UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

1. Eduardo LOPEZ AGUILAR,

Petitioner,

v.

1. Juan BALTASAR, Warden of Denver Contract Detention Facility, in their official capacity;
2. Robert HAGEN, Field Office Director of Enforcement and Removal Operations, Denver Field Office, Immigration and Customs Enforcement, in their official capacity;
3. Todd LYONS, Acting Director of Immigration and Customs Enforcement, in their official capacity;
4. Daren MARGOLIN, EOIR Director, U.S. Department of Justice, in their official capacity;
5. Kristi NOEM, Secretary, U.S. Department of Homeland Security, in their official capacity;
6. Pamela BONDI, U.S. Attorney General, in their official capacity;

Respondents.

Case No. 1:26-cv-00827

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner Eduardo Lopez Aguilar is in the physical custody of Respondents at the Denver Contract Detention Facility in Aurora, Colorado. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have concluded Petitioner is subject to mandatory detention.
2. Petitioner is charged with, inter alia, having entered the United States without admission or inspection. *See* 8 U.S.C. § 1182(a)(6)(A)(i).
3. The Department of Homeland Security ("DHS") issued a new policy on July 8, 2025, instructing all Immigration and Customs Enforcement ("ICE") employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without admission or inspection—to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.
4. Thereafter, on September 5, 2025, the Board of Immigration Appeals ("BIA") issued a precedent decision, binding on all immigration judges, holding that an immigration judge has no authority to consider bond requests for any person who entered the United States without admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). The BIA determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

5. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.
6. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying § 1226(a) to people like Petitioner.
7. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be released from custody immediately—or, alternatively, that Respondents provide a bond hearing under § 1226(a) within five days.

JURISDICTION

8. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Denver Contract Detention Facility in Aurora, Colorado.
9. This Court has jurisdiction under 28 U.S.C. § 2241(c)(1), (3) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

10. This Court may grant relief pursuant to 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. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the District of Colorado, the judicial district in which Petitioner currently is detained.

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

REQUIREMENTS OF 28 U.S.C. § 2243

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

14. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . 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). "The

application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

15. Petitioner Eduardo Lopez Aguilar is an alleged citizen of Guatemala who has been in immigration detention since December 2025. After taking custody of Petitioner, ICE did not set bond. Petitioner applied for an immigration bond from an immigration judge, but the judge found no jurisdiction as he is subject to the binding decision of the BIA in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).
16. Respondent Juan Baltasar is employed by Denver Contract Detention Facility as Warden of the facility where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.
17. Respondent Robert Hagen is the Director of the Denver Field Office of ICE's Enforcement and Removal Operations division. As such, Hagen is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.
18. Respondent Todd Lyons is the Acting Director of Immigration and Customs Enforcement (ICE). As such, Lyons is Petitioner's immediate custodian and is

responsible for Petitioner's detention and removal. He is named in his official capacity.

19. Respondent Daren Margolin is the Director of U.S. Department of Justice's Executive Office for Immigration Review (EOIR), which includes the immigration court system. He is sued in his official capacity.

20. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act ("INA"), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

21. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

LEGAL FRAMEWORK

22. The Immigration and Nationality Act prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

23. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. See 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, see 8 C.F.R.

§§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, see 8 U.S.C. § 1226(c).

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

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

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

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

28. Following the enactment of the 1996 IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). See Inspection and Expedited Removal of Aliens; Detention and Removal

of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

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

30. On July 8, 2025, ICE, "in coordination with" the Department of Justice, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice.

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

32. On September 5, 2025, the BIA adopted this same position in a published decision, *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). There, the Board held that all noncitizens who entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for IJ bond hearings. *Id.*

33. Since Respondents adopted their new policies, dozens of federal courts have rejected their new interpretation of the INA's detention authorities. Courts have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE. *See infra.*

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

35. Subsequently, court after court—including this Court—has adopted the same reading of the INA's detention authorities and rejected ICE and EOIR's new interpretation. *See Mendoza Gutierrez v. Baltasar*, No. 1:25-cv-02720-RMR (D. Colo. Oct. 17, 2025); *Garcia Cortes v. Noem*, No. 1:25-cv-02677-CNS, 2025 U.S.

Dist. LEXIS 181582 (D. Colo. Sept. 16, 2025); *Velasquez Salazar v. Dedos*, 1:25-cv-00835-DHU-JMR, 2025 U.S. Dist. LEXIS 183335 (D.N.M. Sept. 17, 2025). *See also Malacidze v. Noem*, No. CIV-25-1527-D, 2026 LX 95511 (W.D. Okla. Jan. 28, 2026); *Santos v. Grant*, No. CIV-25-1433-SLP, 2025 LX 661048 (W.D. Okla. Dec. 22, 2025); *Escarcega v. Olson*, No. CIV-25-1129-J, 2025 LX 598796 (W.D. Okla. Nov. 20, 2025); *Valdez v. Holt*, No. CIV-25-1250-R, 2025 LX 517030 (W.D. Okla. Dec. 22, 2025); *Garcia v. Holt*, No. CIV-25-1225-J, 2025 LX 508489 (W.D. Okla. Dec. 8, 2025). *See also Vadel v. Lowe*, No. 3:25-CV-02452, 2025 LX 644240 (M.D. Pa. Dec. 31, 2025); *Mardet v. Jamison*, No. 25-7169, 2025 LX 695516 (E.D. Pa. Dec. 31, 2025); *Cifuentes v. Soto*, No. 25-18029, 2025 LX 670021 (D.N.J. Dec. 31, 2025); *Martinez v. Rice*, No. 25-1780 SEC P, 2025 LX 590575, *8 (W.D. La. Dec. 11, 2025) ("The vast majority of courts throughout the country disagree [with Respondents' application of § 1225]. Based on this Court's reading of *Jennings*, it also appears that the Supreme Court disagrees.").[1]

[1] Petitioner acknowledges the Fifth Circuit's recent decision in *Buenrostro-Mendez*, which departed from the majority of courts in holding that noncitizens who enter without permission are subject to detention under 8 U.S.C. § 1225(b)(2)(A). *Buenrostro-Mendez v. Bondi*, Nos. 25-20496, 25-40701, 2026 LX 16570 (5th Cir. Feb. 6, 2026). This was a substantial departure from the legal position of scores of federal judges across the nation. Moreover, even more recently than *Buenrostro*, the Central District of California issued a class action decision **vacating** *Matter of Yajure Hurtado* as violative under the APA. *Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2026 U.S. Dist. LEXIS 34057, at *30 (C.D. Cal. Feb. 18, 2026). Petitioner thus urges this Court in its opinion to join these many courts in denouncing the position of the Respondents and the Board of Immigration Appeals in *Yajure Hurtado*.

36. District courts have nearly uniformly rejected DHS's and EOIR's new interpretation because it defies the INA. As the *Rodriguez Vazquez* court and others have explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.

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

38. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. See 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, "[w]hen Congress creates 'specific exceptions' to a statute's applicability, it 'proves' that absent those exceptions, the statute generally applies." *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also Gomes v. Hyde*, 804 F. Supp. 3d 265, 273 (D. Mass. 2025).

39. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

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

41. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not apply to people like Petitioner, who have already entered and were residing in the United States at the time they were apprehended.

42. "It is well established that the Fifth Amendment entitles aliens to due process of law in [removal] proceedings." *Reno v. Flores*, 507 U.S. 292, 306 (1993). "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 protects. *Zadvydas v. Davis*, 533 U.S. 678, 690, 121 S. Ct. 2491 (2001). Due process requires "adequate procedural protections" to ensure that the government's asserted justification for physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Id.* at 690 (internal quotation marks omitted).

43. Courts have found that due process requires the government to bear the burden of proving, at any bond hearing, that the noncitizen is a danger, flight risk, or threat to national security. *See L.G. v. Choate*, 744 F. Supp. 3d 1172 (D. Colo. 2024) (ordering bond hearing for petitioner under 8 U.S.C. § 1226(a), holding that DHS must bear the burden to prove by clear and convincing evidence that petitioner was a flight risk or a danger to the community); *Ochoa v. Noem*, No. 1:25-cv-00881-JB-LF, 2025 U.S. Dist. LEXIS 220632 (D.N.M. Nov. 7, 2025) (citing *Choate,* holding that under a *Mathews* analysis, the civil immigration detainee's liberty interest outweighs the government's interest in his detention, ordering individualized bond hearing in which DHS bears the burden of proof); *Vizguerra-Ramirez v. Baltazar*, Civil Action No. 25-cv-00881-NYW, 2025 U.S. Dist. LEXIS 261067 (D. Colo. Dec. 17, 2025) (granting petitioner's prolonged detention claim, ordering immigration court to conduct burden-shifted hearing at which DHS must prove petitioner is a danger or a flight risk). [2]

44. Moreover, to test civil immigration detention for due process violations, the balancing test of *Mathews v. Eldridge* is employed. *Salazar v. Dedos,* 806 F. Supp. 3d 1231, 2025 U.S. Dist. LEXIS 183335, at *15 (D.N.M. 2025); *Mathews v. Eldridge*, 424 U.S. 319, 96 S. Ct. 893 (1976). That test balances "(1) the private

[2] See also *Brito v. Barr*, 415 F. Supp. 3d 258, 263 (D. Mass. 2019). In this class action challenge, the court held that placing the burden of proof on the noncitizen in bond hearings violated due process and the APA.

interest affected by the official action, (2) the risk of erroneous deprivation of such interest through the procedures used and the probable value of additional or different procedural safeguards, and (3) the government's interest, including the fiscal and administrative burdens that the additional or substitute procedures would entail." *Salazar*, at *15-16.

45. Various courts within this circuit have found that detention of noncitizens without an individualized custody determination violates procedural due process. *Id.* at *25; *Cortes v. Noem*, No. 1:25-cv-02677-CNS, 2025 U.S. Dist. LEXIS 181582, at *10 (D. Colo. Sep. 16, 2025).

FACTS

46. Petitioner has resided in the United States since his entry without inspection in approximately 1999 and lives in Florida.
47. In December 2025, ICE took custody of Petitioner. Petitioner is now detained at the Denver Contract Detention Facility in Aurora, Colorado.
48. ICE has charged Petitioner in Immigration Court, inter alia, as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i) as someone who entered the United States without inspection.
49. Petitioner has resided in the United States continuously for over two decades and is is the father of three United States citizen children. He has no known criminal convictions and only one prior citation for Driving Without a Valid Driver's

License, which was dismissed. In summary, Petitioner is neither a flight risk nor a danger to society.

50. Following Petitioner's arrest and transfer to the Denver Contract Detention Facility, ICE issued a custody determination to continue Petitioner's detention without an opportunity to post bond or be released on other conditions.

51. Petitioner requested an immigration bond. On February 17, 2026, the Immigration Judge concluded that she lacked jurisdiction to conduct a bond hearing based on the Board of Immigration Appeals' decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). As a result, Petitioner has been denied any individualized bond determination and remains detained without an opportunity for a custody hearing.

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

CLAIMS FOR RELIEF

COUNT I

Violation of the INA

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

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

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

COUNT II

Violation of Due Process

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

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

58. Petitioner has a fundamental interest in liberty and being free from official restraint.

59. Under the *Mathews v. Eldridge* balancing test, Petitioner's private interest in his physical liberty is a substantial one, which is at a risk of erroneous deprivation since Respondents continue to refuse to give him any kind of individualized hearing at which they bear the burden of proving the necessity of detention. The government's

interest in ensuring Petitioner attends appointments and hearings related to removal proceedings or potential removal is not outweighed by the severe deprivation of liberty suffered by the Petitioner.

60. The government's detention of Petitioner without a bond redetermination hearing to determine whether he is a flight risk or danger to others violates his right to due process. See *Salazar v. Dedos,* 806 F. Supp. 3d 1231, 2025 U.S. Dist. LEXIS 183335, at *25 (D.N.M. 2025); *Cortes v. Noem*, No. 1:25-cv-02677-CNS, 2025 U.S. Dist. LEXIS 181582, at *10 (D. Colo. Sep. 16, 2025).

COUNT III

Violation of the Administrative Procedure Act –
Arbitrary and Capricious Agency Action

61. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

62. The Administrative Procedure Act (APA), 5 U.S.C. § 706(2), requires courts to hold unlawful and set aside agency actions that are arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. Under this standard, an agency must articulate a rational connection between the facts found and the choices made, and it must provide an adequate explanation for its actions consistent with statutory authority. See *Judulang v.Holder*, 565 U.S. 42, 55 (2011).

63. The Department of Homeland Security and ICE acted arbitrarily and capriciously in continuing to detain Petitioner without any individualized justification and failed to consider the totality of his immigration history. Petitioner has no known criminal convictions, no record of violence or misconduct, and has consistently cooperated with immigration authorities. Nothing in his record establishes that he presents a danger to the community or a flight risk.
64. Despite these facts, DHS has maintained Petitioner's detention for an extended and potentially indefinite period without providing any reasoned explanation or evidence that continued confinement serves a legitimate statutory purpose. DHS has failed to articulate why release under supervision, bond, or other alternatives would be insufficient.
65. By instituting an absolute bar to any form of custody review or discretionary release, DHS has effectively adopted a blanket detention policy that substitutes categorical rules for the individualized determinations required under the Immigration and Nationality Act.
66. DHS has not conducted any meaningful custody assessment of Petitioner, nor has it provided a rational explanation for refusing to exercise discretion in his case. Its failure to consider Petitioner's lack of criminal convictions, his cooperation with authorities or his eligibility for alternatives to detention constitutes arbitrary and capricious decision-making.

67. DHS's actions are inconsistent with the statutory purpose of civil immigration detention, which is limited to ensuring appearance at future proceedings and protecting public safety. Petitioner's continued confinement does not advance either purpose.

68. DHS has therefore acted in a manner that is arbitrary, capricious, an abuse of discretion, and not in accordance with law. Its continued detention of Petitioner must be set aside under 5 U.S.C. § 706(2)(A).

69. Habeas relief is warranted to remedy this unlawful agency conduct. Petitioner respectfully requests that this Court order his immediate release or, in the alternative direct DHS to provide a constitutionally adequate and reasonable custody determination consistent with the requirements of the Administrative Procedure Act and the Immigration and Nationality Act.

PRAYER FOR RELIEF

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

a. Assume jurisdiction over this matter;

b. Order that Petitioner shall not be transferred outside the District of Colorado while this habeas petition is pending;

c. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;

d. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner immediately (or, in the alternative, provide Petitioner with a bond hearing in which DHS carries the burden of proof by clear and convincing evidence, pursuant to 8 U.S.C. § 1226(a), within five days);

e. Declare that Petitioner's detention is unlawful;

f. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

g. Grant any other and further relief that this Court deems just and proper.

Dated this 27th day of February, 2026.

/S/ Elissa R Stiles
Elissa Stiles
Rivas & Associates
PO Box 470348, Tulsa OK 74147
918-419-0166
estiles@rivasassociates.com
Attorney for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Eduardo Lopez Aguilar, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 27th day of February, 2026.

/S/ Elissa R Stiles
Elissa Stiles