UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

D.A.G.H.; Petitioner, vs. LADEON FRANCIS, *ICE Atlanta Field Office Director*; and TODD LYONS, *in his official capacity as Acting Director of Immigration and Customs Enforcement*; and KRISTI NOEM, *Secretary of Homeland Security* And PAMELA BONDI, *U.S. Attorney General.* Respondents.	)	CASE NO.: 1:26-cv-01126-ELR

PETITIONER'S REPLY TO RESPONSE TO MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION

I. Petitioner's Grant of Deferred Action to Defer his Removal from USCIS and ICE via the OSUP Prevents His Removal While His Provisionally Approved U Visa Petition Is Pending.

Respondents argue that Petitioner's U visa–based deferred action is a purely discretionary benefit that does not bar execution of his 2017 removal order and is irrelevant to the legality of his current detention, such that any injunction would impermissibly interfere with ICE's discretionary decision to "execute" that order under 8 U.S.C. §§ 1252(g) and 1252(a)(2)(B). ECF No. 12. That assertion is directly contradicted by the governing statute, regulations, and case law, which recognize that an unrevoked grant of deferred action renders a removal order non-executable for so long as that grant remains in place. In its July 18, 2018 notice, USCIS informed Petitioner that "the evidence submitted with your petition appears to demonstrate that you have established the eligibility requirements for U nonimmigrant status," but that because "the fiscal year limit is the sole reason you cannot be granted U-1 nonimmigrant status" his petition was being "placed on a waiting list" until additional U-1 numbers become available. ECF No. 1-2.[1] 8 C.F.R. § 214.14(d)(2).[2]

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[1] Under the U-visa regulation, when an otherwise eligible principal petitioner cannot be granted U-1 status solely because of the 10,000-per-year statutory cap, USCIS "will place the petition on a waiting list," and while on that list "USCIS will grant deferred action or parole to the petitioner and may authorize employment" for the petitioner and qualifying family members.

[2] "Approval of deferred action status means that, for ... humanitarian reasons[,] ... no action will thereafter be taken to proceed against an apparently deportable alien, even on grounds normally regarded as aggravated." *Reno v.* Am.-*Arab Anti-Discrimination Comm. ("AADC")*, 525 U.S. 471, 484 (1999) (Scalia, J.) (quotation omitted); *Ayala v. Bondi*, No. 2:25-CV-01063-JNW-TLF, 2025 WL 2209708, at *3 (W.D. Wash. Aug. 4, 2025) (analyzing *AADC*'s definition of deferred action and holding the "definition reflects the

Petitioner is thus squarely within the class of crime-victim petitioners Congress and DHS expected to remain in the United States for years in deferred-action and employment-authorization status while waiting for a visa number, which makes it especially difficult for Respondents to show that his removal is "reasonably foreseeable" for purposes of 8 U.S.C. § 1231(a)(6) as construed in *Zadvydas v. Davis*, 533 U.S. 678 (2001). Petitioner does not claim absolute immunity from removal or seek to vacate his 2017 order; he instead challenges ICE's refusal to honor DHS's still-valid grant of U-visa–based deferred action and its decision to re-detain him and move toward removal as if that affirmative benefit did not exist. That is a challenge to the legality and scope of Respondents' detention and revocation authority and to their compliance with governing statutes, regulations, and due process—not to a new discretionary choice "to execute" a removal order—precisely the kind of claim that remains reviewable in habeas notwithstanding § 1252's jurisdiction-channeling provisions. Courts across the country have concluded that deferred action protects against removal.[3]

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fundamental nature of deferred action, regardless of the specific program or context in which it is granted."). Similarly, a bona fide U-visa finding and associated Deferred Action typically reflect strong equities and victim status, a law-enforcement certification, and a policy choice by DHS that such individuals should generally be protected from removal and detention. Here, the attempted revocation decision failed to consider or even acknowledge these critical factors. Under DHS's own policies (including U-visa bona fide determination guidance and enforcement-priority memos), detaining this client is inconsistent with stated enforcement priorities and its failure to consider these factors is arbitrary, capricious, and a violation of due process.

[3] *Sepulveda Ayala v. Bondi*, 794 F. Supp. 3d 901, 909 (W.D. Wash. 2025) (the district court considered deferred action stemming from a U visa petition and held that "[n]o matter how the Government characterizes [petitioner's] claims, they arise from the Government's decision to grant deferred action and then ignore that grant, not from any discretionary choice about execution of a removal order."); *De Sousa v. Dir. of U.S.*

The Seventh Circuit has held that "the last agency action supplants all prior ones," so a later grant of deferred action controls over an earlier removal order. *Fornalik v. Perryman*, 223 F.3d 523, 530 (7th Cir. 2000).[4] District courts have applied that unified-agency principle to enforce deferred-action grants and enjoin removal where ICE disregards them. See *Espinoza Cruz v. Eng.*, No. 3:25-CV-919-CCB-SJF, 2025 WL 3469811, at *3 (N.D. Ind. Dec. 3, 2025).[5] Thus here, where DHS has granted Petitioner Deferred Action agreeing not to remove Petitioner, based on a bona fide U-visa, ICE cannot now override that decision to detain or execute Petitioner's removal.[6]

Respondents have not officially revoked Petitioner's Deferred Action and thus, cannot remove him. Multiple courts hold that a still-valid grant of deferred action renders a removal order non-executable and is itself an affirmative "immigration benefit that prevents removal," such that challenges to DHS's refusal to honor that grant are reviewable notwithstanding § 1252(g).

Citizenship & Immigr. Servs., 755 F. Supp. 3d 1266, 1268 (N.D. Cal. 2024) (noting that "deferred action ... protects [U Visa petitioners] against removal").

[4] This means USCIS's most recent grant of deferred action supplants ICE's removal order against Petitioner. Id. ("Where (as in this case), the last office to act has full knowledge of the actions taken by other branches of the same agency, it cannot simply issue a decision and expect its pronouncement to have no effect.").

[5] (finding jurisdiction to review challenging the government's disregard of his deferred action status and enjoining the petitioner's removal during the pendency of the habeas proceeding). Here, USCIS has made its determination and decided that Petitioner has filed a bona fide application for a U visa and granted her deferred action status. Petitioner seeks enforcement of that decision and this Court has jurisdiction to review her claim even where a TRO would incidentally bar her removal. *Id.*

[6] *Fornalik*, 223 F.3d at 530 ("holding last agency action—grant of deferred action—controls over prior removal order").

See *Espinoza-Sorto v. Agudelo*, No. 1:25-CV-23201, 2025 WL 3012786, at *5 (S.D. Fla. Oct. 28, 2025); *Enriquez-Perdomo v. Newman*, 54 F.4th 855, 863–64 (6th Cir. 2022); *Sepulveda Ayala*, 794 F. Supp. 3d at 909; *Nevarz Jurado v. Freden*, 2025 WL 3687264, at *6–7 (W.D.N.Y. Dec. 19, 2025); *Patel v. Hyde*, 2025 WL 3169875, at *1 (D. Mass. Nov. 12, 2025); *Lee v. Holder*, 599 F.3d 973, 974–75 (9th Cir. 2010); *Ariz. Dream Act Coal. v. Brewer*, 855 F.3d 957, 958 (9th Cir. 2017) (dissent).[7]

Respondents may cite decisions recognizing that DHS retains discretion to terminate deferred action, including in the U-visa context. See, e.g., *Morales v. Barr*, 963 F.3d 629, 635 (7th Cir. 2020); *Morales v. Barr*, 973 F.3d 656, 661 (7th Cir. 2020). Those cases simply confirm that USCIS may, following proper notice and process, withdraw deferred action on a going-forward basis; they do not authorize ICE to treat a still-valid grant of deferred action as if it had already been withdrawn. Here, USCIS has never issued any notice of intent to revoke or actual revocation of Petitioner's U-visa–based deferred action. Unless and until DHS lawfully exercises its discretion to terminate that benefit, the protection from removal and the non-executability of the 2017 removal order remain in effect.

Further, even if deferred action is discretionary at the front end, once granted it confers concrete benefits—protection from removal, authorization to

[7] If Respondents are free to unilaterally ignore a previous grant of deferred action given by the same agency, then what would be the point of granting Deferred Action at all?

remain and work in the United States, and the ability to structure family and community life around that protection—and thus creates a significant liberty interest and a reasonable expectation of continued enjoyment for the duration of the grant, absent lawful revocation. Respondents may not arbitrarily rescind those benefits or nullify them in practice by re-detaining Petitioner and treating his removal order as executable without providing notice and a meaningful opportunity to be heard before an official with authority to alter his status. See *Mertik v. Blalock*, 983 F.2d 1353, 1367 (6th Cir. 1993); *Women's Med. Prof'l Corp. v. Baird*, 438 F.3d 595, 611 (6th Cir. 2006).[8]

II. Respondents Failed to Follow the Law and Their Own Regulations and Therefore Have not Properly Revoked Petitioner's OSUP.

The revocation of Petitioner's OSUP and his continued incarceration—despite his years-long compliance—violate both ICE's own regulatory framework and the constitutional guarantees of due process. There has been no change in Petitioner's immigration posture, no changed circumstances, and no lawful basis to re-detain Petitioner. This Court should order Petitioner's release from custody.

[8] To the extent Respondents invoke 8 U.S.C. § 1252(g), that provision has been construed narrowly and does not bar habeas or APA review of challenges to the revocation of an OSUP or to post-order detention, because such claims attack the legality and procedures of custody, not the discretionary decision to "execute" a removal order. See *Ahmad v. Whitaker*, No. C18-287-JLR-BAT (W.D. Wash. Dec. 4, 2018); *Alam v. Nielsen*, 312 F. Supp. 3d 574 (S.D. Tex. 2018); *Zadvydas v. Davis*, 533 U.S. 678, 687–90 (2001). Likewise, 8 U.S.C. § 1252(a)(2)(B) does not strip this Court of jurisdiction to decide legal and constitutional questions about the scope of the Government's detention authority under § 1231(a)(6) or its compliance with mandatory custody-review and OSUP-revocation procedures, as opposed to unreviewable case-by-case exercises of discretionary judgment.

A. ICE Failed to Revoke the OSUP Before Detaining Petitioner in Violation of the Regulations.

Respondents admit that only certain "relevant agency official[s]" may decide to return a noncitizen released on an OSUP to custody, including based on the determination that it is now "appropriate to enforce a removal order or to commence removal proceedings." ECF No. 11 at 9. Respondents continue "ICE recently determined that it was now able to execute Petitioner's long-outstanding order of removal. Thus, ICE took custody of Petitioner and is preparing to remove him according to that order." *Id.* But that is not what happened here.

As Respondents know, when ICE detained Petitioner after he voluntarily appeared at his check-in on February 26, 2026, ICE had NOT yet revoked his OSUP. *See id.* at 5-6. This chronology is undisputed: Petitioner was taken into ICE custody on February 26, 2026, while still formally on supervised release, and did not receive any written Notice of Revocation until March 5, 2026, followed by a "corrected" notice on March 6, 2026. See Stinson Decl. ¶¶ 13–15; ECF No. 12-10. Detention first and paperwork later is the reverse of what 8 C.F.R. § 241.4(l) contemplates; the regulation presumes that revocation of release precedes any return to custody, with contemporaneous written notice and a prompt informal interview, not that ICE can re-detain a long-compliant supervisee and then

attempt to retroactively cure the defect days later.[9] Worse yet, Respondents admit that the March 5 Revocation "contained errors, caught by ICE after it was given, so ICE provided him with a revised notice earlier today, March 6." *Id.* Under 8 C.F.R. § 241.4(l), a person remains on supervised release until the OSUP is validly revoked; nothing in that regulation authorizes ICE to retroactively "backdate" a revocation to justify a detention that has already occurred. This Court should not allow Respondents to "paper over" their mistake and unlawful detention. Respondents' attempt to make the revocation "effective" as of a date before the decision is arbitrary and capricious, exceeds the regulation, and cannot retroactively cure an unlawful arrest/detention.

Next, the revocation notice claims that Petitioner's OSUP was revoked because "ICE is working on scheduling your removal to El Salvador." ECF No. 12-10. Respondents claim that the Notice says "ICE is ready to execute the removal order." ECF 11 at 6. But that is not accurate based on Respondents' own evidence.[10]

Moreover, the March 6, 2026 Notice of Revocation (Form 71-091) contains no individualized analysis under 8 C.F.R. § 241.4. It simply checks the box indicating that "it is appropriate to enforce the removal order" and adds

[9] At that time, the "relevant agency official" had NOT "recently determined that it was now able to execute" the removal order. *See id.* at 6. In fact, as Respondents admit, ICE did not provide Petitioner with a Notice of Revocation of Release until March 5, 2026. *Id.*

[10] It is even more disingenuous where it omits any reference to USCIS's grant of deferred action deferring Petitioner's removal while his U visa is adjudicated. *See* ECF No. 1-2.

boilerplate that "[t]ravel documents to El Salvador are not required. ICE is working on scheduling your removal to El Salvador," with no reference to any violation of OSUP conditions, no identification of any "changed circumstances," no finding that Petitioner is a danger to the community or a flight risk, and no discussion of the § 241.4(e)-(f) factors or less-restrictive alternatives such as continued supervision. By regulation, ICE must consider danger, flight risk, community ties, prior compliance, and other enumerated factors before deciding whether to continue detention, and may choose detention over supervised release only if that individualized analysis supports doing so. 8 C.F.R. § 241.4(e)-(f). Neither the March 6 notice nor any other record evidence reflects that required factor-by-factor determination; instead, ICE relied on bare assertions that it was "working on scheduling" removal. Even assuming revocation under § 241.4(l)(2)(iii) were otherwise permissible, this particular revocation is procedurally invalid and arbitrary and capricious because ICE skipped the individualized analysis that § 241.4 requires before converting long-standing supervised release into renewed detention.

Courts confronting similar OSUP revocation and re-detention have emphasized that years of successful community supervision strengthen the liberty interest and that bare arrests or minor, nonviolent charges do not constitute 'changed circumstances' or individualized danger/flight-risk findings needed to

justify re-detention, particularly where removal is not imminent. *See*, e.g., *Ericka P.S. v. Chestnut*, 2025 WL 3764211, at *2 (E.D. Cal. Dec. 30, 2025); *Doe v. Becerra*, 787 F. Supp. 3d 1083, 1093 (E.D. Cal. 2025); *Elias C.M. v. Warden of Golden State Annex*, 2026 WL 127612, at *4 (E.D. Cal. Jan. 16, 2026); *Moises V.A. v. Wofford*, 2026 WL 252237, at *2 (E.D. Cal. Jan. 30, 2026); *Kervis v. Chestnut*, 2026 WL 88983, at *1 (E.D. Cal. Jan. 12, 2026).

Courts have treated this very sort of noncompliance with 8 C.F.R. §§ 241.4 and 241.13—revoking an OSUP and continuing post-order detention without the required notice, informal interview, or individualized factor-by-factor analysis—as both a regulatory and due-process violation warranting habeas relief. In *Rombot v. Souza*, 296 F. Supp. 3d 383, 387–89 (D. Mass. 2017), the court found ICE's failure to provide the prompt informal interview and custody review required by §§ 241.4 and 241.13, and its premature "Decision to Continue Detention," violated those regulations and deprived the petitioner of a meaningful custody-status review, ordering his release and restoration to supervision. In *Jimenez v. Cronen*, 317 F. Supp. 3d 626, 651–57 (D. Mass. 2018), the court held that ICE's long-running failure to provide the notice and custody reviews mandated by § 241.4 violated the Fifth Amendment's procedural due-process guarantee, emphasized that § 241.4 was promulgated to codify the minimum process required under *Mathews v. Eldridge*, and ordered habeas relief because "ICE violated § 241.4 as it now interprets it" and

continued to assert that courts lacked authority to remedy those violations. Petitioner is in the same posture: ICE skipped the very procedures it relies on to satisfy due process, and its after-the-fact attempts to paper the file do not cure the original unlawful seizure and revocation.

Respondents further admit that at the time of filing their TRO opposition, ICE still had not yet provided Petitioner with an opportunity to respond to the revised notice. ECF No. 12 at 6 ("D.A.G.H. is scheduled for an informal interview on March 9, which will count as his opportunity to respond to the revised notice."). Moreover, even after the March 9 informal interview, ICE has not complied with the post-revocation custody-review timing requirements in 8 C.F.R. § 241.4(k)(2) and the "special review procedures" in 8 C.F.R. § 241.13, which require Headquarters or HQPDU review within three months after the removal period and, where there is good reason to believe removal is not reasonably foreseeable, a fresh determination whether continued detention is lawful at all.

B. ICE failed to comply with the Constitution and all applicable statutes and regulations when detaining Petitioner.

ICE unlawfully detained Petitioner on February 26, 2026, despite his compliance with supervision and without affording him notice, explanation, or a meaningful opportunity to respond, and the revocation decision does not comply with 8 C.F.R. § 241.4(l) (notice, reasons, review, timing, etc.), rendering his detention from February 26 forward ultra vires.

These regulatory violations are not merely "housekeeping" errors; they go to the heart of the Fifth Amendment guarantee of notice and an opportunity to be heard "at a meaningful time and in a meaningful manner." *Mathews v. Eldridge*, 424 U.S. 319, 333–35 (1976). When an agency promulgates detailed custody-review and revocation rules precisely to implement that due-process floor, as DHS did in §§ 241.4 and 241.13, its failure to follow those rules is itself a procedural due-process violation that is independently remediable in habeas. See *Jimenez v. Cronen*, 317 F. Supp. 3d 626, 651–57 (D. Mass. 2018) (holding that ICE's noncompliance with § 241.4's notice and review requirements violated procedural due process and ordering relief); *Rombot*, 296 F. Supp. 3d at 387–89 (same).

As explained above, 8 C.F.R. § 241.4(l) requires written notice of revocation, specified grounds for revocation, and adherence to the post-order custody-review framework in §§ 241.4 and 241.13.

Contrary to Respondents' contention, courts have interpreted 8 C.F.R. § 241.4(l) as requiring an informal interview whenever ICE revokes release, regardless of whether it invokes subsection (l)(1) or (l)(2). See Ceesay v. Kurzdorfer, 781 F. Supp. 3d 137, 163 (W.D.N.Y. 2025) (holding that an informal interview is required under § 241.4(l) even where ICE relies on § 241.4(l)(2)); M.Q. v. United States, 2025 WL 965810, at *3, *5 n.1 (S.D.N.Y. Mar. 31, 2025) (same); You v. Nielsen, 321 F. Supp. 3d 451, 463 (S.D.N.Y. 2018) (holding that ICE could not

detain petitioner without providing notice and an informal interview under § 241.4(l)); see also Noem v. Abrego Garcia, 145 S. Ct. 1017, 1019 (2025) (Sotomayor, J., statement) (recognizing that § 241.4(l) requires adequate notice and a prompt informal interview before revocation of conditional release).[11]

Here, the after-the-fact Notice of Revocation was signed by LaDeon Francis, Field Office Director. Even assuming a Field Office Director can, in some circumstances, be treated as a "district director," 8 C.F.R. § 241.4(l)(2) still requires explicit findings that revocation is in the public interest and that circumstances do not reasonably permit referral of the case to the Executive Associate Director; nothing in the March 6, 2026 Notice of Revocation (ECF No. 12-10) or the record reflects any such findings. As in Ceesay, where the court concluded it "cannot…[find] that [the AFOD] had the authority to revoke release" and ordered the petitioner's release on that basis, the absence of those required findings renders this revocation ultra vires and invalid. See *Ceesay*, 781 F. Supp. 3d at 161–62; *Jimenez v. Cronen*, 317 F. Supp. 3d 626, 651–57 (D. Mass. 2018).

[11] Indeed, the single, nonbinding case the government cites to the contrary only discusses the issue in passing dicta as the government did provide proper notice in that case. To the extent Respondents rely on Barrios v. Ripa to claim that no notice or informal interview was required under 8 C.F.R. § 241.4(l)(2), that reading is inconsistent with the weight of authority holding that the § 241.4(l)(1) interview requirement applies to all revocations because it is the mechanism by which ICE satisfies the due-process minimum for post-order detention under 8 U.S.C. § 1231(a)(6). See *Ahmad v. Whitaker*, No. C18-287-JLR-BAT (W.D. Wash. Dec. 4, 2018); *Bonitto v. Bureau of Immigration & Customs Enforcement*, 547 F. Supp. 2d 747 (S.D. Tex. 2008).

Respondents' generic appeal to broad detention authority under 8 U.S.C. § 1231(a)(6) cannot override or nullify these specific regulatory limitations: once DHS has, by rule, confined revocation authority to certain senior officials and conditioned its exercise on express public-interest and non-referral findings, lower-level officers cannot invoke the statute's "may detain" language to bypass those safeguards. *Jimenez*, 317 F. Supp. 3d at 651–57 (DHS is "bound" by § 241.4, which has the force of law; violation of those procedures is cognizable in habeas).

Moreover, any "informal interview" conducted at Stewart Detention Center cannot cure these defects. Stewart is staffed only by line detention and deportation officers; the Field Office Director or other high-level officials identified in 8 C.F.R. § 241.4(c) and (l)(2) as decisionmakers for continued custody and revocation are not present there, and line officers have no authority under the regulation to rescind a defective revocation or reinstate an OSUP. Due process requires that the opportunity to be heard be "at a meaningful time and in a meaningful manner" before a neutral decisionmaker or, at minimum, before an official who actually has legal authority to grant relief. See Mathews v. Eldridge, 424 U.S. 319, 333–35 (1976); Hamdi v. Rumsfeld, 542 U.S. 507, 529–33 (2004); Rodriguez v. Barr, 488 F. Supp. 3d 29, 41–43 (W.D.N.Y. 2020). Here, the only "interview" Petitioner has been offered is with the same enforcement office that sought to revoke his OSUP, after he was already detained and after this habeas petition was filed, before officers

who lack authority under § 241.4(l)(2) to reverse the revocation—rendering that interview neither meaningful nor constitutionally sufficient. These defects are compounded by the lack of notice to, and participation by, Petitioner's existing immigration counsel. The post-order custody regulations expressly contemplate representation in custody-review proceedings and HQPDU interviews, and require that ICE serve copies of custody-review notices and decisions on the attorney or representative of record who has filed a Form G-28. 8 C.F.R. § 241.4(d)(2), (e)(3), (i)(3)(ii). Conducting an "initial informal interview" at Stewart without notifying the attorney who has already entered an appearance with DHS in Petitioner's U-visa case, without notifying the attorney who has already entered an appearance, underscores that this after-the-fact interview does not provide the meaningful, adversarial safeguard that due process and the regulations envision.

The post-order custody regulations themselves implement this due-process floor: courts have repeatedly treated the sequence of written notice, prompt informal interview, and reasoned custody decision under 8 C.F.R. §§ 241.4 and 241.13 as the mechanism DHS uses to satisfy *Mathews* in the § 1231(a)(6) context, and they have found both regulatory and constitutional violations when ICE skips those steps. *See Rombot v. Souza*, 296 F. Supp. 3d 383, 387–89 (D. Mass. 2017); *Bonitto v. BICE*, 547 F. Supp. 2d 747, 754–58 (S.D. Tex. 2008); *Ahmad v. Whitaker*, No. C18-287-JLR-BAT (W.D. Wash. Dec. 4, 2018). And when detention becomes

prolonged, due process requires decisionmaking by a neutral adjudicator, a clear burden on the Government, and genuine consideration of less-restrictive alternatives to confinement, not a perfunctory internal "interview" by enforcement officers who lack authority to undo the revocation. ICE's failure to grapple with Petitioner's nearly eight years of successful supervised release, his U-visa–based deferred action and employment authorization, and the obvious availability of continued OSUP (or modestly tightened conditions) also renders the revocation arbitrary and capricious under the Administrative Procedure Act. The APA requires a reasoned explanation that considers important reliance interests and less-restrictive alternatives before abruptly replacing long-standing community supervision with renewed detention.[12] Consistent with *Mathews* and this regulatory framework, courts addressing OSUP re-detention have held that, even where no statute or regulation expressly mandates a pre-detention hearing, the Due Process Clause does, and have enjoined ICE from re-detaining long-term supervisees absent a pre-deprivation hearing before an immigration judge at which DHS bears a clear-and-convincing burden to show changed circumstances making the person a danger or flight risk.[13]

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[12] *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983); *DHS v. Regents of the Univ. of California*, 140 S. Ct. 1891, 1910–15 (2020); *Rodriguez v. Barr*, 488 F. Supp. 3d 29, 41–43 (W.D.N.Y. 2020).

[13] See, e.g., *Gregorio Ordoñez v. Bondi*, 2025 WL 3852444, at *4 (W.D. Wash. Dec. 19, 2025), report and recommendation adopted, 2026 WL 30022 (W.D. Wash. Jan. 5, 2026); *Hernandez-Parrilla v. Anda-Ybarra*, No. 2:25-cv-01224-MIS-KK (D.N.M. Dec. 15, 2025); *E.A.T.-B. v. ICE*, 795 F. Supp. 3d 1324, 1324 (W.D. Wash. 2025); *Francois v. Bondi*, 2025 WL 3063251, at *4 (W.D. Wash. 2025).

Respectfully Submitted,

This 10th day of March, 2026.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com

CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to Local Rules 5.1 and 7.1(D), that the filing(s) filed herewith have been prepared using Book Antiqua, 13-point font.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com

CERTIFICATE OF SERVICE

I certify that on March 10, 2026, I electronically filed the foregoing Document with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to Respondents' attorney(s) of record.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com