

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:26-cv-00630

CHADRACK EKENGE AKA GILSON MANUEL,

Petitioner,

v.

JUAN BALTAZAR, in his official capacity as Warden of the Denver Contract Detention Facility;
ROBERT HAGAN, in his official capacity as Field Office Director, Denver Field Office of U.S.
Immigration and Customs Enforcement;
TODD LYONS, in his official capacity as Acting Director of U.S. Immigration and Customs
Enforcement;
KRISTI NOEM, in her official capacity as Secretary of U.S. Department of Homeland Security;
and
PAMELA BONDI, in her official capacity as Attorney General of the United States.

Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner, CHADRACK EKENGE AKA GILSON MANUEL, by and through undersigned counsel, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

2. This case challenges his unlawful arrest and re-detention of Ekenge without notice of the alleged violations of his Intensive Supervision Appearance Program (ISAP), or an opportunity to be heard on them.

3. Ekenge is currently detained at the Denver Contract Detention Facility in Aurora, Colorado, under the custody and control of Respondents.

4. Since entering the United States on March 23, 2022, and his release from Respondents' custody two days later on March 25, 2022, Ekenge has established a life for himself in Colorado, where he complied with all the conditions of his ISAP supervision, applied for Asylum, obtained work authorization, and has been gainfully employed at Denver International Airport.

5. On January 16, 2026, Ekenge reported to ISAP as scheduled to at 3600 S Yosemite Street # 600 Denver, Colorado 80237. Instead of completing his scheduled check-in, Immigration and Customs Enforcement (ICE) placed Ekenge in handcuffs and shackled him at the waist and ankles.

6. When Ekenge inquired as to why he was being arrested, he was informed for the first time that there were allegedly 11 violations of the ISAP supervision. Respondents did not provide Ekenge with written notice explaining the basis for the revocation of his release. Nor did they provide a hearing before a neutral decisionmaker where ICE was required to justify the basis of re-detention or explain why Ekenge is a flight risk or danger to the community.

7. To date, Ekenge disputes that there are allegedly 11 violations.

8. Due process requires notice and opportunity prior to the government's decision to terminate a person's liberty. *See E.A.T.B. v. Wamsley*, ---F. Supp.3d ---, No. C25-1192-KKE, 2025 WL 2402130 (W.D. Wash. Aug. 19, 2025); *Garro Pinchi v. Noem*, No. 25-CV-05632-PCP, --- F. Supp. 3d ---, 2025 WL 3691938, at *20 (N.D. Cal. Dec. 19, 2025).

9. The appropriate remedy for a violation of Ekenge's right to notice and opportunity is immediate release. *See Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973) ("[T]he essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and that the traditional function of the writ is to secure release from illegal custody.").

10. Furthermore, due process requires that Ekenge receive notice and an opportunity to be heard before he may be re-detained for alleged release violations. *See, e.g., Llanes Tellez v. Bondi*, No. 25-cv-08982-PCP, 2025 WL 3677937, at *9 (N.D. Cal. Dec. 18, 2025) ("If the government wishes to re-detain [Petitioner], it must provide him with the pre-detention hearing before a neutral decisionmaker required by due process.").

11. And further requests that at any future pre-deprivation hearing, the Government must demonstrate the justification for detention by clear and convincing evidence. *See Doe v. Becerra*, 787 F. Supp. 3d 1083, 1089 (E.D. Cal. Mar. 3, 2025).

CUSTODY

12. Ekenge has been in the custody of Respondents since January 16, 2026. He is currently detained at the Denver Contract Detention Facility in Aurora, Colorado, under Respondents' direct physical control and supervision.

JURISDICTION AND VENUE

13. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 1651 (All Writs Act), 28 U.S.C. § § 2201-02 (declaratory relief), and Article I, section 9, clause 2 of the U.S. Constitution (Suspension Clause), as Ekenge is in custody and challenges his custody in violation of the Constitution and laws of the United States.

14. Federal district courts have jurisdiction under 28 U.S.C. § 2241 to hear habeas claims by individuals challenging the lawfulness of their detention. *See Zadvydas v. Davis*, 533 U.S. 678, 678 (2001).

15. Venue is proper in this District under 28 U.S.C. § 1391 and 28 U.S.C. § 2242 because Ekenge is confined in this District, at least one Respondent is in this District, Ekenge's

immediate physical custodian is in this District, and a substantial part of the events giving rise to the claims in this action occurred in this District. *See Trump v. J.G.G.*, 145 S. Ct. 1003, 1005–06 (2025) (per curiam) (“For core habeas petitions, jurisdiction lies in only one district: the district of confinement” (internal quotation marks and citation omitted)).

HABEAS CORPUS

16. Challenges to immigration detention are properly brought directly through habeas. *Soberanes v. Comfort*, 388 F.3d 1305, 1310 (10th Cir. 2004). More specifically, 8 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. § 2241(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”).

17. The fundamental purpose of § 2241 habeas proceeding is the same as that of § 2254 habeas and § 2255 proceedings: they are an attack by a person in custody upon the legality of that custody, and that the traditional function of the writ is to secure release from illegal custody. *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)).

PARTIES

A. Petitioner

18. Petitioner Chadrack Ekenge was detained by Respondents on January 16, 2026, and has been detained at the Denver Contract Detention Facility in Aurora, Colorado, since that date. He is in the custody and direct control of Respondents and their agents.

B. Respondents

19. Respondent Juan Baltazar is the Warden of the Denver Contract Detention Facility, a private, for-profit detention facility that contracts with ICE to detain individuals suspected of

civil immigration violations. Respondent Baltazar has immediate physical custody of Ekenge and is sued in his official capacity.

20. Respondent Robert Hagan is the Field Office Director of the U.S. Immigration and Customs Enforcement Denver Field Office. In this capacity, he is responsible for the administration of immigration laws and the execution of immigration enforcement and detention policy within ICE's Denver Area of Responsibility, including the detention of Ekenge. Respondent Hagan maintains an office and regularly conducts business in this district. Respondent Hagan is sued in his official capacity.

21. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs Enforcement. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in this District; and is legally responsible for any effort to detain and remove Ekenge. Respondent Lyons is sued in his official capacity.

22. Respondent Kristi Noem is the Secretary of the U.S. Department of Homeland Security and has ultimate authority over DHS. In that capacity and through her agents, Respondent Noem has broad authority over and responsibility for the operation and enforcement of the immigration laws; routinely transacts business in this District; and is legally responsible for pursuing any effort to detain and remove Ekenge. Respondent Noem is sued in her official capacity.

23. Respondent Pamela Bondi is the Attorney General of the United States and the most senior official of the U.S. Department of Justice (DOJ). In that capacity and through her agents, she is responsible for overseeing the implementation and enforcement of the federal immigration laws. The Attorney General delegates this responsibility to the Executive Office for Immigration

Review, which administers the immigration courts and the Board of Immigration Appeals. Respondent Bondi is sued in her official capacity.

EXHAUSTION

24. In habeas claims, exhaustion of administrative remedies is prudential, not jurisdictional. *Hernandez v. Sessions*, 872 F.3d 976, 988 (9th Cir. 2017). As applicable here, a court may waive the prudential exhaustion requirement if “administrative remedies are inadequate or not efficacious, pursuit of administrative remedies would be a futile gesture, irreparable injury will result, or the administrative proceedings would be void.” *Id.* (quoting *Laing v. Ashcroft*, 370 F.3d 994, 1000 (9th Cir. 2004) (citation and quotation marks omitted). Here, exhaustion is not required because no other forum exists in which Ekenge can raise his claims, exhaustion would be futile, there is no requirement to exhaust before challenging the constitutionality of an arrest or detention, and Ekenge will “suffer irreparable harm if unable to secure immediate judicial consideration of [their] claim.” *McCarthy v. Madigan*, 503 U.S. 140, 147 (1992).

FACTUAL ALLEGATIONS

A. Statutory and Regulatory Authority for Immigration Custody

25. 8 U.S.C. § 1226(a) authorizes both ICE and the Attorney General to detain or release noncitizens who are not subject to mandatory detention during the pendency of removal proceedings. *See* 8 U.S.C. § 1226(a)(1), (2) (the Attorney General “may continue to detain the arrested alien” pending removal proceedings or it “may release the alien” on bond in the amount of at least \$1500, or on “conditional parole”).

26. The regulations governing custody redetermination hearings provide for only two circumstances in which an IJ's bond order may be modified: (1) the noncitizen or ICE may appeal the IJ's custody redetermination to the BIA, and (2) a noncitizen may later request a new custody

re-determination hearing upon a showing of materially changed circumstances. 8 C.F.R. §§ 1003.19(e), 1003.19(f).

B. ICE Implements New Policy of Re-Detaining Previously Released Noncitizens Even Where There Are No Materially Changed Circumstances to Justify Re-Detention

27. ICE's Alternatives to Detention ("ATD") program is "a [noncitizen] compliance tool overseen by [Enforcement and Removal Operations]."¹ Ankle monitors and attendant supervision conditions are applied by ICE through its contract with BI Incorporated, the subsidiary of private prison company GEO Group, Inc.

28. In 2015, ICE reported that 26,625 people were enrolled in ISAP. That number increased by nearly 300% in 2019, with over 100,000 people enrolled in ISAP, and then tripled in 2022, with over 320,000 people enrolled in ISAP.²

29. A recent ICE policy shift, described in a June 9, 2025, memorandum, instructs ICE officials to adhere GPS-enabled ankle monitors to noncitizens "whenever possible."³ The internal memo from Acting Assistant Director Dawnisha Helland instructs agents to "escalate their supervision level to GPS ankle monitors . . . and increase reporting requirements" for individuals not being arrested ("Helland Memo"). ICE's blanket policy, as implemented by the Helland Memo,

¹ U.S. Immigr. & Customs Enf't, Enforcement and Removal Operations Statistics, (updated May 30, 2025), <https://perma.cc/MXZ3-RMUG> ("ATD uses technology and case management to more closely monitor cases assigned to the non-detained docket where detention is not necessary or appropriate. The level of supervision and technology participants are assigned is based on their current immigration status, criminal history, compliance history, community or family ties, caregiver or provider status, and other humanitarian or medical conditions. Officials may enroll aliens in ATD following a border apprehension by CBP or an ICE interior administrative arrest, or at a later stage in removal proceedings."); *see also* U.S. Immigration and Customs Enforcement, Alternatives to Detention at I (updated February 27, 2025), <https://perma.cc/W84B-2DAM> ("Each [noncitizen] enrolled in ATD-ISAP receives an individualized determination as to their level of supervision. ERO may transition [a noncitizen]'s supervision level by considering certain factors. Factors considered in both initial placement and changes to supervision level, as relevant, include criminal history, compliance history, community or family ties, caregiver concerns, and other humanitarian or medical concerns.").

² U.S. Immigr. & Customs Enf't, Enforcement and Removal Operations Statistics, (updated May 30, 2025), <https://perma.cc/MXZ3-RMUG>.

³ Douglas MacMillan & Aaron Schaffer, "ICE Moves to Shackle Some 180,000 Immigrants with GPS Ankle Monitors", Wash. Post (July 24, 2025), <https://perma.cc/YU83-ZMQ7>.

negates any individualized review that ICE, prior to June 9, 2025, conducted of a noncitizen before applying ankle monitoring. The Helland Memo mandates increased surveillance and carceral supervision conditions without consideration of a noncitizen's compliance history or other individualized analysis.

C. Ekenge is Re-Detained Despite No Material Change in Circumstances Since His Previous Release from DHS Custody to Justify Re-Detention

30. Ekenge is a 31-year-old male citizen and national of the Democratic Republic of Congo who fled his home country to avoid persecution for his ethnicity and political beliefs.

31. He entered the United States at Eagle Pass, Texas, without inspection on March 23, 2022. Respondents encountered Ekenge and detained him for 2 days. *See DHS Form I-213, Record of Deportable/Inadmissible Alien, dated March 24, 2022, attached hereto as Attachment B.* When he was released, Ekenge was instructed to report with Enforcement and Removal Operations (ERO) in Colorado.

32. As instructed, on April 4, 2022, Ekenge reported to ERO in Centennial, Colorado. There, he was issued a Notice to Appear and told to report to ISAP for supervision. *See DHS Form I-213, Record of Deportable/Inadmissible Alien, dated April 4, 2022, attached hereto as Attachment C.*

33. Since then, Ekenge has dutifully complied with all immigration proceeding requirements. When placed in ISAP, Ekenge's requirements were to take a photo through the ISAP application once per week and once every three months, he was required to report in person to ISAP's office and be present for a home visit. *See Declaration of Chadrack Ekenge, dated February 16, 2026, attached hereto as Attachment D.*

34. Ekenge has dutifully complied with ISAP's requirements. For example, Ekenge arranged his work scheduled so that he would have Thursdays and Fridays off—the same days ISAP conducts their home visits. *Id.*

35. Ekenge has no criminal history. *See Colorado Bureau of Investigations, No Record of Colorado Arrests, dated February 15, 2026, for Chadrack Ekenge and Gilson Manuel, attached hereto as Attachment E.*

36. On March 22, 2023, Ekenge timely filed his applications for Asylum, Withholding of Removal, and Protection Pursuant to the Convention Against Torture.

37. On May 13, 2025, Ekenge appeared before the Denver Immigration Court for his testimony in support of his Asylum application. The parties could not complete testimony at the Individual Hearing, and the case was continued. He was re-scheduled to appear before the Denver Immigration Court on April 29, 2026, but that hearing was vacated on September 27, 2025. To date, his removal proceedings remain pending, and no final removal order exists.

38. On January 15, 2026, Ekenge received a notification through his ISAP application informing him that his office visit had been advanced from January 20, 2026, to January 16, 2026. *See Declaration of Chadrack Ekenge, dated February 16, 2026, attached hereto as Attachment D.* Ekenge found this strange as he had complied with all ISAP requirements and was simply waiting on his next notice of hearing. There have been no other changes in his case.

39. On January 16, 2026, Ekenge reported to 3600 S. Yosemite Street # 600 Denver, Colorado 80237, as instructed to by ICE. *See Attachment D, attached hereto.* When Ekenge met with his case supervisor, instead of turning left to her office, they turned right, where ICE was waiting to arrest Ekenge. *Id.*

40. ICE told Ekenge he was being arrested, not to say anything, and that he had no rights. *Id.* ICE then placed Ekenge in handcuffs behind his back and shackled him at the waist and ankles. *Id.*

41. Ekenge asked ICE officers why he was being arrested or if he could speak with his case manager. *Id.* After approximately ten minutes, his case manager came into the room where ICE was holding Ekenge and informed him for the first time, that there were allegedly 11 violations of his supervision. *Id.*

42. When Ekenge asked his case supervisor how 11 violations could be possible when he did not have an ankle monitor and ISAP's policy was to place an individual on an ankle monitor when a violation has occurred, she did not answer him and instead left the room. *Id.*

43. To date, Ekenge has no knowledge as to what the alleged 11 violations are. *Id.* His arrest and current detention does not make logical sense given that there have been no material changes in his circumstances and he was simply waiting for his next hearing notice.

44. In fact, Ekenge had been so successful with his compliance that for the entirety of 2025, ISAP reduced his reporting requirements from requiring a photo of him once per week to once per month. *Id.*

45. Prior to Ekenge's re-detention, he did not receive written notice of the reason for his re-detention.

46. Prior to Ekenge's re-detention, he never received a hearing before a neutral decisionmaker to determine if his re-detention was justified.

47. Ekenge is being deprived of liberty without any permissible justification. Respondents previously released Ekenge upon a determination that he was neither a flight risk nor danger to the community to warrant detention. Nothing has changed to alter that initial

determination. Ekenge has no criminal history. And Ekenge, who was arrested at an immigration check-in appointment, is not a flight risk. To the contrary, Ekenge appeared for every check in he was required to attend and consistently informed Respondents about changes in address or other circumstances. Accordingly, Ekenge's ongoing detention furthers no legitimate government interest.

48. Ekenge's arrest and detention is causing him ongoing irreparable harm. Each additional day Ekenge spends in unlawful detention subjects him to further irreparable harm.

LEGAL FRAMEWORK

49. Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty protected by the Due Process Clause. *Zadvydas*, 533 U.S. at 690.

50. Consistent with this principle, individuals released on parole or other forms of conditional release have a liberty interest in their "continued liberty." *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972).

51. Substantive due process requires that all forms of civil detention—including immigration detention—bear a "reasonable relation" to a non-punitive purpose. *See Jackson v. Indiana*, 406 U.S. 715, 738 (1972). The Supreme Court has recognized only two permissible non-punitive purposes for immigration detention: ensuring a noncitizen's appearance at immigration proceedings and preventing danger to the community. *Zadvydas*, 533 U.S. at 690–92; *see also Demore v. Kim*, 538 U.S. 510 at 519–20, 527–28, 531 (2003).

52. Procedural due process requires adequate procedural protections that ensure the government's justification for a noncitizen's physical confinement outweighs the individual's constitutionally protected interest in avoiding physical restraint. *Zadvydas*, 533 U.S. at 690.

53. Due process thus guarantees notice and an individualized hearing before a neutral decisionmaker to assess danger or flight risk before the revocation of an individual's release. *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) (“The fundamental requisite of due process of law is the opportunity to be heard . . . at a meaningful time in a meaningful manner.” (citation modified)); *see also, e.g., Morrissey v. Brewer*, 408 U.S. 471, 485 (1972) (requiring “preliminary hearing to determine whether there is probable cause or reasonable grounds to believe that the arrested parolee has committed ... a violation of parole conditions” and that such determination be made “by someone not directly involved in the case”).

54. Several courts have recognized that these principles apply with respect to the re-detention of the many noncitizens that DHS has recently begun taking back into custody, often after such persons have been released for months and years. *See E.A.T.B. v. Wamsley*, --- F. Supp. 3d --- No. C25-1192-KKE, 2025 WL 2402130 (W.D. Wash. Aug. 19, 2025); *Valdez v. Joyce*, No. 25 CIV. 4627 (GBD), 2025 WL 1707737 (S.D.N.Y. June 18, 2025) (ordering immediate release due to lack of pre-deprivation hearing); *Pinchi v. Noem*, --- F. Supp. 3d ---, No. 5:25-CV-05632-PCP, 2025 WL 2084921 (N.D. Cal. July 24, 2025) (similar); *Maklad v. Murray*, No. 1:25-CV-00946 JLT SAB, 2025 WL 2299376 (E.D. Cal. Aug. 8, 2025) (similar); *Garcia v. Andrews*, No. 1:25-CV-01006 JLT SAB, 2025 WL 2420068 (E.D. Cal. Aug. 21, 2025) (similar).

55. In *E.A.T.B.*, the Court applied the *Mathews v. Eldridge*, 424 U.S. 319 (1976), framework to hold that even in a case where the government argued mandatory detention applied, a person's re-detention required a hearing.

56. As discussed further below, the same framework and principles apply here and compel Ekenge's immediate release.

ARGUMENT

I. THE RE-DETENTION OF EKENGE WITHOUT NOTICE VIOLATED HIS FIFTH AMENDMENT RIGHT TO DUE PROCESS.

57. Federal courts have authority to grant writs of habeas corpus to an individual in custody if such custody is a “violation of the Constitution or laws or treaties of the United States[.]” 28 U.S.C. § 2241(c)(3).

58. In this case, Ekenge contends that his re-detention violates the Due Process Clause of the Fifth Amendment to the United States Constitution, which prohibits the federal government from depriving any person of “life, liberty, or property, without due process of law[.]” U.S. Const. Amend. V.

A. Ekenge Has a Protected Interest in His Liberty

59. The first *Mathews* factor, Ekenge’s private interest, favors Ekenge. His interest in not being detained is “the most elemental of liberty interests.” *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004). Moreover, this liberty interest was constitutionally protected as he has been living and working in the United States for four years. *See Doe v. Becerra*, 787 F.Supp.3d 1083, 1093 (E.D. Cal. Mar. 3, 2025) (“[I]ndividuals who have been released from custody, even where such release is conditional, have a liberty interest in their continued liberty.”).

60. Ekenge has been out of Respondents custody for the last four years and relied on the government’s previous representations that he was released pending his removal proceedings. Under these circumstances the Court should find that the first *Mathews* factor favors Ekenge.

B. The Risk of Erroneous Deprivation of Liberty is High

61. The second *Mathews* factor considers whether a particular process results in a risk of erroneous deprivation of a protected interest, and here, the Court should find a high risk of erroneous deprivation of Ekenge’s liberty interest in the absence of a pre-detention hearing.

62. Ekenge was arrested, handcuffed, and shackled without being informed of the basis for such an unlawful arrest. When his case supervisor informed him that there were allegedly 11 violations, he was not provided any written documentation of those violations. Each time Ekenge questioned the violations in context of ISAP's policies, he was ignored by ISAP officials.

63. Even if Respondents have an alleged theory for why Ekenge was arrested, they would still be unable to justify that their actions were not erroneous particularly in light of the fact that for the year prior to his arrest, Ekenge's reporting requirements had been reduced not increased, demonstrating that he had been successfully compliant with the program.

64. Under these circumstances, the Court should find that the risk of erroneous deprivation is high and that the second *Mathews* factor favors Ekenge.

C. The Government Interest in Civil Detention Without a Hearing is Low.

65. In the final *Mathews* factor, the Court considers the Government's interest in re-detaining Ekenge without a hearing.

66. The Court should find that the Government's interest in re-detaining noncitizens previously released without a hearing is minimal. Any administrative or financial burdens in providing Ekenge a hearing are far outweighed by the risk of erroneous deprivation of the liberty interest at issue. *See, e.g., Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019) ("If the government wishes to re-arrest Ortega at any point, it has the power to take steps toward doing so; but its interest in doing so without a hearing is low.").

67. Should Respondents attempt to justify this current detention based on alleged violations, Ekenge notes that any such allegations would have occurred years before they were acted upon given that for the entirety of 2025, his reporting requirements were reduced, not

increased. This undermines any suggestion that the Government's interests must be satisfied immediately or that the cost of procedural safeguards would be insurmountable.

68. The third *Mathews* factor therefore favors Ekenge.

69. Based on this review of the *Mathews* factors, the Court should find that Ekenge's liberty interest in his continued release from custody is entitled to constitutional protections of due process, and that having received no process related to his re-detention, Ekenge's constitutional rights have been violated.

CLAIMS FOR RELIEF

Count One

Violation of the Due Process Clause of the Fifth Amendment to the United States Constitution – Procedural Due Process

70. Ekenge realleges and incorporates herein the allegations contained in the preceding paragraphs of the petition as if fully set forth herein.

71. Due process does not permit the government to strip Ekenge of his liberty without written notice and a hearing before a neutral decisionmaker to determine whether re-detention is warranted based on danger or flight risk. *See Morrissey*, 408 U.S. at 487–88. Such written notice and a hearing must occur prior to any re-detention.

72. Respondents revoked Ekenge's release and deprived him of liberty without affording him any written notice or meaningful opportunity to be heard by a neutral decisionmaker prior to his re-detention.

73. Accordingly, Ekenge's re-detention violates the Due Process Clause of the Fifth Amendment.

Count Two
Violation of the Due Process Clause of the Fifth Amendment
to the United States Constitution – Substantive Due Process

74. Ekenge realleges and incorporates herein the allegations contained in the preceding paragraphs of the petition as if fully set forth herein.

75. Ekenge is neither a flight risk nor a danger to the community. Respondents' detention of Ekenge is therefore unjustified and unlawful as it does not further the government's legitimate goals of ensuring a noncitizen's appearance during removal proceedings or to prevent danger to the community.

76. Accordingly, Ekenge's re-detention violates the Due Process Clause of the Fifth Amendment.

PRAYER FOR RELIEF

Petitioner CHADRACK EKENGE respectfully requests that this Court:

- (1) Assume jurisdiction over this matter;
- (2) Issue an Order to Show Cause ordering Respondents to show cause within three days as to why this Petition should not be granted as required by 28 U.S.C. § 2243;
- (3) Grant the Petition for Writ of Habeas Corpus and order Respondents to immediately release Ekenge from custody. *See Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973);
- (4) Grant the Petition for Writ of Habeas Corpus and order that Respondents are enjoined from re-detaining Ekenge absent written notice and a hearing prior to re-detention where Respondents must prove by clear and convincing evidence that he is a flight risk or danger to the community and that no alternatives to detention would mitigate those risks;
- (5) Declare that Ekenge's arrest and detention without an individualized determination before a neutral decisionmaker violates the Due Process Clause of the Fifth Amendment;

- (6) Award Ekenge attorney's fees and costs under the Equal Access to Justice Act; and
- (7) Grant any further relief the Court deems just and proper.

Dated this 17th day of February 2026.

Respectfully submitted,

/s/ Skylar M. Larson

Skylar M. Larson, Esq.

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ATTORNEY FOR PETITIONER

**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF PURSUANT
TO 28 U.S.C. § 2242**

I am submitting this verification on behalf of the Petitioner, Chadrack Ekenge, because I am the attorney for Ekenge. I have discussed with Ekenge the events described in this Petition. Based on those discussions, 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.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on February 17, 2026, at Denver, Colorado.

/s/ Skylar M. Larson
Skylar M. Larson, Esq.

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing **Petition for Writ of Habeas Corpus and Attachments A-E** will be effectuated contemporaneously with the Court's issuance of an Order directing service pursuant to Federal Rule of Civil Procedure 4(i), at which time true and correct copies will be mailed to the following:

JUAN BALTAZAR, Warden of the Denver Contract Detention Facility
3130 N Oakland Street
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Respondent

ROBERT HAGAN, Field Office Director, Denver ICE Field Office
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/s/ Skylar M. Larson
Skylar M. Larson, Esq.

ATTORNEY FOR PETITIONER

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

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KRISTI NOEM, in her official capacity as Secretary of U.S. Department of Homeland Security;
and
PAMELA BONDI, in her official capacity as Attorney General of the United States.

Respondents.

ATTACHMENTS TO PETITION FOR WRIT OF HABEAS CORPUS

ATTACHMENT A.	Notice to Appear, dated April 4, 2022
ATTACHMENT B.	DHS Form I-213, Record of Deportable/Inadmissible Alien, dated March 24, 2022
ATTACHMENT C.	DHS Form I-213, Record of Deportable/Inadmissible Alien, dated April 4, 2022
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DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [REDACTED]

Event No: [REDACTED]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED] PINS: [REDACTED] File No: [REDACTED]

In the Matter of:

Respondent: GILSON MPANZA-DANIEL MANUEL currently residing at:
 [REDACTED]
 (Number, street, city, state and ZIP code) (Area code and phone number)

You are an arriving alien.
 You are an alien present in the United States who has not been admitted or paroled.
 You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of ANGOLA and a citizen of ANGOLA;
3. You entered the United States at or near DEL RIO, TX, on or about March 23, 2022;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212 (a) (6) (A) (1) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
 Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an Immigration Judge of the United States Department of Justice at:

1961 STOUT STREET STE. 3101 DENVER CO 80294. DENVER - Ded Doc - DD
 (Complete Address of Immigration Court, including Room Number, if any)

on May 20, 2022 at 1:00 PM to show why you should not be removed from the United States based on the
 (Date) (Time)

charge(s) set forth above. [Signature]
 R3507 FISHER - SDDO
 (Signature and Title of Issuing Officer) (Sign in Ink)

Date: April 4, 2022 CENTENNIAL, COLORADO
 (City and State)

EOIR - 1 of 3

Uploaded on: 4/22/2022 at 4:41:36 p.m. (Mountain Daylight Time) Base City: DEN

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the Immigration Judge. You will be advised by the Immigration Judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the Immigration Judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the Immigration Judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the Internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent) (Sign in Ink)

Date: _____

(Signature and Title of Immigration Officer) (Sign in Ink)

Certificate of Service

This Notice To Appear was served on the respondent by me on April 4, 2022, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the PORTUGUESE language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served) (Sign in Ink)

JOSHUA 9563 DUCK - Deportation Officer
(Signature and Title of officer) (Sign in Ink)

EOIR - 2 of 3

Uploaded on: 4/22/2022 at 4:41:36 p.m. (Mountain Daylight Time) Base City: DEN

Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1380), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for Immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opa/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.


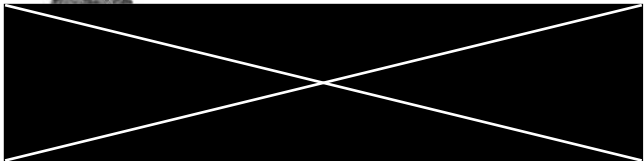
For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

B




U.S. Department of Homeland Security Subject ID: 376411611 Record of Deportable/Inadmissible Alien

Family Name (CAPS) MANUEL, GILSON MPANZA-DANIEL		First	Middle	Sex M	Hair BLK	Eyes BRO	Cmplxn BLK
Country of Citizenship ANGOLA	Passport Number and Country of Issue	File Number CASE No. DRS2203000649		Height 71	Weight 185	Occupation LABORER	
U.S. Address [REDACTED]				Scars and Marks			
Date, Place, Time, and Manner of Last Entry 03/23/2022, 0600, 0 mile(s) A of DLR, ewi			Passenger Boarded at	F.B.I. Number <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Number, Street, City, Province (State) and Country of Permanent Residence ANGOLA				Method of Location/Apprehension PB			
Date of Birth [REDACTED]	Age: 27	Date of Action 03/24/2022	Location Code DRT/DRS	AU/Near EAGLE PASS, TX		Date/Hour 03/23/2022 0628	
City, Province (State) and Country of Birth LUANDA, ANGOLA		AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	By ERVEY GUTIERREZ			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry PWA Mexico		Status When Found TRAVEL/SEEKIN G	
Date Visa Issued		Social Security Number		Length of Time Illegally in U.S. AT ENTRY			
Immigration Record NEGATIVE			Criminal Record None Known				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate) See Narrative				Number and Nationality of Minor Children 1 - ARGENTINA			
Father's Name, Nationality, and Address, if Known See Narrative			Mother's Present and Maiden Names, Nationality, and Address, if Known See Narrative				
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks	Charge Code Word(s) I 6A			
Name and Address of (Last)(Current) U.S. Employer		Type of Employment	Salary	Employed from/to Hr			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) FINS # [REDACTED] I77 [REDACTED] Family Unit/Group [REDACTED]							
							
ARREST COORDINATES: Latitude: 29.32906 Longitude: -100.92548							
CONSEQUENCE DELIVERY SYSTEM: Classification: FMUA							
Alien has been advised of communication privileges		03/24/2022 RS (Date/Initials)		JASON BENDICKSON <i>for Randy</i> Border Patrol Agent (Signature and Title of Immigration Officer)			
Distribution:		Received: (Subject and Documents) (Report of Interview) Officer: JASON BENDICKSON on: March 24, 2022 at 0316 (time) Disposition: Paroled Examining Officer: BRADLEY ENNES					

EOIR - 1 OF 2

U.S. Department of Homeland Security

Continuation Page for Form 1213

Alien's Name MANUEL, GILSON MPANZA-DANIEL	File Number  Event No: 	Date 
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SPOUSE NAME AND ADDRESS:

 Nationality: CONGO NGOY LUSA, DIVINE
 3001 8TH AVE
 EVANS, COLORADO, 806201201, UNITED STATES

FATHER NAME AND ADDRESS:

 Nationality: ANGOLA MANUEL, UNK

MOTHER NAME AND ADDRESS:

 Nationality: ANGOLA MANUEL, UNK

CUSTODY REDETERMINATION:


 PARO

FUNDS IN POSSESSION:

 United States Dollar 260.00

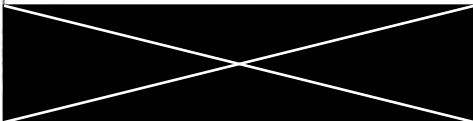
NARRATIVE:

ACCOMPANYING FAMILY MEMBERS:

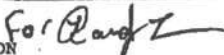
Wife: NGOY-Lusa, Divine
 Child: MARTEY, 

US POC:

Name: Jessica Cooney
 Relationship: Family Member






Subject released with I-94 as alternate to detention as a condition of Parole.
 Subject was Paroled due to Detention capacity.

Signature JASON BENDICKSON 	Title Border Patrol Agent
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EOIR - 2 of 2

C

U.S. Department of Homeland Security **Subject ID :** [REDACTED] **Record of Deportable/Inadmissible Alien**


Family Name (CAPS) MANUEL, GILSON MPANZA-DANIEL		First	Middle	Sex M	Hair BLK	Eyes BRO	Complexion BLK
Country of Citizenship ANGOLA	Passport Number and Country of Issue [REDACTED]		Visa Number [REDACTED]	Height 71	Weight 185	Occupation LABORER	
U.S. Address [REDACTED]				Scars and Marks			
Date, Place, Time, and Manner of Last Entry 03/23/2022, DLN, WI - Without Inspection			Passenger Boarded at	FBI Number		<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated	
Number, Street, City, Province (State) and Country of Permanent Residence				Method of Location/Apprehension NCA NA			
Date of Birth [REDACTED]	Age: 27	Date of Action 04/04/2022	Location Code DEN/DEN	AD/New See I-831	Date/Time 04/04/2022 13:00		
City, Province (State) and Country of Birth ANGOLA	AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>		By T 9011 BOOKMYER			
NIV Issuing Post and NIV Number	Social Security Account Name			Status at Entry			
Date Visa Issued	Social Security Number			Status When Found			
Immigration Record POSITIVE - See Narrative				Criminal Record None Known			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate) NGUY LUSA, DIVINE NATIONALITY: CONGO ADDRESS: 3001 8TH AVE STE 170, EVANS, COLORADO, UNITED STATES				Number and Nationality of Minor Children [REDACTED]			
Father's Name, Nationality, and Address, if Known MANUEL, UNK NATIONALITY: ANGOLA		Mother's Present and Maiden Names, Nationality, and Address, if Known MANUELO, UNK NATIONALITY: ANGOLA					
Minors Own/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks BARN Pos	Charge Code Word(s) See Narrative			
Name and Address of (Last/Current) U.S. Employer		Type of Employment	Salary	Employed from/to hr			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, all attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) Left Index fingerprint Right Index fingerprint							
							
Subject Health Status The subject claims good health.							
Current Administrative Charges 04/04/2022 - 212a6A1 - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWA)							
... (CONTINUED ON I-831)							
Alien has been advised of communication privileges		<u>4/4/22</u> (Date/Initials)	JOSHUA 9563 DUCK Deportation Officer (Signature and Title of Immigration Officer)				
Distribution: FILE STAT USCIS		Received: (Subject and Documents) (Report of Interview) Officer: JOSHUA 9563 DUCK on: April 4, 2022 (time) Disposition: Warrant of Arrest/Notice to Appear Examiner Officer: FISHER, R3507					

Form I-213 (Rev. 08/01/07)

X-5


U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name MANUEL, GILSON MPANZA-DANIEL		File Number [REDACTED]	Date [REDACTED]
		Event No: DEN2204000040	
Previous Criminal History ----- Subject has no criminal history			
At/Near ----- Centennial, Colorado			
Record of Deportable/Excludable Alien: FAMU DATA LEAD: MANUEL, Gilson (Father) LEAD: NGOY-Lusa, Divine (Mother) RIDER: MARTBY, [REDACTED] (Child)			
NARRATIVE SUBJECT: MANUEL, Gilson			
ENCOUNTER DATA On [REDACTED], this Family Unit (FAMU), including Subject identified above, reported to the Immigration and Customs (ICE), Enforcement and Removal Operations (ERO) Field Office in Centennial, Colorado. Subject presented Form I-385, which indicated the FAMU had been apprehended at the US border on [REDACTED] after entering the US illegally. US Border Patrol granted the FAMU prosecutorial discretion and released them with directions to appear at an ERO office in the interior of the United States, on a later date.			
Subject admitted to being a citizen of Angola who entered the US unlawfully without inspection and who was not currently in possession of any documentation that would allow Subject to be in or remain in the United States legally at this time. Accordingly, the Subject was processed and served with a Notice to Appear and placed into removal proceedings.			
ENTRY DATA FAMU entered the US unlawfully without inspection on [REDACTED] at or near Eagle Pass, Texas.			
CRIMINAL HISTORY Subject has no prior criminal history			
DISPOSITION SQ-11/NN-13 records checks for outstanding wants, warrants and lookouts were negative. Subject was provided of a list of pro bono legal service providers. Subject was advised of the right to speak to a consulate officer from their country of citizenship. Subject has no immigration petitions or applications pending or approved. Subject claimed to be in good health. Subject claimed to have no affiliations with any organized criminal gang. Subject does not appear to pose any threat to public safety at the time of processing. Subject claimed to have no affiliations with the United States Armed Forces. Subject was served an NTA and released on OREC with instructions to report to BI for enrollment in ATD.			
PRIOR BORDER PATROL ENCOUNTER NARRATIVE:			
Signature  JOSEUA 9563 DUCK		Title Deportation Officer	

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name MANUEL, GILSON MPANZA-DANIEL	File Number [REDACTED] Event No: [REDACTED]	Date [REDACTED]
ACCOMPANYING FAMILY MEMBERS: Wife: NGOY-Lusa, Divine Child: MARTEY, [REDACTED] US POC: Name: Jessica Cooney Relationship: Family Member [REDACTED]		
Subject released with I-94 as alternate to detention as a condition of Parole. Subject was Paroled due to Detention capacity.		
Other Identifying Numbers ----- [REDACTED]		
Signature  JOSHUA 9563 DUCK	Title Deportation Officer	

D

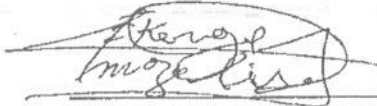
**DECLARATION OF CHADRACK EKENGE
AKA GILSON MANUEL**

1. My name is Chadrack Ekenge aka Gilson Manuel. My Alien Number is [REDACTED]. My date of birth is [REDACTED]. I am a native and citizen of the Democratic Republic of Congo and I fled my home country out of fear for my life due to political and racial persecution. In fleeing for my life, I used the name Gilson Manuel while escaping the Democratic Republic of Congo due to the [REDACTED]
2. I entered the United States without inspection on March 23, 2022, near Del Rio, TX. When I entered, I was encountered by immigration and detained. I was held for 2 days before I was released from custody.
3. When I was released, immigration told me to report to immigration in Colorado. I reported to their office on April 4, 2022. When I reported, they gave me a Notice to Appear, placing me in removal proceedings.
4. Immigration also required me to enroll in the Intensive Supervision Appearance Program (ISAP) located at 3600 S Yosemite St. # 600 Denver, CO 80237. The program required me to download an application on his phone so that he could check in with his ICE officer every week. Additionally, once per quarter (every three months) I had an in-person office visit and a home visit.
5. Up until my arrest on January 16, 2026, I had no reason to believe there were any issues with my ISAP compliance or my immigration requirements. In fact, in 2025, ICE reduced my check-in requirements from taking a photo on the application from once per week to once per month.
6. The Denver Immigration Court heard part of my application on May 13, 2025, but we were not able to complete each witnesses' testimony and had to continue the hearing. I have been waiting for a hearing notice and am still waiting for a hearing notice.
7. On January 15, 2026, the ISAP application notified me that my office visit had been advanced from approximately January 20 to the following day on January 16, 2026. The home visit that was scheduled for the end of January was also advanced to around January 20, 2026. I thought it was strange that the office and home visits had been advanced.
8. On the morning of January 16, 2026, I arrived at the office and met with my case supervisor. When we went back to her office, instead of turning left, we turned right, and ICE was standing there waiting for me.
9. ICE told me I was being arrested, to not say anything, and that I had no rights. ICE then placed me in handcuffs behind my back and put chains on my waist and feet. I asked one of the officers who tried speaking in French to me what was going on. I asked to speak with my case supervisor.

10. After placing me in handcuffs and chains, ICE had me sit in a small room. After about ten minutes, the case supervisor came in. She held a piece of paper and said that the reason for my arrest was that I allegedly had 11 violations on the program.
11. When I asked for a copy of the paper, she would not give it to me. I asked the case supervisor how 11 violations could be possible when I did not have an ankle monitor on me and they place an ankle monitor on participants following a violation. The case supervisor did not answer my question, and instead, got up and left the room.
12. I have employment authorization valid until November 16, 2028, and have been gainfully employed at Denver International Airport. I even set my work schedule to accommodate my immigration home visits. My days off were Thursdays and Fridays so I could be at home for the visit.
13. To this day, I do not know what the alleged violations are regarding. I wish I could have sat down with my case supervisor and reviewed what the alleged violations were. Had I had the chance to dispute the violations, I believe I would have been able to do so.
14. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on February 16, 2026, at Aurora, Colorado.



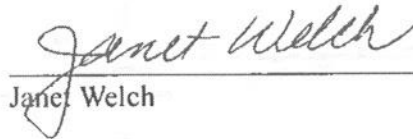
Chadrack Ekenge

CERTIFICATE OF INTERPRETATION

I, Janet Welch, am competent to interpret from English and French and certify that I have read **DECLARATION OF CHADRACK EKENGE AKA GILSON MANUEL** to Mr. Ekenge from English into French, and he stated that he understood its contents.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on February 16, 2026, at Aurora, Colorado.



Janet Welch

E



COLORADO
Bureau of Investigation
Department of Public Safety

Page 1 of 3

Biometric Identification and Records Unit
690 Kipling Street, Suite 4000
Lakewood, CO 80215
303-239-4208

LARSON, SKYLAR
8275 E 11TH AVE # 200176
DENVER, CO 80220

Date: 02/15/2026 07:16:34(MT)

RE: EKENGE, CHADRACK DOB: 

No Colorado Record of arrest has been located based on information provided.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests, which are not supported by fingerprints, will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records (except those allowed per state statute 24-72-703), and juvenile records are not available to the public.

The results attached are based on a name search which may or may not be the subject of this inquiry. This search does not include a fingerprint comparison, which is the only means of positive identification. Since an arrest record may be established after this inquiry, an arrest record is only valid at the time of the current request. To ensure the most current available information in regards to subsequent arrest after an initial inquiry, it is recommended another query be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law, and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,
\$UPDQGR6DOGDW Director
Colorado Bureau of Investigation



COLORADO CRIMINAL HISTORY INFORMATION SHEET

1. WHO IS CRIMINAL JUSTICE/LAW ENFORCEMENT?

"Criminal justice agency" means any court with criminal jurisdiction and any agency of the state or of any county, city and county, town, boards of institutions of higher education, school district, special district, judicial district, or law enforcement authority which performs any activity directly relating to the detection or investigation of crime; the apprehension, pretrial release, posttrial release, prosecution, correctional supervision, rehabilitation, evaluation, or treatment of accused persons or criminal offenders; or criminal identification activities or the collection, storage, or dissemination of arrest and criminal records information.

2. DEFINE LAWFUL USE OF THE RECORDS.

Records shall not be used by any person for the purpose of soliciting business for pecuniary gain. The official custodian shall deny any person access to records of official actions and criminal justice records unless such person signs a statement which affirms that such records shall not be used for the direct solicitation of business for pecuniary gain.

3. WHO ARE FINGERPRINT CARD CONTRIBUTORS?

Fingerprint card contributors are "Criminal Justice Agencies," as defined above (#1).

4. WHAT IS A DISPOSITION?

"Disposition" means a decision not to file criminal charges after arrest; the conclusion of criminal proceedings, including conviction, acquittal, or acquittal by reason of insanity; the dismissal, abandonment, or indefinite postponement of criminal proceedings; formal diversion from prosecution; sentencing, correctional supervision, and release from correctional supervision, including terms and conditions thereof; outcome of appellate review of criminal proceedings; or executive clemency.

5. WHERE CAN I GET A DISPOSITION IF IT IS NOT POSTED TO MY CBI RECORD?

You can get copies of your dispositions from www.cocourts.com for a nominal fee. These records are also available from the courts in which you appeared. If your case never went to court, you may be able to get the records from the arresting agency itself (the police department or sheriff's office) or the district attorney's office in the jurisdiction where you were arrested.

6. WHAT JUVENILE RECORDS ARE RELEASED TO THE PUBLIC?

The records of law enforcement officers concerning juveniles, including identifying information, shall be identified as juvenile records and shall not be inspected by or disclosed to the public. The only Juvenile records released to the public are those juveniles that have been charged as adults. DUI and minor traffic violations are also releasable if the juvenile is over 16 years old when the offenses occur. Juvenile registered sex offender records will also be released.

7. WHAT IS A SEALED RECORD AND HOW CAN I GET MY RECORD SEALED?

A sealed record is not available to the general public, it is only disseminated according to Colorado Revised Statutes. A party to the case may petition the court to seal records in the county where the criminal records are filed. You can obtain information on sealing your record from the State Judicial website, www.coloradojudicial.gov, or from the court in which you appeared.

8.WHO DO I CONTACT IF I HAVE A DISPUTE WITH MY RECORD?

Any person in interest who is provided access to any criminal justice records shall have the right to challenge the accuracy and completeness of records to which he has been given access, insofar as they pertain to him, and to request that said records be corrected. You can do a record challenge at CBI (for information on this procedure go to the website, www.cbi.state.co.us/id or call (303) 239-4208. You can also take your dispute directly to the arresting agency.

9.WHAT ARE COURT FILING ON DOCKET ENTRIES?

These entries on the CBI record are displayed electronically on the Colorado criminal history by the State Judicial Department. They are currently posted from district court cases and they are based on the court case number, the arrest number, the last name of the individual, and the arresting agency.

10. WHAT IS DOC INCARCERATION SENTENCE?

DOC Incarceration Sentence is not a new arrest entry on the criminal history. When a person is convicted of a crime and they are sentenced to the Department of Corrections, an entry is made into the criminal history showing the charge the person was convicted of and how long the jail sentence was.

11. WHAT SEX OFFENDER INFORMATION WILL BE RELEASED WITH THE RECORD?

A registered sex offender notation will appear on a criminal history when an individual is currently registered as a sexual offender with a local law enforcement agency in Colorado, pursuant to Colorado Revised Statute (CRS) 16-22-110 (6)(b). Once the individual is no longer actively registered as a sexual offender with a local law enforcement agency, the sexual offender notification on the criminal history will be removed. When an individual is no longer required to register as a sexual offender, either by court order or statute, the sexual offender notification on the criminal history will be removed. For additional information pertaining to the Colorado Sex Offender Registration Act (CRS 16-22-101 thru 16-22-115), please refer to the CBI SOR website or email cdps.cbi.sor@state.co.us.

12. DOES CBI RELEASE WARRANT INFORMATION? WHAT IS A FUGITIVE OF OTHER JURISDICTION ENTRY?

CBI does not release warrant information to the public. If you know what agency the warrant is out of, you will need to contact that agency for the information. That agency may or may not be able to release the warrant information; depending on their policy regarding the release of such information. The website, www.cocourts.com, may also provide some warrant information. A Fugitive of Other Jurisdiction charge means that the person in question had a warrant out of one law enforcement agency and was arrested by another agency for that warrant. The person does not necessarily have an active warrant out for their arrest.

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COLORADO
Bureau of Investigation
Department of Public Safety

Page 1 of 3

Biometric Identification and Records Unit
690 Kipling Street, Suite 4000
Lakewood, CO 80215
303-239-4208

LARSON, SKYLAR
8275 E 11TH AVE # 200176
DENVER, CO 80220

Date: 02/15/2026 07:17:42(MT)

RE: MANUEL, GILSON DOB: 

No Colorado Record of arrest has been located based on information provided.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests, which are not supported by fingerprints, will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records (except those allowed per state statute 24-72-703), and juvenile records are not available to the public.

The results attached are based on a name search which may or may not be the subject of this inquiry. This search does not include a fingerprint comparison, which is the only means of positive identification. Since an arrest record may be established after this inquiry, an arrest record is only valid at the time of the current request. To ensure the most current available information in regards to subsequent arrest after an initial inquiry, it is recommended another query be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law, and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,
\$UPDQGR6DOGDWBirjctor
Colorado Bureau of Investigation



COLORADO CRIMINAL HISTORY INFORMATION SHEET

1. WHO IS CRIMINAL JUSTICE/LAW ENFORCEMENT?

"Criminal justice agency" means any court with criminal jurisdiction and any agency of the state or of any county, city and county, town, boards of institutions of higher education, school district, special district, judicial district, or law enforcement authority which performs any activity directly relating to the detection or investigation of crime; the apprehension, pretrial release, posttrial release, prosecution, correctional supervision, rehabilitation, evaluation, or treatment of accused persons or criminal offenders; or criminal identification activities or the collection, storage, or dissemination of arrest and criminal records information.

2. DEFINE LAWFUL USE OF THE RECORDS.

Records shall not be used by any person for the purpose of soliciting business for pecuniary gain. The official custodian shall deny any person access to records of official actions and criminal justice records unless such person signs a statement which affirms that such records shall not be used for the direct solicitation of business for pecuniary gain.

3. WHO ARE FINGERPRINT CARD CONTRIBUTORS?

Fingerprint card contributors are "Criminal Justice Agencies," as defined above (#1).

4. WHAT IS A DISPOSITION?

"Disposition" means a decision not to file criminal charges after arrest; the conclusion of criminal proceedings, including conviction, acquittal, or acquittal by reason of insanity; the dismissal, abandonment, or indefinite postponement of criminal proceedings; formal diversion from prosecution; sentencing, correctional supervision, and release from correctional supervision, including terms and conditions thereof; outcome of appellate review of criminal proceedings; or executive clemency.

5. WHERE CAN I GET A DISPOSITION IF IT IS NOT POSTED TO MY CBI RECORD?

You can get copies of your dispositions from www.cocourts.com for a nominal fee. These records are also available from the courts in which you appeared. If your case never went to court, you may be able to get the records from the arresting agency itself (the police department or sheriff's office) or the district attorney's office in the jurisdiction where you were arrested.

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