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UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HENRIQUE CAMARGO DE OLIVEIRA,

A# 

Petitioner,

v.

WARDEN, PHILADELPHIA FEDERAL DETENTION CENTER,

Respondent.

Civil Action No. 2:26-cv-01272

EMERGENCY MOTION TO EXPEDITE CONSIDERATION

OF PETITION FOR WRIT OF HABEAS CORPUS

Petitioner, HENRIQUE CAMARGO DE OLIVEIRA, by and through undersigned counsel, Evan T. L. Hughes, Esq., respectfully moves this Honorable Court to expedite consideration of his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, and in support thereof states as follows:

I. INTRODUCTION

1. Petitioner is currently detained at the Philadelphia Federal Detention Center under the authority of Immigration and Customs Enforcement.
2. He has filed a Petition for Writ of Habeas Corpus challenging the legality of his detention under INA § 236(a).
3. Petitioner's detention is based upon an erroneous factual premise that he failed to update his address with ICE.
4. As detailed in the Petition and supporting exhibits, Petitioner did update his address verbally and in writing during ICE supervision check-ins.
5. He voluntarily appeared at his February 25, 2026 supervision appointment and was arrested at that appointment.
6. Continued detention under these circumstances is arbitrary and unconstitutional.

II. LEGAL STANDARD

7. Federal courts possess inherent authority to expedite proceedings where justice so requires.
8. Habeas corpus proceedings are intended to provide a "swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963).
9. Immigration detention cases routinely warrant expedited review because liberty is at stake. See *Chavez-Alvarez v. Warden York County Prison*, 783 F.3d 469, 475 (3d Cir. 2015).

III. GROUNDS FOR EXPEDITED REVIEW

10. Petitioner is detained despite having complied with ICE supervision requirements.
11. The factual basis for detention is disputed and contradicted by documentary evidence.

12. Petitioner has no criminal history.
13. He voluntarily appeared at every scheduled supervision appointment.
14. His next removal hearing is not scheduled until December 7, 2028.
15. Without expedited review, Petitioner faces continued incarceration pending protracted immigration proceedings.
16. Civil immigration detention is regulatory, not punitive. *Diop v. ICE/Homeland Sec.*, 656 F.3d 221, 232 (3d Cir. 2011).
17. When detention ceases to be reasonably related to its purpose, it violates due process. *German Santos v. Warden Pike County Corr. Facility*, 965 F.3d 203, 210–11 (3d Cir. 2020).
18. Petitioner’s detention appears to stem from administrative error, not flight risk or danger.
19. Each additional day of unlawful detention constitutes irreparable harm.
20. Monetary damages cannot remedy the loss of liberty.

IV. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Expedite consideration of the Petition for Writ of Habeas Corpus;
- B. Order Respondent to file a response within seven (3) days;
- C. Schedule a prompt hearing on the Petition, if necessary;
- D. Grant such further relief as justice requires.

Respectfully submitted,

/S/Evan T.L. Hughes, Esquire

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VERIFICATION

I, Evan T.L. Hughes, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Emergency Petition and that the factual statements contained therein are true and correct to the best of my knowledge.

Date: February 27, 2026

Evan T.L. Hughes, Esq.

CERTIFICATE OF SERVICE

I, Evan T. L. Hughes, Esq., hereby certify that on this 27th day of February, 2026, I served a true and correct copy of the foregoing Emergency Petition for Writ of Habeas Corpus and Memorandum of Law in Support, Proposed Order, and Exhibits A–E by certified mail upon:

1. Civil Process Clerk
United States Attorney's Office, Eastern District of Pennsylvania
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106
2. Warden
Philadelphia Federal Detention Center
700 Arch Street
Philadelphia, PA 19106
3. Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

/s/ Evan T. L. Hughes
Evan T. L. Hughes, Esq.