to the § 1225(b) detention framework and the latter to the discretionary custody-and-bond provisions of § 1226(a). The INA's specification and distinction reflects a specific intent by the INA to ensure that noncitizens are properly classified, providing avenues for relief where such are warranted, and thereby preventing unlawful deprivation of relief. Instead, the federal government seeks to collapse this framework by unliterally maintaining and treating entry-without-inspection ("EWI") as functionally equivalent to presenting at a port of entry- two mechanisms which are separate and distinct from the other. *Hurtado* rewrites the statutory scheme, thereby nullifying Congress's deliberate decision to afford bond eligibility to non-arriving respondents- like Petitioner. It is evident that agency interpretations which explicitly and inexplicably contradict clear statutory text are thereby rendered invalid, and therefore DHS and the DOJ cannot rely on *Hurtado*'s baseless inconsistency to unilaterally deprive Petitioner of custody review. Accordingly, Petitioner must be classified and placed within the statutory framework that governs his actual circumstances- § 1226(a)- and afforded an individualized bond hearing before a neutral adjudicator, as the INA requires.

Because the Petitioner does not fall within any statutory class that would substantiate a basis for mandatory detention under the INA, his continued confinement is ultra vires, and he should be released immediately.

RESERVATION OF RIGHTS

Petitioner reserves the right to add additional allegations of agency error and related causes of action upon receiving the certified administrative record.

PRAYER FOR RELIEF

WHEREFORE, Petitioner requests that this Court grant the following relief:

A. Assume jurisdiction over the matter.
B. Declare Petitioner's detention without a possibility of bond unlawful pursuant to the Due Process clause of the Fifth Amendment of the United States Constitution, and the Immigration and Nationality Act.
C. Order Petitioner's immediate release on bond.
D. Award Petitioner costs of suit and attorney's fees under the Equal Access to Justice Act, 42 U.S.C. § 1988 and any other applicable law.
E. Enter all necessary relief, injunctions, and orders as justice and equity as appropriate to remedy the harms to Petitioner.
F. Grant such further relief as this Court deems just and proper.

DATED this 13th day of February, 2026.

Respectfully submitted,

/s/ *Jonathon Bell*
Counsel for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I am submitting this verification on behalf of Petitioner because I am one of Petitioner's attorneys. I have discussed with Petitioner's family the events described in this Petition. I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 13th day of February, 2026.

Respectfully Submitted,

/s/ Jonathon Bell