UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALERXI RONDON REYES, *Petitioner*, v. J.L. JAMISON in his official capacity as the Warden of the Federal Detention Center; JOHN RIFE in his official capacity as Acting Field Office Director of the Philadelphia Field Office of U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations; KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security; PAMELA BONDI, in her official capacity as Attorney General of the United States; TODD LYONS, in his official capacity as Acting Director and Senior Official Performing the Duties of the Director of U.S. Immigration and Customs Enforcement; *Respondents*.	Case No.: 26-1324

PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

INTRODUCTION

1. On September 20, 2023 an immigration judge ordered that Petitioner Alerxi Rondon Reyes be protected from removal to the Dominican Republic after finding that he would be tortured there by or with the acquiescence of the government. DHS released Mr. Rondon Reyes on an Order of Supervision on that same date. Since his release, Mr. Rondon Reyes has attended several ICE check-ins in compliance with his Order of Supervision and its terms. More than two years later, on February 26, 2026, Respondents arrested Mr. Rondon Reyes on his way to a criminal court hearing and alleged that he violated the conditions of his release. However, Mr. Rondon Reyes has not been convicted of any new criminal activity. This case challenges his unlawful re-detention.

2. Respondents detained Mr. Rondon Reyes without notice or opportunity to be heard, on the decision of an individual without authority to do so, and without findings required by law, in violation of the agency's own regulations.

3. His removal is not reasonably foreseeable because he cannot be deported to the Dominican Republic, by the immigration judge's order granting him protection from that country. DHS has not identified any alternative country for removal.

4. Even if DHS identifies such a country, it must give Mr. Rondon Reyes notice and the opportunity to seek fear-based protection from removal to that country. As of March 2, 2026, respondents have not given Mr. Rondon Reyes any notice of efforts of removal to a third country.

5. ICE's re-detention of Mr. Rondon Reyes violates the Due Process Clause of the Fifth Amendment to the U.S. Constitution, the Immigration and Nationality Act (INA) and implementing regulations, the Administrative Procedure Act (APA), and the *Accardi* doctrine, which obligates administrative agencies to follow their own regulations.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 and the Suspension Clause of the Constitution because this action is a habeas corpus petition and under 28 U.S.C. § 1331 because this action arises under federal law, including the INA, 8 U.S.C. § 1101, *et seq*., and the APA, 5 U.S.C. § 551, *et seq*., and the Constitution of the United States.

7. Venue is proper in the Eastern District of Pennsylvania because Respondent Warden J.L. Jamison is Petitioner's immediate custodian. *See Anariba v. Dir. Hudson Cnty. Corr. Ctr*., 17 F.4th 434, 444 (3d Cir. 2021) (noting that a habeas petitioner "should name his warden as respondent and file the petition in the district of confinement"). Further venue is proper under 28 U.S.C. § 1391(e)(1), because at least one federal Respondent is in this District, Respondents are officers of United States agencies, Mr. Rondon Reyes currently resides within this District, and there is no real property involved in this action.

PARTIES

8. Petitioner, Mr. Rondon Reyes, has lived in the United States since 2023. Prior to Mr. Rondon Reyes's detention on February 26, 2026, he resided in Philadelphia, PA. He is currently detained at the Federal Detention Center in Philadelphia, PA.

9. J.L. Jamison is the Warden of the Federal Detention Center (FDC) in Philadelphia. Petitioner is currently detained at the FDC and as such Respondent is the legal custodian of Petitioner. Warden Jamison is sued in his official capacity.

10. Respondent John Rife is the Director of the Philadelphia Field Office of ICE's Enforcement and Removal Operations Division. Mr. Rife is Petitioner's immediate custodian and is responsible for his detention and removal. He is named in his official capacity.

11. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the 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.

12. Respondent DHS is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

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

FACTS

Mr. Rondon Reyes fled to the United States and an immigration judge granted him protection from deportation to the Dominican Republic under the Convention Against Torture.

14. Mr. Rondon Reyes is a 61-year-old man who fled the Dominican Republic for the United States in 2023. In the Dominican Republic, Mr. Rondon Reyes witnessed [redacted]

15. He arrived in the United States in May 2023. Immigration officials detained him at the border. Upon information and belief, Mr. Rondon-Reyes passed a reasonable fear interview and was placed into withholding-only removal proceedings in Immigration Court because of a prior deportation order.

16. Mr. Rondon Reyes spent five months fighting his immigration case in front of an immigration judge. The immigration judge granted him deferral of removal under the Convention Against Removal (CAT) on September 20, 2023. The government did not appeal his grant of deferral under the CAT.

17. This triggered the 90-day "removal period," during which ICE "shall remove the [noncitizen] from the United States." 8 U.S.C. § 1231(a)(1).

ICE released Mr. Rondon Reyes on September 20, 2023 on an Order of Supervision after finding that he was neither a danger to the community nor a flight risk.

18. On September 20, 2023, DHS released Mr. Rondon Reyes from custody under an Order of Supervision after determining that he could not be removed to a third country.[1] His release required a finding by DHS that he was not a danger to the community nor a flight risk. *See* 8 C.F.R. § 241.4(d)(1) (permitting the release of a noncitizen only "if the [noncitizen] demonstrates to the satisfaction of the Attorney General or her designee that his or her release will not pose a danger to the community or to the safety of other persons or to property or a significant risk of flight pending such [noncitizen]'s removal from the United States."); 8 C.F.R. § 241.4(e) (listing the criteria for release as including a determination that the noncitizen "is not likely to pose a threat to the community following release" and "does not pose a significant risk of flight if released").

19. Mr. Rondon Reyes' 90-day removal period expired on December 19, 2023.

20. Since his release, Mr. Rondon Reyes has continuously resided in the Philadelphia area and complied with all conditions of the Order of Supervision, including attending periodic check-ins with ICE.

21. Mr. Rondon Reyes attended periodic check-ins with ICE approximately every six months. His next ICE check-in was scheduled for June 2026.

ICE unlawfully revoked Mr. Rondon Reyes's Order of Supervision and re-detained him on February 26, 2026.

22. On December 7, 2025, Mr. Rondon Reyes was arrested for driving under the influence, simple assault, recklessly endangering another person, false identification to law

[1] Mr. Rondon Reyes' documents were confiscated by ICE when he was arrested and are presently in his property. Counsel has not yet been able to obtain a copy of these documents.

enforcement, and criminal mischief. He was released on bail and has dutifully complied with all criminal court obligations.

23. On February 27, 2026, Mr. Rondon Reyes left his house in Philadelphia for his criminal court hearing. The District Attorney's Office had previously approved Mr. Rondon Reyes to enroll in the Alternative Rehabilitative Disposition Program (ARD), successful completion of which results in dismissal of all pending charges and does not constitute a conviction.[2] As he crossed the street, an immigration agent apprehended him, demanded his papers, and said that DHS was arresting him.

24. DHS served Mr. Rondon Reyes with a notice of revocation of release and transported him to immigration custody at the Federal Detention Center. The notice advised that a decision of re-detention was made due to Mr. Rondon Reyes violation of a condition of his release because of this arrest. *See* Ex. 1, Notice of Revocation of Release. The notice states that Mr. Rondon Reyes violated the conditions of his release because he was "arrested" and that his "case is under review for removal to an alternate country." *Id.* This notice was signed by John E. Rife, the Acting Field Office Director for Philadelphia. *Id.*

25. A condition of an "Order of Supervision" is that an individual not "commit any crimes while on this Order of Supervision." *See* Ex. 2, Sample Order of Supervision. Mr. Rondon Reyes has not been convicted of any new crimes since his initial release on the Order of Supervision.

26. The notice states that Mr. Rondon Reyes would have an informal interview on March 2, 2026 to respond to the reasons for the revocation. *Id.* As of March 2, 2026, Mr. Rondon

[2] "[A]cceptance into and satisfactory completion of the accelerated rehabilitative disposition program offers the defendant an opportunity to earn a dismissal of the pending charges[.]" 234 Pa. Code, Ch. 3, Rule 312.

Reyes has not yet had the informal interview during which he can respond to the reasons for his revocation. *Id.*

27. Mr. Rife, the official responsible for revoking Mr. Rondon Reyes' release does not appear to have referred the case to the ICE Executive Associate Director and does not appear to have received a delegation of authority to revoke an order of supervision. *Id.* Mr. Rife did not make a finding that the revocation was in the public interest. *Id.*

28. As of the time of this filing, Mr. Rondon Reyes is detained at the Federal Detention Center in Philadelphia, PA. *See* Ex. 3, U.S. Immigr. & Customs Enf't, *Online Detainee Locator System,* https://locator.ice.gov/odls/#/results, (last accessed March 2, 2026) (search conducted for A-number, "070851-638"; Country of Birth: "Dominican Republic").

29. Mr. Rondon Reyes suffers from diabetes and heartbeat fibrillation. He takes numerous medications to treat these conditions including atenolol, lisinopril, xarelto, amioradona, insulin, meformina, and lantus.

LEGAL AND POLICY BACKGROUND

I. Due Process Governs Decisions to Revoke an Order of Supervision

30. "The Due Process Clause applies to all persons within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001) (citation modified). "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that Clause protects." *Id.* at 690.

31. Under the substantive due process doctrine, a restraint on liberty like revocation of a non-citizen's Order of Supervision is only permissible if it serves a "legitimate nonpunitive objective." *Kansas v. Hendricks*, 521 U.S. 346, 363 (1997). The Supreme Court has only recognized two legitimate objectives of immigration detention: preventing danger to the

community or preventing flight prior to removal. *See Zadvydas*, 533 U.S. at 690–92 (discussing constitutional limitations on civil detention).

32. "Procedural due process imposes constraints on governmental decisions which deprive individuals of liberty," like the decision to revoke a non-citizen's Order of Supervision. *Mathews v. Eldridge*, 424 U.S. 319, 332 (1976) (citation modified). "The fundamental requirement of [procedural] due process is the opportunity to be heard at a meaningful time and in a meaningful manner." *Id.* at 333 (citation modified).

II. The INA and Regulations Govern Revocation of Orders of Supervision.

33. A noncitizen with a final order of removal "who is not removed within the [90-day] removal period . . . shall be subject to [an order of] supervision under regulations prescribed by the Attorney General." 8 U.S.C. § 1231(a)(3) (titled "Supervision after 90-day period").

34. A noncitizen may only be detained past the 90-day removal period following a removal order if found to be "a risk to the community or unlikely to comply with the order of removal" or if the order of removal was on specified grounds. *Id.* § 1231(a)(6).

35. But even where initial detention past the 90-day removal period is authorized, if "removal is not reasonably foreseeable, the court should hold continued detention unreasonable and no longer authorized by [§ 1231(a)(6)]. In that case, of course, the [noncitizen's] release may and should be conditioned on any of the various forms of supervised release that are appropriate in the circumstances . . . ." *Zadvydas*, 533 U.S. at 699–700.

36. The INA's implementing regulations govern revocation of release of noncitizens subject to a final order of removal. *See* 8 C.F.R. § 241.4 and § 241.13.

37. 8 C.F.R. § 241.4(l) and § 241.13(i) set forth the procedural requirements for revocation of release for noncitizens subject to a final order of removal. If ICE is seeking to remove the noncitizen, the government must demonstrate that "on account of changed circumstances, the

Service determines that there is a significant likelihood that the [noncitizen] be removed in the foreseeable future." *Id*. at § 241.13(i)(2). ICE may also revoke a noncitizen's Order of Supervision if it determines "[t]he purposes of release have been served," the noncitizen "violates any condition of release," "it is appropriate to enforce a removal order," or other conditions "indicate[] that release would no longer be appropriate." *Id*. § 241.4(l)(2)(i)–(iv).

38. The regulations only permit certain officials to revoke an Order of Supervision: the ICE Executive Associate Director, a field office director, or an official "delegated the function or authority . . . for a particular geographic district, region, or area." *Ceesay v. Kurzdorfer*, 781 F. Supp. 3d 137, 161 (W.D.N.Y. 2025) (citing 8 C.F.R. §§ 1.2, 241.4(l)(2) and explaining that the Homeland Security Act of 2002 renamed the position titles listed in § 241.4); *see also Gamez v. Francis*, 25 Civ. 7429, --- F. Supp. 3d. ---, 2025 WL 3263896, at *18–20 (S.D.N.Y. Nov. 24, 2025) (holding that revocation of an Order of Supervision was void because it was signed by the acting assistant field office director); *E.M.M. v. Almodovar*, 25-cv-08212, 2025 WL 3077995, at *6 (S.D.N.Y. Nov. 4, 2025) (holding that an Order of Supervision revocation under § 241.4(l)(2) was invalid where an assistant field office director, not the Executive Associate Commissioner or district director, revoked the petitioner's release).

39. If the field office director or a delegated official intends to revoke an Order of Supervision, they must first make findings that "revocation is in the public interest and circumstances do not reasonably permit referral of the case to the Executive Associate [Director]." 8 C.F.R. § 241.4(l)(2). And for a delegated official to have authority to revoke an Order of Supervision, the delegation order must explicitly say so. *See Ceesay*, 781 F. Supp. 3d at 161 (finding a delegation order that "refers only to a limited set of powers under part 241 that do not

include the power to revoke release" insufficient to grant authority to revoke an Order of Supervision).

40. Upon revocation of an Order of Supervision under 8 C.F.R. § 241.13(i)(3) or § 241.4(l), ICE must give a noncitizen notice of the reasons for the revocation and a prompt interview to respond. 8 C.F.R. § 241.4(l)(1). Where ICE fails to comply with those requirements, the individual must be released from re-detention. *See McSweeney v. Warden of the Otay Mesa Det. Facility*, 3:25-cv-02488-RBM-DEB, 2025 WL 2998376, at *5–8 (S.D. Cal. Oct. 24, 2025) (finding that "ICE's failure to comply with both 8 C.F.R. § 241.4 and § 241.13 violated Petitioner's due process rights" and ordering immediate release); *M.S.L. v. Bostock*, 6:25-cv-01204-AA, 2025 WL 2430267, at *10–12 (D. Or. Aug. 21, 2025) (ordering release after finding that ICE failed to follow its own regulations by detaining petitioner without providing timely notification of revocation of Order of Supervision, failing to provide a notification signed by an authorized official, and failing to provide petitioner with a "prompt" informal interview to contest revocation).

III. 8 C.F.R. § 241.4 and 8 C.F.R. § 241.13 Provide Noncitizens with Fundamental Due Process Protections.

41. "The procedures set forth in both 8 C.F.R. § 241.4 and 8 C.F.R. § 241.13 [the regulations governing when, how, and under what circumstances Orders of Supervision can be revoked] are intended to provide noncitizens with fundamental due process protections that courts have found to be constitutionally required." *Hall v. Nessinger*, No. 25-cv-667-JJM-PAS, 2026 WL 18583, at *4 (D.R.I. Jan. 2, 2026) (citing *Jimenez v. Cronen*, 317 F. Supp. 3d 626, 655 (D. Mass. 2018).

42. Once ICE releases an individual who it is unable to remove following a final order, subsequent re-detention is presumptively unreasonable and unconstitutional if the petitioner's final order of removal was issued more than six months earlier. *See Tadros v. Noem*, 25-cv-4108 (EP),

2025 WL 1678501, at *3 (D.N.J. June 13, 2025) (finding that reasonableness period lapsed six months after petitioner's final order of removal was issued in April 2009).

43. After that period, ICE bears the burden of showing that removal is reasonably likely to occur in the foreseeable future, or else must release the individual. *See id*. (where re-detention after 15 years shifted the burden to the federal government to show that removal was likely to occur in the reasonably foreseeable future); *Pan v. Oddo*, No. 3:25-CV-00265, 2025 WL 3960013, at *2 (W.D. Pa. Dec. 1, 2025), *report and recommendation adopted*, No. 3:25-CV-265, 2025 WL 3701296 (W.D. Pa. Dec. 21, 2025) "The regulation clearly indicates, upon revocation of supervised release, it is the Government's burden to show a significant likelihood that the noncitizen may be removed."); *Munoz-Saucedo v. Pittman*, 789 F. Supp. 3d 387, 399–400 (D.N.J. June 24, 2025) (finding removal was not reasonably foreseeable where the petitioner could not "be removed to his country of origin," ICE has had little success removing similar individuals, ICE made six requests to other countries to no avail, and ordering release); *Nguyen v. Hyde*, No. 25-cv-11470-MJJ, --- F.Supp.3d ---, 2025 WL 1725791, at *3 n.2 (D. Mass. June 20, 2025) (confirming ICE bears the burden to show removal is reasonably foreseeable).

44. "[I]mposing the burden of proof on the [noncitizen] each time he is re-detained would lead to an unjust result and serious due process implications." *Escalante v. Noem*, No. 9:25-cv-00182-MJT, 2025 WL 2206113, at *3 (E.D. Tex. Aug. 2, 2025).

45. A non-citizen may not be re-detained where the government "has not identified any third country willing to accept [a noncitizen]" nor "made any meaningful progress toward requesting or securing his travel documents," as that "falls well short of demonstrating changed circumstances or a significant likelihood of removal in the reasonably foreseeable future." *Phongsavanh v. Williams*, No. 4:25-cv-00426-SMR-SBJ, --- F. Supp. 3d. ---, 2025 WL 3124032,

at *5 (S.D. Iowa Nov. 7, 2025) (granting habeas petition); *see also Nadarajah v. Gonzales*, 443 F.3d 1069, 1081–82 (9th Cir. 2006) (where due to CAT relief "the government [was] not entitled to remove [petitioner] to [country of origin], and no other country [had] been identified to which [petitioner] might be removed," forming a "powerful indication of the improbability of his foreseeable removal").

IV. The *Accardi* Doctrine Requires Agencies to Follow 8 C.F.R. § 241.4(l) and § 241.13(i).

46. Under the *Accardi* doctrine, a foundational principle of administrative law, agencies must follow their own procedures, rules, and instructions. See *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954) (setting aside an order of deportation where the Board of Immigration Appeals failed to follow procedures governing deportation proceedings).

47. "[W]hen an agency promulgates a regulation protecting fundamental statutory or constitutional rights of parties appearing before it, the agency must comply with that regulation. Failure to comply will merit invalidation of the challenged agency action without regard to whether the alleged violation has substantially prejudiced the complaining party." *Leslie v. Attorney General*, 611 F.3d 171, 180 (3d Cir. 2010) (invalidating a removal order where immigration judge failed to comply with regulation requiring advisal of right to counsel); *compare id.* at 178 ("a violation of a regulation that does not protect fundamental constitutional or statutory rights is reversible error only with a showing of prejudice").

48. The regulations governing when, how, and under what circumstances an Order of Supervision may be revoked protect the fundamental right to liberty. *Morrissey v. Brewer,* 408 U.S. 471, 482-83 (1972) (recognizing that an individual on parole, a form of supervised release analogous to an Order of Supervision, has a liberty interest under the Due Process Clause); *see also Gagnon v. Scarpelli,* 411 U.S. 778, 782 (1972) (extending *Morrisey* to probation revocation);

Hoang v. Santa Cruz, No. EDCV 25-2766 JGB (JCX), 2025 WL3141857, at *3 (C.D. Ca. Oct. 28, 2025) (noting that the liberty interest protecting parolees from revocation without a hearing in *Morrisey* "applies with equal force to noncitizens under orders of supervision.")

49. The remedy for an *Accardi* violation is to set aside the agency action and enjoin the agency to follow its own rules. *Accardi*, 347 U.S. at 268 ("If petitioner can prove the allegation [that agency failed to follow its own rules in a hearing] he should receive a new hearing").

50. ICE's failure to follow its regulations governing revocation of an Order of Supervision is an *Accardi* violation. *See Hoac v. Becerra*, No. 25-cv-1740-DC-JDP, 2025 WL 1993771, at *4 (E.D. Cal. July 16, 2025) (citing *Accardi*, 347 U.S. at 268) (finding a likelihood of success where petitioner was not provided an information interview); *Truong v. Noem*, No. 25-cv-2597-JES-MMP, 2025 WL 2988357, at *6 (S.D. Cal. Oct. 22, 2025) (collecting cases ordering release where ICE failed to follow regulations); *K.E.O. v. Woosley,* 4:25-cv-74-RGJ, 2025 WL 2553394, at *3 (W.D. Ky. Sept. 4, 2025) ("Based upon the record provided, no reasons were provided by ICE and no informal interview promptly occurred. . . . ICE's failure to follow their own regulations violate the *Accardi* doctrine and K.E.O.'s procedural due process rights."); *Santamaria Orellana v. Baker,* No. CV 25-1788-TDC, 2025 WL 2444087, *8 (D. Md. Aug. 25, 2025) (finding an *Accardi* violation where ICE failed to: have the authorized official make the revocation, provide petitioner with an informal interview, and provide petitioner with notification of the reasons for his re-detention).

V. The APA Sets Minimum Standards for Final Agency Action.

51. The APA authorizes judicial review of final agency action. 5 U.S.C. § 704.

52. Final agency actions are those (1) that "mark the consummation of the agency's decisionmaking process" and (2) "by which rights or obligations have been determined, or from

which legal consequences will flow." *Bennett v. Spear*, 520 U.S. 154, 178 (1997) (citation modified).

53. Under the APA, a court shall "hold unlawful . . . [final] agency action . . . found to be arbitrary [or] capricious." 5 U.S.C. § 706(2)(A). And an agency action or decision that "runs counter to the evidence before the agency" is arbitrary and capricious. *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins.*, 463 U.S. 29, 43 (1983).

54. ICE's revocation of an Order of Supervision is a final agency action subject to this Court's review. It is also an action by which rights or obligations are determined or from which legal consequences flow when ICE detains individuals in violation of their rights under the Constitution, statute, and regulation.

VI. Noncitizens Are Entitled to Notice and a Hearing Before an Attempt to Remove Them to a Third Country.

55. The government must provide notice and a hearing before a neutral arbiter to contest removal to a person it seeks to deport to a third country. *Khouzam v. Att'y Gen.*, 549 F.3d 235, 259 (3d Cir. 2008).

56. Meaningful notice and a full and fair hearing prior to third country removal are fundamental due process protections under the Fifth Amendment. *Id.* at 257 ("[W]e have recognized this right to due process not only where, as here, mandatory statutory relief from removal was at issue, *see, e.g., Singh*, 432 F.3d at 536 (withholding of removal under INA § 241(b)(3) and protection under CAT); *Chong*, 264 F.3d at 381 (withholding of removal under INA § 241(b)(3)), but also where the alien was seeking discretionary statutory relief, *Abdulrahaman*, 330 F.3d at 591, 596 (asylum). . . ."). This due process protection applies even where the potential receiving country had made diplomatic assurances to the United States that it would not subject the individual to torture. *Id.*

57. A hearing is necessary for third country removals if the potential receiving country was not designated as a country of removal in the underlying removal proceedings. *See* 28 C.F.R. § 200.1 (CAT Regulations); *Dep't of Homeland Sec. v. D.V.D.*, --- U.S. ---, 145 S. Ct. 2153, 2154 (2025) (Sotomayor, J., dissenting) (describing the provisions of the Convention Against Torture and its limits on third country removals); *see also Tadros*, 2025 WL 1678501, at *2 ("Before such removal can take place, the government must provide the individual with notice and an opportunity to apply for protection as to that other country as well.").

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF
Re-Detention of Petitioner Violates the INA and Implementing Regulations
8 C.F.R. § 241.13 and § 241.4

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

59. First, the regulations at 8 C.F.R. § 241.13 and § 241.4 set out the conditions governing under what circumstances, and how an Order of Supervision may be revoked.

60. Respondents' decision to revoke Mr. Rondon Reyes's supervised release and re-detain him without a determination that Mr. Rondon Reyes "committed" a crime as required on the Order of Supervision or a determination by a qualified official that his release should be revoked violates 8 C.F.R. § 241.4.

61. Respondents' decision to revoke Mr. Rondon Reyes's supervised release and re-detain him without a determination that there is a significant likelihood of removal in the reasonably foreseeable future violates 8 C.F.R. § 241.13; *Pan*, 2025 WL 3960013, at *2, *report and recommendation adopted*, 2025 WL 3701296 (Section 241.13(i)(2) "clearly indicates, upon

revocation of supervised release, it is the Government's burden to show a significant likelihood that the noncitizen may be removed.").

62. Because Respondents violated the regulations which protect Mr. Rondon Reyes's fundamental right to liberty, this Court should order Mr. Rondon Reyes's immediate release subject to the conditions of his preexisting Order of Supervision.

SECOND CLAIM FOR RELIEF
Re-Detention of Petitioner in Violation of the Due Process Clause of the Fifth Amendment of the United States Constitution

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

64. First, the regulations at 8 C.F.R. § 241.13 and § 241.4 implement the minimum constitutional due process protections so violation of the regulations is a *per se* violation of the Constitution. Because the regulations were violated here, Mr. Rondon Reyes is entitled to relief.

65. Second, the Constitution requires that Mr. Rondon Reyes be given a pre-deprivation hearing prior to his re-detention. When ICE issued Mr. Rondon Reyes his Order of Supervision, it found that he is not a danger to the community and that his removal was not significantly likely in the reasonably foreseeable future. Now, more than two years later, ICE has revoked Mr. Rondon Reyes' Order of Supervision arbitrarily. Mr. Rondon Reyes has not been convicted with any new criminal offenses.

66. The Supreme Court has "separately recognized that an individual on parole, which is analogous to an order of supervision, has a liberty interest under the Fourteenth Amendment's Due Process Clause requiring 'some informal procedural guarantees.' " *Tabatabaee v. Noem*, 2025 WL 3303970, at *3 (C.D. Ca. Nov. 25, 2025) (citing *Morrissey v. Brewer*, 408 U.S. 471, 482-83 (1972); *see also Gagnon v. Scarpelli*, 411 U.S. 778, 782 (1973) (extending *Morrisey* to probation

revocation); *Young v. Harper*, 520 U.S. 143, 145 (1997) (extending *Morrisey* to Oklahoma's preparole program because it is also "a kind of parole"). Accordingly, Mr. Rondon Reyes' re-detention violates the Due Process Clause of the Fifth Amendment of the United States and Mr. Rondon Reyes should be released.

67. Third, the government bears the burden to show that Mr. Rondon Reyes' removal to a third country is reasonably foreseeable right now.

68. Because the government has not met these burdens, Mr. Rondon Reyes is entitled to immediate release.

THIRD CLAIM FOR RELIEF
Violation of the *Accardi* Doctrine

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

70. Respondents violated the *Accardi* doctrine in failing to follow their regulations, 8 C.F.R. § 241.13 and § 241.4 requiring compliance with the process and constitutionally adequate reasons for revoking an Order of Supervision when they revoked Mr. Rondon Reyes' Order of Supervision.

71. ICE's failure to follow its rules is prejudicial to Mr. Rondon Reyes because the policies implicate his fundamental liberty interest and due process rights. *See Leslie*, 611 F.3d at 182; *see also Delgado-Corea v. INS*, 804 F.2d 261, 263 (4th Cir. 1986) (holding that "violation of a regulation can serve to invalidate a deportation order when the regulation serves a purpose to benefit the [noncitizen]" and the violation affected "interests of the [noncitizen] which were protected by the regulation" (internal quotations and citation omitted)). If ICE were to follow its rules and regulations—requiring that only certain agents revoke Mr. Rondon Reyes' Order of Supervision for specific reasons, provided in writing, with an opportunity to respond—it would be

required to immediately release Mr. Rondon Reyes because he has not yet been convicted of committing a crime and therefore has not violated the conditions of his release.

72. Under the *Accardi* doctrine, Mr. Rondon Reyes has a right to set aside ICE's decision to revoke his Order of Supervision and to enjoin ICE from defying their own regulations.

73. Where the revoking officer did not have the authority to revoke release, Petitioner "is entitled to release on that basis alone." *Ceesay v. Kurzdorfer*, 781 F. Supp. 3d 137, 162 (citing *Rombot v. Moniz*, 296 F. Supp. 3d 386, 386–89); *see also, e.g.*, *Zhu v. Genalo*, 2025 WL 2452352 (S.D.N.Y. Aug. 26, 2025); *M.S.L. v. Bostock*, 2025 WL 2430267 (D. Or. Aug. 21, 2025) (releasing habeas petitioner where revocation of an ICE Order of Supervision was ordered by someone without regulatory authority to do so).

FOURTH CLAIM FOR RELIEF
Violation of the Administrative Procedure Act, 5 U.S.C. § 706(2)(A)
Arbitrary and Capricious

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

75. Under the APA, a court shall "hold unlawful . . . [final] agency action . . . found to be arbitrary [or] capricious." 5 U.S.C. § 706(2)(A). And an agency action or decision that "runs counter to the evidence before the agency" is arbitrary and capricious. *Motor Vehicle Mfrs. Ass'n*, 463 U.S. at 43.

76. ICE's revocation of Mr. Rondon Reyes' Order of Supervision is arbitrary and capricious under the APA because it ran counter to the evidence before the agency that he would comply with a demand to appear for removal to a third country without detention.

77. No facts or changed circumstances show that Mr. Rondon Reyes violated a condition of his Order of Supervision. Mr. Rondon Reyes has pending criminal charges for which

he enrolled in the Alternative Rehabilitation Disposition (ARD) Program, which does not constitute a conviction. In fact, after completing ARD, an individual's criminal charges are dismissed. Mr. Rondon Reyes was arrested while on his way to his criminal court hearing, where a determination of whether he committed a crime would be adjudicated by a criminal court judge. Since his release, he has complied with all requirements of release including attending several ICE check ins. His record demonstrates that he has complied with ICE's requirements for supervision and a determination about whether he violated the conditions of his release cannot be made until his criminal case is resolved.

78. Mr. Rondon Reyes' re-arrest and revocation of his Order of Supervision also "failed to consider important aspects of the problem" before Respondents, making it arbitrary and capricious for multiple other reasons. *Dep't of Homeland Sec. v. Regents of the Univ. of California*, 140 S. Ct. 1891, 1910 (2020).

79. First, Respondents failed to consider the serious constitutional concerns raised by revoking Mr. Rondon Reyes' Order of Supervision without notice and opportunity to respond.

80. Second, Respondents failed to consider the increased administrative burden to the agency caused by revoking Mr. Rondon Reyes's Order of Supervision, when he is neither a flight risk nor a danger to the community and for whom the agency does not have travel documents needed to effectuate removal, including financial and administrative costs incurred by the agency due to unnecessary detention.

81. Third, Respondents failed to consider reasonable alternatives to revoking Mr. Rondon Reyes' Order of Supervision that were before the agency, like simply continuing release under the Order of Supervision and scheduling a future time and date to appear for removal if Respondents obtained travel documents. This alternative would vindicate the government's

interests in effectuating a removal order and save it the expense of detention not needed to guarantee Petitioner's appearance.

82. For the foregoing reasons, Respondents' revocation of Mr. Rondon Reyes' Order of Supervision was arbitrary and capricious and should be held unlawful and set aside.

FIFTH CLAIM FOR RELIEF
***Khouzam* Violation**
Failure to Provide Meaningful Notice and Hearing to Present Third Country Removal Fear-Based Claim and Failure to Show that Removal to a Third Country is Reasonably Foreseeable

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

84. First, Mr. Rondon Reyes has a due process right to meaningful notice and a full and fair hearing to present a fear-based claim a neutral adjudicator before DHS deports him to a third country. *Khouzam,* 549 F.3d at 259. Mr. Rondon Reyes also has a due process right to implementation of a process or procedure to afford these protections. *Id.*

85. By failing to implement a process or procedure to afford Mr. Rondon Reyes meaningful notice and a full and fair hearing to present a fear-based claim to a neutral adjudicator before DHS deports him to a third country, Respondents violated Mr. Rondon Reyes' substantive and procedural due process rights.

86. Accordingly, the Court should declare that Respondents have violated Mr. Rondon Reyes' constitutional right to due process and that the Due Process Clause affords Mr. Rondon Reyes the right to meaningful notice and a full and fair hearing to present a fear-based claim to a neutral adjudicator before DHS deports him to a third country.

87. The Court should enjoin Respondents from failing to provide Mr. Rondon Reyes with meaningful notice and a full and fair hearing to present a claim for protection to a neutral adjudicator before DHS deports him to a third country.

88. Second, in the event that Respondents do identify a third country to which to remove Mr. Rondon Reyes in the foreseeable future, Respondents have failed to provide him with meaningful notice and a constitutionally adequate hearing at which to present a fear-based claim prior to deportation to a third country. *Khouzam*, 549 F.3d at 257; *see also Tadros*, 2025 WL 1678501, at *2 ("Before such removal can take place, the government must provide the individual with notice and an opportunity to apply for protection as to that other country as well.").

89. Respondents' actions are not in accordance with law, fall short of regulations, and violate the INA. *See* 8 C.F.R. § 1240.10(f) (stating that "immigration judge shall notify the [noncitizen]" of proposed countries of removal); 8 C.F.R. § 1240.11(c)(1)(i) ("If the [noncitizen] expresses fear of persecution or harm upon return to any of the countries to which the [noncitizen] might be removed pursuant to § 1240.10(f) . . . the immigration judge shall . . . [a]dvise [the noncitizen] that he or she may apply for asylum in the United States or withholding of removal to those countries[.]").

90. Even where ICE designates the country of removal, "the governing statute[s] place the burden on the government—regardless of whether the country of deportation is designated during or after the removal hearing—to provide a meaningful opportunity to be heard on asylum and withholding claims." *Aden v. Nielsen*, 409 F. Supp. 3d 998, 1010 (W.D. Wash. 2019) (citation modified). "Failing to notify individuals who are subject to deportation that they have the right to apply . . . for withholding of deportation to the country to which they will be deported violates [] INS regulations . . . ." *Andriasian v. INS*, 180 F.3d 1033, 1041 (9th Cir. 1999) (citing *Kossov v. INS*, 132 F.3d 405, 408–09 (7^{th} Cir. 1998).

91. Accordingly, the Court should enjoin Respondents from deporting Mr. Rondon Reyes to a third country without constitutionally adequate advance notice and a constitutionally adequate hearing at which he can present any fear-based claims to a neutral adjudicator.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully asks this Court to take jurisdiction over this actual controversy and:

a. Assume jurisdiction over this matter;

b. Issue an order administratively staying Respondents from transferring Petitioner outside of this Court's geographic jurisdiction pending the Court's adjudication of the petition;[3]

---

[3] Petitioner requests a stay of his transfer to ensure that should this Court grant him relief, he may quickly and reasonably access such relief. *See, e.g.*, Order, ECF No. 4, *Zavala Ulloa v. Jamison*, 2:26-cv-00813-KSM (E.D.P.A. Feb. 9, 2026) (enjoining Respondents "from taking any action that would result in the removal of Petitioner from the Eastern District of Pennsylvania"); Order, ECF No. 3, *Lantiguez Alvarado v. Bondi*, No. 26-cv-768 (S.D.N.Y. Jan. 29, 2026) (administratively staying the noncitizen from transfer out of the Southern and Eastern Districts of New York, or the District of New Jersey).

At a recent show cause hearing, Judge Jerry W. Blackwell of the U.S. District Court for the District of Minnesota outlined the collateral difficulties of acquiring adequate government compliance if the government transfers a noncitizen outside of the habeas court's jurisdiction. He explained that it takes "repeat, after repeat, after follow-up, after follow-up with the Government" to receive information and procure a noncitizen's return. Tr. of Show Cause Hr'g, ECF No. 19, *Segundo A.P.G. et al. v. Bondi*, No. 26-cv-603 (D. Minn. Feb. 3, 2026), at 11. And he traced the difficulty in prescribing adequate remedies, describing:

> For example, if we say, release the person immediately, then we learn that, having transported [the noncitizen] to El Paso or New Mexico, [the government] do[esn't] bring him back. We learn that somebody is put out on the street with just the clothes on their backs and have to figure out how to get back here when they should not have been arrested here in the first place, let alone flown halfway across the continent of North America. And have to – so now we have to address that. We have to say, bring them back.

c. Declare that Mr. Rondon Reyes' detention violates the Due Process Clause of the Fifth Amendment, the INA and implementing regulations, the APA, and the *Accardi* doctrine;

d. Order Respondents to immediately release Mr. Rondon Reyes from federal custody;

e. Enjoin Respondents from detaining or re-detaining Mr. Rondon Reyes for the purpose of removal to any third country unless and until Respondents provide Mr. Rondon Reyes with constitutionally adequate written notice and a statutorily, regulatory and constitutionally sufficient opportunity to present a claim of persecution or torture related to that specific country;

f. Award costs and reasonable attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412; and

g. Order all other relief that the Court deems just and proper.

Dated: March 2, 2026 Respectfully submitted,

/s/Mikaela Wolf-Sorokin

> And then we say, all right, so you brought them back. We can't have them released when it's minus 14 outside. And so now we have to address that. Don't release them in the circumstances that might endanger their health or safety.
>
> And so once that's addressed, then we learn they've been released, but now conditions have been imposed. That somebody who should not have been arrested in the first place is now being told, you're going to be released if you wear an ankle monitor, which the Court didn't order because the person was unlawfully detained in the first place. Then we have to go back and address that now.

Id. at 33–34.

[1] *See, e.g.,* Order, ECF 20, *Abreu v. Baker et al.*, Civil No. 25-3088-BAH (D. Md) (Dec. 18, 2025) (ordering return of petitioner's personal property confiscated at the time of her detention); *Ortiz Martinez v. Wamsley*, No. 2:25-CV-01822-TMC, 2025 WL 2899116, at *5 (W.D. Wash. Oct. 10, 2025) (same).

Mikaela Wolf-Sorokin (Bar # 335725)
Lilah Thompson (Bar # 324718)
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Philadelphia, PA 19102
mlwolfsorokin@philadefender.org

Attorneys for Petitioner

28 U.S.C. § 2242 VERIFICATION STATEMENT

I am submitting this verification on behalf of the Petitioner because I am one of the Petitioner's attorneys. I have discussed with the Petitioner the events described in this Petition. On the basis of those discussions, I hereby verify that the statements made in this Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: March 2, 2026

Respectfully Submitted,

/s/ Mikaela Wolf-Sorokin
Mikaela Wolf-Sorokin, Esq.
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1441 Sansom Street
Philadelphia, PA 19102
267-765-6789
MLWolfSorokin@philadefender.org
Pro Bono Counsel for Petitioner

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the CM/ECF system. I will furthermore send a courtesy copy via email to the office of the United States Attorney for the Eastern District of Pennsylvania.

Dated: March 2, 2026 Respectfully Submitted,

/s/ Mikaela Wolf-Sorokin
Mikaela Wolf-Sorokin, Esq.
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Pro Bono Counsel for Petitioner

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS
Alerxi Rondon Reyes

DEFENDANTS
J.L. Jamison et al

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
Mikaela Wolf-Sorokin, Defender Ass'n of Philadelphia, 1441 Sansom St, Philadelphia, PA 19102, 267-765-6789

Attorneys *(If Known)*
United States Attorney's Office, EDPA

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)* *(For Diversity Cases Only)*

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)* Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☒ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
8 U.S.C. section 2241

Brief description of cause:
Violation of the 5th Amendment Due Process Clause, INA, APA, and Accardi Doctrine

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.
DEMAND $
CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY *(See instructions):*
JUDGE ____________ DOCKET NUMBER ____________

DATE
03/02/2026

SIGNATURE OF ATTORNEY OF RECORD
/s/ Mikaela Wolf-Sorokin

FOR OFFICE USE ONLY

RECEIPT # ______ AMOUNT ______ APPLYING IFP ______ JUDGE ______ MAG. JUDGE ______

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

V. **Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. **Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Philadelphia, PA

RELATED CASE IF ANY: Case Number:__________ Judge:__________

1. Does this case involve property included in an earlier numbered suit? Yes ☐
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes ☐
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes ☐
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes ☐
5. Is this case related to an earlier numbered suit even though none of the above categories apply? If yes, attach an explanation. Yes ☐

I certify that, to the best of my knowledge and belief, the within case ☐ **is** / ☐ **is not** related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts)
☐ 2. FELA
☐ 3. Jones Act-Personal Injury
☐ 4. Antitrust
☐ 5. Wage and Hour Class Action/Collective Action
☐ 6. Patent
☐ 7. Copyright/Trademark
☐ 8. Employment
☐ 9. Labor-Management Relations
☐ 10. Civil Rights
☒ 11. Habeas Corpus
☐ 12. Securities Cases
☐ 13. Social Security Review Cases
☐ 14. Qui Tam Cases
☐ 15. Cases Seeking Systemic Relief ***see certification below***
☐ 16. All Other Federal Question Cases. *(Please specify)*:__________

B. Diversity Jurisdiction Cases:

☐ 1. Insurance Contract and Other Contracts
☐ 2. Airplane Personal Injury
☐ 3. Assault, Defamation
☐ 4. Marine Personal Injury
☐ 5. Motor Vehicle Personal Injury
☐ 6. Other Personal Injury (*Please specify*):__________
☐ 7. Products Liability
☐ 8. All Other Diversity Cases: *(Please specify)*__________

I certify that, to the best of my knowledge and belief, that the remedy sought in this case ☐ **does** / ☐ **does not** have implications beyond the parties before the court and ☐ **does** / ☐ **does not** seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

☒ Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of $150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

☐ None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.

Ex. 1

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

NOTICE OF REVOCATION OF RELEASE

Alien Name: RONDON-REYES, Alerxi

A- File #: [redacted]

Your release on the order of supervision (OSUP) issued to you on or about September 20, 2023 (Date OSUP Issued (MM/DD/YYYY)) is hereby revoked. You will remain detained in U.S. Immigration and Customs Enforcement (ICE) custody at this time.

☒ Your release has been revoked pursuant to 8 C.F.R. § 241.4(l), for the following reason(s):

- ☐ The purposes of release have been served.
- ☒ You violated a condition of your release. Specifically, you:
  (Information about how condition of release violated)
  You were arrested for Driving Under the Influence of Alcohol, Simple Assault, Reckless Endangerment of Another Person, False ID to Law Enforcement and 3 counts
- ☒ It is appropriate to enforce the removal order entered against you as ICE has the ability and means to effectuate your removal.
  - ☐ ICE has obtained a travel document and scheduled your removal to take place no later than: ______ Date (MM/DD/YYYY)
  - ☐ ICE is seeking a travel document to effect your expeditious removal to ______ Country of Removal
  - ☒ On October 14, 1994 (Date (MM/DD/YYYY)), you were ordered removed to the Dominican Republic (Country), but you were granted withholding of removal to the Dominican Republic (Country). Your case is under review for removal to an alternate country.
- ☐ Your conduct, or other circumstance, indicates that release is no longer appropriate. Specifically, you:
  (Information about why release no longer appropriate)

OR

☐ Your release has been revoked pursuant to 8 C.F.R. § 241.13(i), for the following reason(s):

- ☐ You violated a condition of your release. Specifically, you:
  (Information about how condition of release violated)
- ☐ Circumstances have changed such that there is a significant likelihood of removal in the reasonably foreseeable future.
  - ☐ ICE has obtained a travel document and scheduled your removal to take place no later than: ______ Date (MM/DD/YYYY)

ICE Form 71-091 (1/26)

☐ ICE is seeking a travel document to effect your expeditious removal to ______________________
Country of Removal

☐ On ______________ , you were ordered removed to ______________________ , but you
Date (MM/DD/YYYY) Country
were granted withholding of removal to ______________________ . Your case is under review
Country
for removal to an alternate country.

Notice of Informal Interview

On March 2, 2026 , you will be afforded an informal interview at which you will be given an opportunity to
Date (MM/DD/YYYY)
respond to the reasons for this revocation. You may submit any evidence or information you wish to be reviewed in support of your release.

Penalties for Failure to Comply with Order of Removal

You are advised that you must demonstrate that you are making reasonable efforts to comply with the order of removal and that you are cooperating with ICE's efforts to remove you by taking whatever actions ICE requests to affect your removal. You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 U.S.C. § 1253(a) and civil penalties under 8 U.S.C. § 1324d.

[signature] 02/27/2026
Signature of Authorized Official Date (MM/DD/YYYY)

John E. Rife
Name of Authorized Official

Acting Field Office Director
Title of Authorized Official

(Note: 8 C.F.R. § 241.4 revocation must be EAD or FOD where there is a public interest to do so and referral to EAD not reasonable; 241.13 may be by RMD)

PROOF OF SERVICE

(1) Personal Service

(a) I Attanasio. M , D.O. ,
Name of ICE Officer Title

certify that I served Rondon Reyes, Alerxi with a copy of this document at
Name of detainee

PHI / ERO on 02/27/26 , at 1611 .
Institution Date (MM/DD/YYYY) Time

Refose to Sign
Detainee Signature Date (MM/DD/YYYY)

☐ cc: Attorney of Record or Designated Representative
☐ cc: A-File

Ex. 2

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

ORDER OF SUPERVISION (ADDENDUM)

Name: [redacted]

File No.: [redacted]
Date:

- ☒ That you do not associate with know gang members, criminal associates, or be associated with any such activity.
- ☐ That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 The proof must include the name, address, duration, and objectives of the program as well as the name of a couns
- ☐ That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of sucl 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives program as well as the name of a counselor.
- ☐ That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- ☒ That you do not commit any crimes while on this Order of Supervision.
- ☐ That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- ☐ That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescri medication.
- ☒ That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a trave document.
- ☒ That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- ☒ Any violation of the above conditions will result in revocation of your employment authorization document.
- ☒ Any violation of these conditions may result in you being taken into Service custody and you being criminally prosec
- ☐ Other:

Ex. 3

Official Website of the Department of Homeland Security

Report

Main Menu

Search Results: 1

ALERXI RONDON-REYES

Country of Birth : Dominican Republic
A-Number: [redacted]
Status : In ICE Custody
State: PA
Current Detention Facility: Philadelphia Federal Detention Center

** Click on the Detention Facility name to obtain facility contact information*

BACK TO SEARCH >

Related Information

Helpful Info

Status of a Case

About the Detainee Locator

Brochure

ICE ERO Field Offices

ICE Detention Facilities

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Bureau of Prisons Inmate Locator