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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

BRACHO ROJAS, ANTHONY

Petitioner,

v.

LADEON FRANCIS, Field Office Director of
Enforcement and Removal Operations,
ATLANTA Field Office, Immigration and
Customs Enforcement; Kristi NOEM,
Secretary, U.S. Department of Homeland
Security; Pamela BONDI, U.S. Attorney
General; Michael BRECKON, Warden of
FOLKSTON ICE PROCESSING CENTER, *in*
their official capacities

Respondents.

Case No.

PETITION FOR WRIT OF
HABEAS CORPUS

Agency number: A



INTRODUCTION

1
2 1. Petitioner Anthony Bracho Rojas (“Petitioner”) is in the physical custody of
3 Respondents at the Folkston ICE Processing Center (Annex). He now faces unlawful detention
4 because the Department of Homeland Security (“DHS”) and the Executive Office of
5 Immigration Review (“EOIR”) will conclude that Petitioner is subject to mandatory detention.

6 2. Petitioner is charged with, inter alia, having entered the United States (“U.S”) at a
7 Port of Entry. However, as he indicated under oath in his application for Temporary Protected
8 Status, he entered the U.S. without inspection in March 2019. Further, he was released from
9 DHS custody before under his own recognizance, which states he was under DHS’s custody
10 under 8 U.S.C. § 1226(a), and not under parole for a noncitizen who is arriving.

11 3. Based on this allegation in Petitioner’s removal proceedings, DHS will certainly
12 deny Petitioner’s release from immigration custody, consistent with a new DHS policy issued on
13 July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider
14 anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the U.S. without
15 admission or inspection—to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and
16 therefore ineligible to be released on bond.

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

1 5. Petitioner's detention on this basis violates the plain language of the Immigration
2 and Nationality Act ("INA"). Section 1225(b)(2)(A) does not apply to individuals like Petitioner
3 who previously entered and are now residing in the U.S. Instead, such individuals are subject to a
4 different statute, § 1226(a), that allows for release on conditional parole or bond. That statute
5 expressly applies to people who, like Petitioner, are charged as inadmissible for having entered
6 the U.S. without inspection.

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

10 7. Moreover, on November 20, 2025, the district court granted partial summary
11 judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide
12 class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*,
13 No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov.
14 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado*
15 *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at
16 *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond
17 Eligible Class, incorporating and extending declaratory judgment from Order Granting
18 Petitioners' Motion for Partial Summary Judgment).

19 8. The declaratory judgment held that the Bond Denial Class members are detained
20 under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on bond under §
21 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11. The court then issued a final
22 judgment in favor of the class on December 18, 2025.

9. Nonetheless, the EOIR and its subagency the Immigration Court and the DHS, have blatantly refused to abide by the declaratory relief and have unlawfully ordered that class members be denied the opportunity to be released on bond.

10. IJs have informed class members in bond hearings that they have been instructed by “leadership” that the declaratory judgment in *Maldonado Bautista* is not controlling, even with respect to class members, and that instead IJs remain bound to follow the agency’s prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

11. Accordingly, Petitioner seeks a writ of habeas corpus requiring that she be released unless Respondents provide a bond hearing under § 1226(a) within seven (7) days.

JURISDICTION

12. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Folkston ICE Processing Center (Annex) located in Folkston, Georgia.

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

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

VENUE

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

1 16. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
2 Respondents are employees, officers, and agencies of the U.S., and because a substantial part of
3 the events or omissions giving rise to the claims occurred in the Southern District of Georgia.

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

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

9 18. 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 **PARTIES**

16 19. Petitioner Anthony Bracho Rojas, a native and citizen of Venezuela, is seeking
17 humanitarian protection. Petitioner was detained and subsequently turned over into ICE custody,
18 who did not set bond, and Petitioner is unable to obtain review of his custody by an IJ, pursuant
19 to the Board’s decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

20 20. Respondent Ladeon Francis is the Director of the Atlanta Field Office of ICE’s
21 EOIR division. As such, he is Petitioner’s immediate custodian and is responsible for Petitioner’s
22 detention and removal. He is named in his official capacity.

1 21. Respondent Kristi Noem is the Secretary of DHS. She is responsible for the
2 implementation and enforcement of the INA, and oversees ICE, which is responsible for
3 Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in
4 her official capacity.

5 22. Respondent Pamela Bondi is the Attorney General of the U.S. She is responsible
6 for the Department of Justice ("DOJ"), of which the EOIR and the immigration court system it
7 operates is a component agency. She is sued in her official capacity.

8 23. Respondent Michael Breckon is employed by the GEO Group, Inc., as Warden of
9 the Folkston ICE Processing Center (Annex), where Petitioner is detained. He has immediate
10 physical custody of Petitioner. He is sued in his official capacity.

11 LEGAL FRAMEWORK

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

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

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

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

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

2 29. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the
3 Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No.
4 104–208, Div. C, §§ 302–03, 110 Stat. 3009–546, 3009–582 to 3009–583, 3009–585. Section
5 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119-1,
6 139 Stat. 3 (2025).

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

12 31. Thus, in the decades that followed, most people who entered without inspection
13 and were placed in standard removal proceedings received bond hearings, unless their criminal
14 history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent
15 with many more decades of prior practice, in which noncitizens who were not deemed “arriving”
16 were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a)
17 (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply
18 “restates” the detention authority previously found at § 1252(a)).

19 32. On July 8, 2025, ICE, “in coordination with” DOJ, announced a new policy that
20 rejected well-established understanding of the statutory framework and reversed decades of
21 practice.

1 33. The new policy, entitled “Interim Guidance Regarding Detention Authority for
2 Applicants for Admission,”¹ claims that all persons who entered the U.S. without inspection
3 shall now be subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies
4 regardless of when a person is apprehended and affects those who have resided in the U.S. for
5 months, years, and even decades.

6 34. On September 5, 2025, the BIA adopted this same position in a published
7 decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the
8 U.S. without admission or parole are subject to detention under § 1225(b)(2)(A) and are
9 ineligible for IJ bond hearings.

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

13 36. Even before ICE or the BIA introduced these nationwide policies, IJs in the
14 Tacoma, Washington, immigration court stopped providing bond hearings for persons who
15 entered the U.S. without inspection and who have since resided here. There, the United States
16 District Court in the Western District of Washington found that such a reading of the INA is
17 likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not
18 apprehended upon arrival to the U.S. *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D.
19 Wash. 2025).

20 37. Subsequently, court after court has adopted the same reading of the INA’s
21 detention authorities and rejected ICE and EOIR’s new interpretation. *See, e.g., Gomes v. Hyde*,
22 No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*,

23 _____
24 ¹ Available at <https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission>.

1 No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025);
2 *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11,
3 2025), *report and recommendation adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL
4 2349133 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025
5 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE,
6 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-
7 ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-
8 BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH),
9 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-
10 BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-
11 02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-
12 JE-KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051
13 (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v.*
14 *Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025);
15 *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3,
16 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D.
17 Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D.
18 Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass.
19 Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2
20 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court tends to agree” that § 1226(a) and not §
21 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL
22 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-
23 RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same).

1 38. Courts have uniformly rejected DHS's and EOIR's new interpretation because it
2 defies the INA. As the *Rodriguez Vazquez* court and others have explained, the plain text of the
3 statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.
4 This District Court, in fact, has also rejected DHS's and EOIR's new interpretation, as well. *See*,
5 *e.g., Villa v. Normand*, 5:25-cv-89, consolidated cases.

6 39. Section 1226(a) applies by default to all persons "pending a decision on whether
7 the [noncitizen] is to be removed from the United States." These removal hearings are held under
8 § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

9 40. The text of § 1226 also explicitly applies to people charged as being inadmissible,
10 including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph
11 (E)'s reference to such people makes clear that, by default, such people are afforded a bond
12 hearing under subsection (a). As the *Rodriguez Vazquez* court explained, "[w]hen Congress
13 creates 'specific exceptions' to a statute's applicability, it 'proves' that absent those exceptions,
14 the statute generally applies." *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove*
15 *Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also Gomes*, 2025
16 WL 1869299, at *7.

17 41. Section 1226 therefore leaves no doubt that it applies to people who face charges
18 of being inadmissible to the U.S., including those who are present without admission or parole.

19 42. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who
20 recently entered the U.S. The statute's entire framework is premised on inspections at the border
21 of people who are "seeking admission" to the U.S. 8 U.S.C. § 1225(b)(2)(A). Indeed, the
22 Supreme Court has explained that this mandatory detention scheme applies "at the Nation's
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1 borders and ports of entry, where the Government must determine whether a[] [noncitizen]
2 seeking to enter the country is admissible.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

3 43. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not
4 apply to people like Petitioner, who have already entered and were residing in the U.S. at the
5 time they were apprehended.

6 44. Finally, as mentioned above, on November 20, 2025, the district court granted
7 partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified
8 a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista*
9 *v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3289861, at *11
10 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-
11 Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d --
12 --, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners’
13 proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment
14 from Order Granting Petitioners’ Motion for Partial Summary Judgment).

15 45. Despite this declaratory judgment holding that the Bond Denial Class members
16 are detained under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on
17 bond under § 1225(b)(2)(A), class members are being blatantly refused bond hearings across the
18 country. *Maldonado Bautista*, 2025 WL 3289861, at *11.

19 FACTS

20 46. Petitioner is a national of Venezuela who has resided in the U.S. since he entered
21 without inspection on or about March 28, 2019. He previously had Temporary Protected Status,
22 had employment authorization, and has filed an I-589 application seeking humanitarian relief.

47. DHS initiated a Notice to Appear ("NTA") and subsequently initiated removal proceedings before the Dallas Immigration Court. His case has since been transferred to the Stewart Immigration Court.

48. ICE has charged Petitioner with being inadmissible as an arriving alien. However, the NTA is incorrect, as it was prepared years after he entered the U.S., does not state the date, or the Port of Entry. It is inconsistent with other evidence, such as the TPS application signed and submitted under the penalty of perjury, and the I-200A form from DHS.

49. Petitioner's next immigration court is scheduled for March 12, 2026.

50. Pursuant to *Matter of Yajure Hurtado*, the IJ is jurisdictionally barred from granting Petitioner a bond during at the conclusion of a custody redetermination hearing. Additionally, despite being a member of the certified nationwide class pursuant to *Maldonado Bautista v. Santacruz*, the EOIR and its subagency the Immigration Court and the DHS have blatantly refused to abide by the declaratory relief for class members similarly situated to this petitioner before the Stewart Immigration Court and other Immigration Courts across the country.

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

CLAIMS FOR RELIEF

COUNT I
Violation of the INA

52. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

1 53. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all
2 noncitizens residing in the U.S. who are subject to the grounds of inadmissibility. As relevant
3 here, it does not apply to those who previously entered the country and have been residing in the
4 U.S. prior to being apprehended and placed in removal proceedings by Respondents. Such
5 noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or §
6 1231.

7 54. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued
8 detention and violates the INA.

9 **COUNT II**
10 **Violation of the Bond Regulations**

11 55. Petitioner incorporates by reference the allegations of fact set forth in preceding
12 paragraphs.

13 56. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-
14 Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA.
15 Specifically, under the heading of “Apprehension, Custody, and Detention of [Noncitizens],” the
16 agencies explained that “[d]espite being applicants for admission, [noncitizens] who are present
17 without having been admitted or paroled (formerly referred to as [noncitizens] who entered
18 without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. at 10323
19 (emphasis added). The agencies thus made clear that individuals who had entered without
20 inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. §
21 1226 and its implementing regulations.

22 57. Nonetheless, pursuant to *Matter of Yajure Hurtado*, EOIR has a policy and
23 practice of applying § 1225(b)(2) to individuals like Petitioner.
24

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

3
4 **COUNT III**
 Violation of Due Process

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

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

11 61. Petitioner has a fundamental interest in liberty and being free from official
12 restraint.

13 62. The government’s detention of Petitioner without a bond redetermination hearing
14 to determine whether he is a flight risk or danger to others violates his right to due process.

15 **PRAYER FOR RELIEF**

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

- 17 a. Assume jurisdiction over this matter;
- 18 b. Order that Petitioner shall not be transferred outside the Southern District of
19 Georgia while this habeas petition is pending;
- 20 c. Issue an Order to Show Cause ordering Respondents to show cause why this
21 Petition should not be granted within three (3) days;
- 22 d. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner;
- 23
- 24

- 1 e. In the alternative, provide Petitioner with a bond hearing pursuant to 8 U.S.C. §
2 1226(a) within seven (7) days;
- 3 f. Declare that Petitioner's detention is unlawful;
- 4 g. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act
5 ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under
6 law; and
- 7 h. Grant any other and further relief that this Court deems just and proper.
- 8

9 Respectfully submitted.

10 Dated: February 16th, 2026

11
12 /s/ Matthew O. Boles
13 Matthew Boles
14 *Attorney for Petitioner*
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16 Tucker, GA 30084
17 Tel: 941-524-7913
18 Email: Matt@manjilaw.com
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Verification

I declare under penalty of perjury that the facts set forth in the foregoing Verified Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

Dated: February 16th, 2026

/s/ Matthew O. Boles

Matthew Boles
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