
UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

CARLOS ALBERTO MOLINA QUIJANO,

Petitioner,

v.

JUAN BALTASAR, Warden, GEO Group ICE
Processing Center;

ROBERT HAGAN, Director of the Denver Field
Office for U.S. Immigration and Customs
Enforcement;

TODD LYONS, Acting Director of U.S.
Immigration and Customs Enforcement;

KRISTI NOEM, Secretary, U.S. Department of
Homeland Security; and

PAMELA BONDI, U.S. Attorney General,

in their official capacities,

Respondents.

Case No.: 26-cv-706

**EXPEDITED
CONSIDERATION
UNDER 28 USC § 1657(a)
REQUESTED**

PETITION FOR WRIT OF HABEAS CORPUS

Congress, through the Immigration and Nationality Act, in creating Temporary Protected Status (TPS), afforded explicit protections to grantees. Among those clear statutory protections: TPS holders cannot be deported and cannot be detained. Petitioner, despite holding TPS, was arrested by immigration officers when he appeared at a scheduled fear interview related to his fear of return to his native Venezuela. He remains detained by Respondents. Faced with the unlawful deprivation of his liberty in violation of statute and his constitutional rights, Petitioner now requests relief in the form of a writ of habeas corpus. Because he is detained and vulnerable to transfer from this district or removal from the country, Petitioner respectfully requests that this Court use its authority under the All Writs Act, 28 U.S.C. § 1651(a), to preserve its jurisdiction by immediately entering an order enjoining Respondents from removing Petitioner from the country or moving him out of this district during the pendency of this litigation. *See Vizguerra-Ramirez v. Choate, et. al*, Case No. 1:25-cv-881, D. Colo., ECF No. 11 at 45 (collecting cases).

INTRODUCTION

1. Petitioner, Carlos Molina Quijano, seeks release from unlawful detention as a Venezuelan national who has been granted Temporary Protected Status (TPS).
2. The TPS statute provides that a noncitizen “provided temporary protected status under this section *shall not be detained* by the Attorney General on the basis of the [noncitizen]’s immigration status in the United States.” 8 U.S.C. § 1254a(d)(4) (emphasis added).

3. By statute, TPS benefits “shall be provided” to any noncitizen “who establishes a *prima facie* case of eligibility” for TPS. 8 U.S.C. § 1254a(a)(4)(B). Individuals who have established *prima facie* eligibility for TPS are entitled to: (1) freedom from detention on account of their immigration status, (2) a stay of removal from the United States, and (3) work authorization incident to their application and the designation. 8 U.S.C. §§ 1254a(a)(1)(B), (d)(4).
4. Despite the statutes clear prohibition on detaining TPS-holders, Petitioner was arrested by ICE on February 10, 2026, and remains in detention at the Aurora ICE Processing Center.
5. Petitioner’s detention violates the Immigration and Nationality Act (INA) and the Due Process Clause of the Fifth Amendment.
6. Petitioner seeks the grant of a Writ of Habeas Corpus under 28 U.S.C. § 2241 ordering Respondents to release him from custody. *See Soberanes v. Comfort*, 388 F.3d 1305, 1310 (10th Cir. 2004) (“Challenges to immigration detention are properly brought directly through habeas”) (citing *Zadvydas v. Davis*, 533 U.S. 678, 687-88 (2001)).

CUSTODY

7. Petitioner is in the physical custody of Respondents, imprisoned at the Aurora ICE Processing Center, an immigration detention center in Aurora, Colorado. Petitioner is under direct control of Respondents.

JURISDICTION

8. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*

9. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).
10. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

11. Venue is proper because Petitioner is detained at the GEO Group's Aurora ICE Processing Center in Aurora, Colorado, which is within the jurisdiction of this District. In addition, venue is proper in this District because a substantial parts of the events giving rise to Petitioner's claims occurred in this District, he resides in this District, and no real property is involved in this action. 28 U.S.C. § 1391(e).

REQUIREMENTS OF 28 U.S.C. § 2243

12. Statute provides that each court of the United States shall determine the order in which civil actions are heard and determined, except that the court shall expedite consideration of certain actions including any action brought under chapter 153 of Title 18 (habeas corpus cases). 28 U.S.C. § 1657(a).
13. Congress has directed courts to grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court must require Respondents to file a return "within *three days* unless for

good cause additional time, not exceeding twenty days, is allowed.” *Id.* (emphasis added).

14. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

15. Petitioner Carlos Molina Quijano is a native and citizen of Venezuela. He is currently in the United States with TPS. Petitioner is married and has two children, the younger of whom is a U.S. citizen. Prior to his current detention he resided in Arapahoe County, Colorado. He is being detained at the GEO Group’s Aurora ICE Processing Center in Aurora, Colorado. He is in the custody, and under the direct control, of Respondents and their agents.

16. Respondent Juan Baltasar is sued in his official capacity as the Warden of the GEO Group’s ICE Processing Center in Aurora, Colorado. He has immediate physical custody of Petitioner pursuant to the facility’s contract with U.S. Immigration and Customs Enforcement to detain non-citizens. Respondent Baltasar is a legal custodian of Petitioner.

17. Respondent Robert Hagan is sued in his official capacity as Field Office Director of the Denver Office of U.S. Immigration and Customs Enforcement

(ICE). Respondent Hagan is a legal custodian of Petitioner and is responsible for detaining him.

18. Respondent Kristi Noem is sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement, the component agency responsible for Petitioner's detention. Respondent Noem has ultimate custodial authority over Petitioner.

19. Respondent Todd M. Lyons is sued in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement (ICE). Respondent Lyons is responsible for Petitioner's detention.

20. Respondent Bondi is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the Board of Immigration Appeals. Respondent Bondi is a legal custodian of Petitioner.

LEGAL FRAMEWORK

Relevant Statute and Regulations

21. TPS is a statutory immigration status providing protections to qualifying nationals of designated countries. 8 U.S.C. § 1254a, *et seq.* Regardless of any other immigration status, qualifying nationals of designated countries may not

be removed from the United States and may not be detained. 8 U.S.C. §§ 1254a(a)(1)(B), (d)(4).

22. To qualify for TPS, a national of a TPS-designated country must show that the applicant: (1) was “continuously physically present in the United States since the effective date of the [country’s] most recent designation”; (2) “continuously resided in the United States” since the TPS designation date; and (3) “is admissible as an immigrant,” with certain exceptions and opportunities for waivers. 8 U.S.C. § 1254a(c)(1)(A)(i)–(iii). TPS is available to any qualifying noncitizen irrespective of other immigration status. *See* 8 U.S.C. § 1254a(a)(5) (TPS statute provides no authority to “deny temporary protected status to [a noncitizen] based on the [noncitizen]’s immigration status”); 8 U.S.C. § 1254a(g) (TPS statute constitutes the exclusive authority for affording nationality-based protection to “otherwise deportable” noncitizens).

23. To obtain TPS benefits, a noncitizen must apply on Form I-821 during the “registration period” established by the DHS Secretary, which must last at least 180 days. 8 U.S.C. § 1254a(c)(1)(A)(iv).

24. The TPS statute unambiguously provides that a noncitizen “provided temporary protected status under this section shall not be detained by the Attorney General on the basis of the [noncitizen]’s immigration status in the United States.”¹⁸ 8 U.S.C. 1254a(d)(4) (emphasis added). It is hard to imagine a clearer statutory mandate proscribing detention.

¹ “Attorney General” in Section 1254a now refers to the Secretary of the Department of Homeland Security. *See* 8 U.S.C. § 1103; 6 U.S.C. § 557.

25. Both TPS holders and TPS applicants who have established their *prima facie* case for TPS are entitled to the benefits of this clear statutory command prohibiting detention. The TPS statute provides that a TPS applicant “who establishes a *prima facie* case of eligibility for [TPS] benefits . . . shall be provided [temporary treatment] benefits” pending final adjudication of their application. 8 U.S.C. § 1254a(a)(4)(B). Pursuant to this provision, individuals with *prima facie* applications for TPS are entitled to the benefits afforded under 8 U.S.C. § 1254a(1).
26. The benefits delineated under paragraph (1) of 8 U.S.C. § 1254a include a stay of removal from the United States, employment authorization, and a “grant” of temporary protected status. A grant of temporary protected status includes a prohibition on immigration detention. 8 U.S.C. § 1254a(d)(4) (“[A noncitizen] provided temporary protected status under this section shall not be detained . . . on the basis of the [noncitizen]’s immigration status in the United States.”).
27. Taken together, these provisions guarantee TPS-eligible noncitizens the right to be free from detention from the time that they establish their *prima facie* eligibility for TPS through the time their country’s TPS designation ends. Federal regulations affirm this duration, stating that temporary treatment benefits “shall remain in effect until a final decision has been made on the application for Temporary Protected Status.” 8 C.F.R. § 244.10(e)(2); see also 8 C.F.R. § 244.13(a) (“Temporary treatment benefits terminate upon a final

determination with respect to the [noncitizen]’s eligibility for Temporary Protected Status.”).

28. Federal regulations establish that receipt of a completed application establishes a TPS applicant’s necessary *prima facie* eligibility for temporary benefits. The regulations state that “[u]pon the filing of an application for [TPS], the [noncitizen] shall be afforded temporary treatment benefits, if the application establishes the [noncitizen]’s *prima facie* eligibility for [TPS].” 8 C.F.R. § 244.5(b) (emphasis added); *see also id.* § 244.10(a) (“USCIS will grant temporary treatment benefits to the applicant if the applicant establishes *prima facie* eligibility for Temporary Protected Status . . .”).

29. Federal regulations define *prima facie* eligibility to mean “eligibility established with the filing of a completed application for Temporary Protected Status containing factual information that if unrebutted will establish a claim of eligibility.” 8 C.F.R. § 244.1. In promulgating the regulations, the agency affirmed that *prima facie* eligibility is established by the filing of a completed application that contains an applicant’s requisite information. *See* Temporary Protected Status, 56 Fed. Reg. 23,491, 23,493 (May 22, 1991) (further confirming that “that temporary treatment benefits should be issued immediately after the applicant establishes his or her *prima facie* eligibility”).

30. It is irrelevant for purposes of this case that the designation of TPS for Venezuela has an expiration date. TPS Venezuela protections remain in effect and the TPS statute’s command applies so long as a TPS applicant or grantee,

such as Petitioner, has established *prima facie* eligibility for TPS for a country with an active designation.

31. Under 8 U.S.C. § 1254a, until the date and moment of TPS for Venezuela's expiration, Petitioner may not be detained consistent with statutory protections.

STATEMENT OF FACTS

The TPS Venezuela Designation

32. On the last day of his first term, President Trump designated Venezuela for Deferred Enforced Departure—a form of nationality-based, discretionary relief from deportation—because Venezuela was experiencing “the worst humanitarian crisis in the Western Hemisphere in recent memory.” 86 Fed. Reg. 6,845, 6,845 (Jan. 19, 2021). President Trump's action permitted approximately 300,000 Venezuelan refugees to live and work here for 18 months. Memorandum re Deferred Enforced Departure for Certain Venezuelans, 86 Fed. Reg. 6845 (Jan. 19, 2021).

33. Shortly afterwards, on March 9, 2021, then-DHS Secretary Mayorkas designated Venezuela for TPS, allowing Venezuelans residing in the U.S. since March 8, 2021, to apply for protection. 86 Fed. Reg. 13,574 (Mar. 9, 2021). He did so again on October 3, 2023, allowing more recently arrived Venezuelans to apply. 88 Fed. Reg. 68,130 (Oct. 3, 2023).

34. DHS twice extended the 2021 designation of TPS for Venezuela, providing protections through September 10, 2025 to TPS holders who initially

registered in 2021. 87 Fed. Reg. 55,024 (Sept. 8, 2022); 88 Fed. Reg. at 68,130.

35. On January 17, 2025, the DHS Secretary extended the 2023 Venezuela Designation by 18 months, through October 2, 2026. 90 Fed. Reg. 5,961 (“January 2025 Extension”). DHS cited Venezuela’s ongoing “complex, serious and multidimensional humanitarian crisis,” which has “disrupted every aspect of life,” and concluded that the “extraordinary and temporary conditions supporting Venezuela’s TPS designation remain.” *Id.* at 5,963 (citation omitted).

36. In the extension order, DHS also streamlined the registration process for TPS holders by consolidating them into a single track, “allow[ing] existing beneficiaries of either the 2021 or 2023 TPS designation to seek an 18-month extension of status through October 2, 2026.” *Id.* at 5,962.

37. On February 3, 2025, just days after she took office, Respondent Secretary Noem purported to “vacate” DHS’ January 17 extension of TPS for Venezuela. 90 Fed. Reg. 8805 (Feb. 3, 2025). That decision was the first vacatur of a TPS extension in the 35-year history of the TPS statute.

38. On February 5, 2025, DHS published a notice in the Federal Register purporting to terminate the 2023 Venezuela Designation. 90 Fed. Reg. 9040 (Feb. 5, 2025).

39. On September 8, 2025, DHS published a notice in the Federal Register

purporting to terminate the 2021 designation of TPS for Venezuela.² 90 Fed. Reg. 43225 (Sept. 8, 2025).

LEGAL CHALLENGE TO VENEZUELA'S TPS TERMINATION

40. On February 19, the National TPS Alliance and seven individual Venezuelan TPS holders sued the federal government, alleging that the vacatur of the January 17, 2025, extension of TPS for Venezuela and subsequent termination of Venezuela's 2023 TPS designation were contrary to the TPS statute in violation of the Administrative Procedure Act and unlawful under the Fifth Amendment. *Nat'l TPS All. v. Noem*, No. 25-CV-01766-EMC (N.D. Cal. Filed Feb. 19, 2025).

41. On December 10, 2025, the district court in *NTPSA* issued a final judgment declaring the vacatur of the January 17, 2025 extension of TPS for Venezuela and termination of Venezuela's 2023 TPS designation unlawful. *Nat'l TPS All. v. Noem*, No. 25-CV-01766-EMC, 2025 WL 3539156, at *3 (N.D. Cal. Dec. 10, 2025) ("*NTPSA* December 10 Order"). The court stayed its order for two weeks to permit the government to appeal and/or seek a stay. *Id.* The government did not seek a stay. Although the government has filed an appeal, unless or until the December 10 order is actually reversed on appeal, it remains in effect.

42. Pursuant to the *NTPSA* December 10 Order, Petitioner retains TPS because

² The termination of Venezuela's 2021 designation is not at issue in this case because even if Petitioner initially held TPS under Venezuela's 2021 designation, he would have become a beneficiary of the 2023 designation by re-registering pursuant to the January 17, 2025, extension.

Defendants' actions purporting to deprive them of that status—*i.e.*, the vacatur of the January 17, 2025 extension and the termination of Venezuela's 2023 designation—were unlawful.

43. The *NTPSA* December 10 Order controls as to the question of whether members of the National TPS Alliance—the lead plaintiff in *NTPSA*—retain their TPS status.

44. On February 5, 2026, a district court in the Central District of California ordered the release of a Venezuelan TPS holder based on the December 10 order. See Order Granting Petitioner's *Ex Parte* Application for Temporary Restraining Order, *Gonzalez v. Noem, et al.*, No. 5:26-cv-00357-JWH-AJR (C.D. Cal. Feb. 2, 2026), ECF No. 12.

45. A declaratory judgment is a final judgment on the merits which defines the legal duties among the parties. See 28 U.S.C. 2201 (“Any such declaration shall have the force and effect of a final judgment[.]”); *Burlington Ins. Co. v. Oceanic Design & Constr., Inc.*, 383 F.3d 940, 952 (9th Cir. 2004) (cleaned up, citation omitted) (“A declaratory judgment is a binding adjudication that establishes the rights and other legal relations of the parties where those rights are in doubt.”).

46. A final merits judgment, including a declaratory judgment, has preclusive effect on future proceedings involving the same parties. *Haaland v. Brackeen*, 599 U.S. 255, 293 (2023) (“the point of a declaratory judgment ‘is to establish a binding adjudication that enables the parties to enjoy the benefits of reliance

and repose secured by res judicata,” *citing* 18A C. Wright, A. Miller, & E. Cooper, Federal Practice and Procedure § 4446 (3d ed. Supp. 2022)).

47. “A final judgment on the merits of an action precludes the parties or their privies from relitigating issues that were or could have been raised in that action. [E]ven if the second suit is for a different cause of action, the right, question, or fact once so determined must, as between the same parties or their privies, be taken as conclusively established, so long as the judgment in the first suit remains unmodified. Accordingly, [a] case pending appeal is res judicata and entitled to full faith and credit unless and until reversed on appeal.” *Comer v. Murphy Oil USA, Inc.*, 718 F.3d 460, 467 (5th Cir. 2013) (internal cites and quotations omitted); *Tahoe-Sierra Pres. Council, Inc. v. Tahoe Reg’l Plan. Agency*, 322 F.3d 1064, 1077 (9th Cir. 2003).

Petitioner’s Grant of TPS

48. Petitioner last entered the United States in about March of 2021. Due to a prior expedited removal, he is subject to reinstatement of removal under 8 U.S.C. § 1231(a)(5). He has not departed the country since his last entry in about March of 2021. He has no criminal record beyond minor traffic violations.

49. On December 4, 2023, Petitioner applied for TPS on Form I-821. Ex. 1. On June 4, 2024, the Department of Homeland Security approved the application for TPS. *Id.* The approval was valid from June 3, 2024, to April 2, 2025. *Id.*

50. On May 2, 2025, Petitioner re-registered for TPS pursuant to the January 17, 2025, extension. Ex. 2. The Department of Homeland Security issued an I-821 receipt notice acknowledging the submission of the form and the filing fee. *Id.*

51. Petitioner is a member in good standing with the National TPS alliance. Ex. 3.

Petitioner's Arrest and Detention

52. Petitioner was arrested at a scheduled appointment at ICE on February 10, 2026.

53. He remains detained without bond.

CLAIMS FOR RELIEF

COUNT ONE

Violation of the Immigration and Nationality Act - 8 U.S.C. § 1254a

54. Petitioner hereby realleges and incorporates by reference the above paragraphs this petition.

55. Petitioner is a National TPS Alliance member who maintains TPS Venezuela protections in the wake of *NTPSA* December 10 Order.

56. 8 U.S.C. § 1254a governs the treatment of TPS holders and applicants, including their detention and removal under federal immigration law.

57. Under the statute, a TPS applicant “who establishes a *prima facie* case of eligibility for [TPS] benefits . . . shall be provided [temporary treatment] benefits” pending final adjudication of their application. 8 U.S.C. § 1254a(a)(4)(B). Pursuant to this provision, a noncitizen who has demonstrated *prima facie* eligibility for TPS is entitled to the benefits afforded under 8 U.S.C.

§ 1254a(1), including a “grant” of temporary protected status, pending the final adjudication of their application.

58. 8 U.S.C. § 1254a(d)(4) states a noncitizen “provided temporary protected status under this section shall not be detained by the Attorney General on the basis of the [noncitizen]’s immigration status in the United States.” (emphasis added). There is no exception to this rule provided in the statute.

59. Taken together, these provisions guarantee TPS-eligible noncitizens the right to be free from detention from the time that they establish their prima facie eligibility for TPS through the time their country’s TPS designation ends.

60. As TPS protection applies irrespective of any other immigration status, the Court need not delve further into other aspects of Petitioner’s immigration posture. *See* 8 U.S.C. §§1254a(a)(1)(A), (a)(5); *see also* 8 U.S.C. 1254a(g) (TPS statute constitutes the exclusive authority for affording nationality-based protection to “otherwise deportable” noncitizens).

61. Under the Fifth Amendment to the United States Constitution, those threatened with the loss of liberty or property due to actions by the federal government are entitled to due process of law.

62. Petitioner’s detention violates 8 U.S.C. § 1254a. Because Petitioner’s detention plainly violates the TPS statute’s prohibition on detention for prima facie eligible applicants, this Court should grant the writ and order Petitioner’s immediate release. *See* 28 U.S.C. § 2241(c)(3) (authorizing writ for people detained in violation of federal law).

COUNT TWO

**Violation of the Due Process Clause
of the Fifth Amendment of the U.S. Constitution**

63. Petitioner hereby realleges and incorporates by reference the above paragraphs this petition.

64. Petitioner is a National TPS Alliance member who maintains TPS Venezuela protections in the wake of *NTPSA* December 10 Order.

65. The Due Process Clause of the Fifth Amendment forbids the government from depriving any person of liberty without due process of law. U.S. Const. amend. V. *See generally Reno v. Flores*, 507 U.S. 292 (1993); *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003).

66. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause [of the Fifth Amendment] protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

67. Petitioner’s detention violates the Due Process Clause because it is not rationally related to any immigration purpose; because it is not the least restrictive mechanism for accomplishing any legitimate purpose the government could have in imprisoning Petitioner; and because it lacks any statutory authorization.

68. First, immigration detention must always “bear[] a reasonable relation to the purpose for which the individual was committed.” *Demore v. Kim*, 538 U.S. 510, 527 (2003) (citing *Zadvydas*, 533 U.S. at 690). Where, as here, the government

has no authority to deport Petitioner, detention is not reasonably related to its purpose.

69. Second, because Petitioner is not “deportable” insofar as the TPS statute bars his deportation, the Due Process Clause requires that any deprivation of Petitioner’s liberty be narrowly tailored to serve a compelling government interest. *See Reno v. Flores*, 507 U.S. 292, 301–02 (1993) (holding that due process “forbids the government to infringe certain ‘fundamental’ liberty interests at all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest”); *Demore*, 538 U.S. at 528 (applying less rigorous standard for “deportable [noncitizens]”). Petitioner’s on-going imprisonment obviously cannot satisfy that rigorous standard.

70. Third, at a bare minimum, “the Due Process Clause includes protection against unlawful or arbitrary personal restraint or detention.” *Zadvydas v. Davis*, 533 U.S. 678, 718 (2001) (Kennedy, J., dissenting) (emphasis added). Where federal law explicitly prohibits an individual’s detention, this detention also violates the Due Process Clause.

71. Because Petitioner’s detention violates the Due Process Clause, this Court should grant the writ and order Petitioner’s immediate release. See 28 U.S.C. § 2241(c)(3) (authorizing writ for people detained in violation of federal law).

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court:

- (1) Assume jurisdiction over the matter;
- (2) Enjoin Respondents from transferring Petitioner outside the jurisdiction of the District of Colorado pending resolution of this case;
- (3) Pursuant to 28 U.S.C. § 2243, forthwith award the writ or issue an order directing respondents to show cause why the writ should not be granted within three days;
- (4) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
- (5) Declare that Petitioner's detention violates the Immigration and Nationality Act and its implementing regulations;
- (6) Issue a Writ of Habeas Corpus ordering Respondents to immediately release Petitioner;
- (7) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412(d), 5 U.S.C. § 504, and on any other basis justified under law; and
- (8) Grant any further relief this Court deems just and proper.

Dated: February 20, 2026.

Respectfully submitted,

/s/ Aaron C. Hall

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Attorney for the Petitioner

Verification by Party Acting on Petitioner's Behalf Under 28 U.S.C. § 2242

I am submitting this verification on behalf of Petitioner because Petitioner's attorney. I have discussed the events described herein with Petitioner's family and have reviewed documents related to his past applications for Temporary Protected Status. I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus, including the statements regarding Petitioner's TPS status, are true and correct to the best of my knowledge.

/s/ Aaron C. Hall

Date: February 20, 2026

CERTIFICATE OF SERVICE

I, Aaron Hall, hereby certify that on February 20, 2026, I filed the foregoing with the Clerk of Court using the CM/ECF system. I further certify that I will mail a hard copy of the document and any attached exhibits to the individuals identified below pursuant to Fed.R.Civ.P. 4 via certified mail within 96 hours of filing or pursuant to any forthcoming Court order requiring different service.

In addition, on February 20, 2026, I emailed a copy of this petition and any attached exhibits to Kevin Traskos, Civil Division Chief of the U.S. Attorney's Office for the District of Colorado, at kevin.traskos@usdoj.gov.

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And to:

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