IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JORGE MATA MERCADO, Petitioner, v. J.L. JAMISON, in his official capacity as Warden of the Federal Detention Center, Philadelphia; JOHN RIFE, in his official capacity as Acting Philadelphia Field Office Director, United States Immigration and Customs Enforcement; TODD LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security; THE DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI, Attorney General of the United States Respondents.	Case No. 26-CV-1455 Before the Honorable ____________

PETITION FOR WRIT OF HABEAS CORPUS

Jorge Mata Mercado, a native and citizen of Mexico, respectfully submits this petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. §2241 and 2242 and the Suspension Clause of the United States Constitution, U.S. Const. art. I, §9, cl.2. Ex. A, Petitioner's Passport.

Mr. Mata Mercado last entered the United States in or around 2005 without inspection. Since that time, he has continuously resided in the state of Delaware. Mr. Mercado has been married to his wife since 2005, and the couple have three children, all of whom were born in the United States. Mr. Mata Mercado has no criminal history, except for a single conviction for Driving Under the Influence ("DUI") in 2003 for which he was sentenced to probation. Ex. B., Delaware Court of Common Pleas Criminal Docket. He successfully completed all probationary requirements in 2021, and his driving privileges have since been restored. Ex. C, Documents Confirming Compliance with Probation. Ex. D, License.

On October 18, 2008, Mr. Matas Mercado was the victim of robbery at gun point. He reported the crime to law enforcement and provided information to assist them in their investigation. Ex. E, New Castle County Police Department Initial Crime Report and Victim's Copy.

On March 2, 2026, Mr. Matas Mercado was stopped by Immigration and Customs Enforcement ("ICE") officers without cause while driving on Route 1. ICE officers informed him that it was simply "bad luck." Without prior notice or explanation, officers took Mr. Mata Mercado into custody, leaving his vehicle running on the roadside, and transported him to the Federal Detention Center ("FDC") in Philadelphia, Pennsylvania, where he remains detained. Ex. F, Federal Bureau of Prisons Inmate Locator.

Upon information and belief ICE subsequently served Mr. Mata Mercado with a Notice to Appear, placing him in removal proceedings in Philadelphia Immigration Court. The Notice to Appear filed against Mr. Mata Mercado in Philadelphia Immigration Court, however, incorrectly identifies another individual – not Mr. Mata Mercado. Ex. G, Notice to Appear. The Department of Homeland Security ("DHS") also filed a Warrant for Arrest in his removal proceedings, but this document also identifies an individual who is not Mr. Mata Mercado. Ex. H, Warrant for Arrest of Alien.

Mr. Matas Mercado is eligible for Cancellation of Removal under INA §240A(b). He may also be eligible for U nonimmigrant status based on his cooperation with law enforcement after he was the victim in the 2008-armed robbery

Mr. Matas Mercado files this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2241, asserting that his continued detention violates the declaratory relief issued in the nationwide class action Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM (C.D. Cal); The Immigration and Nationality Act ("INA"); the Due Process Clause of the Fifth Amendment; and the Administrative Procedure Act ("APA"), 5 U.S.C §706.

Mr. Matas Mercado will otherwise remain detained indefinitely without an opportunity for individualized custody review by an Immigration Judge This is because the Board of Immigration Appeals decision in Matter of Yajure Hurtado, 29 I&N Dec. 216, (BIA 2025), approved a new Department of Homeland Security ("DHS") Policy interpreting INA § 235(b)(2)(A), 8 USC § 1225(b)(2)(A) to apply to noncitizens who entered the United States without inspection. Under that interpretation, such individuals are subject to mandatory detention and are ineligible for release on bond.

However, in Maldonado Bautista, the United States District Court for the Central District of California certified a nationwide class and held that the Government's policy was unlawful, concluding that "Yajure Hurtado is no longer controlling; the legal conclusion underlying the decision is no longer tenable." Maldonado Bautista v. Santacruz, No. 5:25-cv-1873 SSS BFM, 2025 WL 3713982, at *3(C.D. Cal. Dec. 18, 2025)

Despite that ruling, on January 13, 2026, the Chief Immigration Judge, Teresa L. Riley issued guidance instructing Immigration Judges that, notwithstanding the district court's order and final judgement, they remain bound by Yajure Hurtado. As a result, Immigration Courts and the DHS have continued to deny detainees the bond hearings to which they are legally entitled.

As applied to Mr. Mata Mercado, this policy results in arbitrary detention without individualized assessment, in violation of binding precedent, the Due Process Clause and governing statutes.

Accordingly, habeas relief is necessary.

JURISDICTION

1. This action arises under the Constitution and the laws of the United States, including the Due Process Clause of the Fifth Amendment, the Suspension Clause of the Constitution, Immigration and Nationality Act ("INA"), and the Administrative Procedures Act ("APA").

2. This court has subject matter jurisdiction pursuant to 28 U.S.C. §2241 because Petitioner is in federal custody within this judicial district and challenges the legality of that custody.

3. The Court also has jurisdiction under 28 U.S.C. §1331, as this action presents questions of federal law.

4. This Court may grant relief pursuant to the federal habeas corpus statues, 28 U. S.C. §2241 *et seq*., the Declaratory Judgement Act, 28 U.S.C. §2201 and the All Writs Act, 28 U.S.C §1651.

5. Petitioner seeks relief from unlawful detention, which falls squarely within the core purpose of the writ of habeas corpus. As the Supreme Court explained, "the essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and… the traditional function of the writ is to secure release from illegal custody." Preiser v. Rodriguez, 411 U.S. 475, 484 (1973).

6. Petitioner is currently detained at the Federal Detention Center ("FDC") in

Philadelphia, Pennsylvania, within this Court's jurisdiction. See Trump v. J.G.G. 604 U.S. 670, 671 (2025) ("For 'core habeas petitions,' 'jurisdiction lies in only one district: the district of confinement.")

7. ICE has unilateral authority to transfer Petitioner at any time, which could divest this Court of jurisdiction and frustrate meaningful habeas review. Petitioner, therefore, respectfully requests that this Court issue an Order to Show Cause forthwith directing Respondents to immediately justify the legal and factual basis for Petitioner's detention. 28 U.S.C. §2243. Petitioner further requests interim injunctive relief under the All Writs Act prohibiting Respondents from transferring Petitioner outside the Eastern District of Pennsylvania while this habeas action is pending. See 28 U.S.C. §1651(a). Such relief is necessary to preserve this Court's jurisdiction, prevent irreparable harm and ensure that the writ of habeas corpus remains an effective remedy. See 28 USC §§2241, 1651(a)

8. To the extent Respondents argue, as they have in similar recent detention cases, that 8 U.S.C. §§ 1252(a)(2)(B)(ii), 1252(b)(9), and 1252(g) strip this Court of jurisdiction to adjudicate this habeas petition, those arguments have been repeatedly rejected by district courts within the Third Circuit. See Centeno v. Lowe, No. 3:25-CV-2518 (M.D. Pa. January 13, 2026) (Munly, J)(citing Vadel v. Lowe, No. 3:25-CV-02452 at *3 (M.D. Pa. Dec. 31, 2025) (Mehalchick, J.); Samassa v. Lowe, No. 1 :25-CV-02197 at *1 (M .D. Pa. Dec. 17, 2025) (Brann, C.J.); Quispe v. Rose, No. 3:25-CV-02276 at *3 (M .D. Pa. Dec. 10, 2025) (Mehalchick, J.); Patel v. O'Neil, No. 3:25-CV-2185 at *4, n.7 (M.D. Pa. Dec. 8, 2025) (Mariani, J.); Santana-Rivas v. Warden of Clinton Cnty. Corr. Facility, No. 3:25-CV-01896 at *7 (M.D. Pa. Nov. 13, 2025) (Camoni, M.J.), report and recommendation adopted in part, rejected in part, No. 3:25-CV-01896 (M .D. Pa. Dec. 8, 2025) (Wilson, J.) (adopting jurisdiction section of the R&R).

Courts within this District have likewise rejected Respondents' jurisdiction-stripping arguments in materially identical habeas challenges to immigration detention. See e.g., Khodjaev v. Rose, No. 26-69 at *2 (E.D. Pa. Jan. 9, 2026) (Brody, J.) (citing Demirel v. Fed . Det. Ctr. Philadelphia, No. 25-5488 at *2- 3 (E.D. Pa. Nov. 18, 2025) (Diamond, J.); Cantu-Cortes v. O'Neill, No. 25-CV-6338 at *1 (E.D. Pa. Nov. 13, 2025) (Kenney, J.); Kashranov v. Jamison, No. 2:25-CV05555-JDW at *3-4 (E.D. Pa. Nov. 14, 2025) (Walson, J.)); Hussain v. O'Neill, No. CV 26-35-KSM at *1- 3 (E.D. Pa. Jan. 8, 2026) (Marston, J.) ("While the year has changed , immigration enforcement in this District appears to have stayed the same."); Kobilov, v. O'Neill, No. CV 26-0058 at *3 (E.D. Pa. Jan. 8, 2026) (Rufe, J.); Morocho v. Jamison, No. 5:25-CV-05930-JMG at *2 (E.D. Pa. Nov. 26, 2025) (Gallagher, J); Del Cid v. Bondi, No. 3:25-CV-00304 at *12 (W.D. Pa. Oct. 23, 2025) (Haines, J.)).

VENUE

9. Venue is proper because Petitioner is detained at the Federal Detention Center ("FDC") in Philadelphia, Pennsylvania, which is within this Court's jurisdiction. 28 U.S.C. §2241(d). Venue is also proper in this District because Respondents include officers or employees of the United States acting in their official capacity and agencies of the United States and a substantial part of the event giving rise to the claim occurred in this District. 28 U.S.C. §1391(e)(1).

PARTIES

10. Petitioner, Jorge Mata Mercado, is a native and citizen of Mexico who has resided in the United States since 2005. He has been in immigration detention since March 2, 2026, at

the FDC in Philadelphia, Pennsylvania, under the direct control of Respondents and their agents. Ex. A; Ex. F.

11. Respondent, J.L. Jamison, is the Warden of FDC, Philadelphia. The FDC has contracted with ICE to serve as detention facility for individuals suspected of and/or alleged to be in violation of immigration laws. Respondent Jamison has physical custody of Petitioner and is a legal custodian of Petitioner.

12. Respondent, John Rife, is the Acting Philadelphia Field Office Director for ICE Enforcement and Removal Operations ("ERO"). In this capacity, he is responsible for local custody, detention and transfer decisions of noncitizens, including Petitioner, who are suspected of or alleged to be in violation of immigration laws. As such, he is a legal custodian of Petitioner and has authority to release Petitioner from custody.

13. Respondent Todd Lyons is the Acting Director of ICE. In this capacity he is responsible for national policies regarding the implementation and enforcement of the Immigration and Nationality Act ("INA"). He has authority over Respondent McShane and the Philadelphia ICE ERO office, the agency responsible for ordering Petitioner's continued detention and custody. As such, Respondent Lyons is a legal custodian of Petitioner.

14. Respondent Kristi Noem is the Secretary of the Department of Homeland Security ("DHS") and is responsible for policies to implement and enforce the INA. She has authority over all component agencies of DHS, including ICE – the agency responsible for the continued detention and custody of Petitioner. As such, Respondent Noem is a legal custodian of Petitioner.

15. Respondent Pamela Bondi is the Attorney General of the United States

and the head of the U.S. Department of Justice. In her capacity, she has authority to oversee the Executive Office of Immigration Review ("EOIR"), which includes the immigration courts and Board of Immigration Appeals ("BIA"), and to supervise the interpretation and application of immigration law by the EOIR. Respondent Bondi is a legal custodian of Petitioner

16. Respondent U.S. Immigration Customs Enforcement is the federal agency responsible for carrying out the arrest, detention and custody of noncitizens suspected and/or alleged to be in violation of immigration laws.

17. Respondent U.S. Department of Homeland Security is the federal agency that has authority over the component agencies of DHS, including ICE – the agency responsible for the continued detention and custody of Petitioner.

FACTUAL BACKGROUND

18. Petitioner is a citizen and national of Mexico who last entered the United States without inspection in or around 2005. Since that time, he has resided in the state of Delaware. Ex. A.

19. Petitioner has been married to his wife since 2005 and together they have three children (ages 4, 11, and 20) all of whom are United States citizens. Ex. I, Birth Certificates of Mr. Mata Mercado's children.

20. Petitioner has maintained steady employment in the United States and has been the primary financial provider for his family.

21. Petitioner has no criminal history, except for a single conviction for Driving Under the Influence in 2003, for which he was sentenced to probation. He successfully

completed all probationary requirements in 2021, and his driving privileges have since been restored. Ex. B; Ex. C; Ex. D.

22. In 2008, Petitioner was the victim of a robbery at gunpoint. He reported the crime to law enforcement and provided information to assist authorities in their investigation. Ex. E.

23. On March 2, 2023, Mr. Matas Mercado was stopped by ICE officers while operating his vehicle on Route 1 in Delaware. The stop occurred without cause, and officers informed Petitioner that he was simply "bad luck". ICE officers then took Petitioner into custody without notice or explanation, leaving his vehicle running on the roadside. Petitioner was transported to FDC in Philadelphia, where he remains detained. Ex. F.

LEGAL FRAMEWORK

24. Until recently, it was understood that the Immigration and Nationality Act ("INA"), 8 U.S.C. §§1225 and 1226, divide noncitizens into two categories: those seeking admission to the United States and those already present in the country, and sets forth the rules governing processing and detention for each group. See Maldonado Bautista v. Santacruz, No. 5:25-CV-01873 (C.D. Cal. November 20, 2025) (quoting Jennings v. Rodrigquez, 583 U.S. 281, 289 (2018)).

25. Section 1225(b) governs detention of noncitizens seeking admission to the United States, authorizing the Government to detain such individual during while their admissibility is determined. Jennings, 583 U.S. at 289.

26. Section 1226, by contrast, governs noncitizens already in the United States and authorizes the Government to apprehend and detain such individuals pending the outcome of removal proceedings. INA §236(a), 8 U.S.C. §1226(a); Jennings, 582 U.S. at 288-89. Importantly, noncitizens detained under §1226(a) are eligible for release on bond and are entitled

to a custody redetermination hearing before an Immigration Judge. See 8 C.F.R. §236.1(d)(1); Jennings, 583 U.S. at 306. At such a hearing, a detainee who demonstrates that he is not a "threat to national security, a danger to the community at large, likely to abscond or otherwise a poor bail risk" merits release on bond. Matter of Guerra, 24 I&N Dec. 37, 40 (BIA 2006) (citing Matter of Patel, 15 I&N Dec 666 (BIA1976)).

27. On or about July 8, 2025, however, the U.S. Immigration and Customs Enforcement ("ICE") adopted a new interpretation of the INA and issued interim guidance asserting that individuals who entered the United States without inspection are subject to mandatory detention and ineligible for release on bond, regardless of how long they have lived in the United States. The policy altered longstanding practice by which noncitizens who entered without inspection but were later apprehended within the United States were detained under 8 U.S.C. §1226(a) and therefore eligible to seek release on bond before an immigration judge.

28. On September 5, 2025, the Board of Immigration Appeals issued a precedential decision, approving the Government's new interpretation. In Matter of Yajure Hurtado, 29 I&N Dec 216 (BIA 2025), the BIA held that noncitizens who entered the United States without inspection are governed by 8 U.S.C. §1225(b)(2)(A) rather than §1226(a) and therefore are not eligible for release on bond.

29. Since that decision, numerous federal district courts considering habeas petitions have rejected Yajure Hurtado's reasoning and held that noncitizens who enter the country without inspection but were apprehended within the United States are properly detained under §1226(a) and therefore remain eligible for a bond hearing. See Demirel v. Fed . Det. Ctr. Philadelphia, No. 25-5488 at *2- 3 (E.D. Pa. Nov. 18, 2025) (Diamond, J.) (listing 282 district decisions)

30. In Maldonado Bautista v. Santacruz, the United States District Court for the Central District of California held on November 20, 2025, that the new ICE policy is inconsistent with the plain language of the INA and that affected noncitizens in that case were detained pursuant to §1226(a), not §1225(b)(2)(A). Maldonado Bautista v. Santacruz, No. 5:25-CV-01873, 2025 WL 3289861 (C.D. Cal. November 20, 2025)

31. On November 25, 2025, the court certified a nationwide class and extended its ruling to all class members. See Maldonado Bautista v. Santacruz, No. 5:25-CV-01873, 2025 WL 3288403 at *9 (C.D. Cal. November 25, 2025)

32. The Court certified the following "Bond Eligible Class": all noncitizens in the United States without lawful status who (1) have entered or will enter the united States without inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will not be subject detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231. Id at *9.

33. On December 18, 2025, the court issued an amended order clarifying that the government's policy and practice of applying §1225(b)(2) to class members was unlawful. The Court specifically stated that "Yajure Hurtado is no longer controlling; the legal conclusion underlying the decision is no longer tenable. Matter of Yajure Hurtado No. 5:25-CV-01873, 2025 WL 3713982 at *3, 6-7 (C.D. Cal. December 18, 2025).

34. Despite that ruling – and despite the vast majority of district courts rejecting the Government's interpretation – on January 13, 2026, Chief Immigration Judge Teresea L. Rileyt issued guidance instructing Immigration Judges that they remain bound by Matter of Yajure Hurtado. As a result, Immigration Judges have continued to deny bond hearings to affected detainees, forcing many individuals to seek habeas relief in federal court.

35. In this case, Petitioner was not arriving in the United States at the time of his arrest on March 2, 2026. Rather, he had been living in the United States for over twenty years. The Supreme Court has recognized that under §1226(a) the Government has discretionary authority to detain noncitizens "already in the country pending the outcome of removal proceedings." Jennings, 583 U.S. at 288. Nevertheless, under the Government's new policy and the BIA's decision in Matter of Yajure Hurtado, Immigration Judges are currently prevented from considering Petitioner's request for release on bond.

36. Because the BIA's precedential decision forecloses relief before the Immigration Court, exhaustion of administrative remedies would be futile. See United States v. Dohou, 948 F.3d 621, 628 (3d Cir. 2020) (exhaustion is not required where it would be futile).

37. Available information indicates that DHS's new detention policy is the sole reason for Petitioner's continued detention. Yet "every district court in the Third Circuit to consider this issue has found that detainees similarly situated are not subject to the mandatory detention provision of 8 U.S.C. §1225(b)(2)(A) and that Respondents' interpretation of the INA is wrong." Patel v. O'Neil No. 3:25-CV-2185 at p. 4, n. 7 (M.D. PA Dec. 8, 2025). Specifically, the Honorable Paul Diamaond of the Eastern District of Pennsylvania has noted that in 282 decisions addressing this issue, the Government's interpretation has been consistently rejected. See Demirel No. 25-5488 at p. 1 (E.D. Pa. Nov. 18, 2025). Including Demirel, multiple cases from the Eastern District have concluded that §1226, not Section §1225, governs and that the petitioners are entitled to a bond hearing. Id.

COUNT ONE

Violation of the INA: Request for Relief Pursuant to *Maldonado Bautista*

38. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

39. Petitioner is a member of the Bond Eligible Class because he is a noncitizen in the United States without lawful status who: (1) entered the United States without inspection; (2) was not apprehended upon arrival; and (3) is not subject to mandatory detention under 8 U.S.C. § 1226(c), expedited removal under 8 U.S.C. § 1225(b)(1), or detention under 8 U.S.C. § 1231 based on a prior removal order.

40. Respondents are bound by the declaratory judgement issued in *Maldonado Bautista* which was the full "force and effect of a final judgment." 28 U.S.C 2201(a).

41. Petitioner, as member of the Bond Eligible Class, is entitled to the declaratory relief issued in *Maldonado Bautista,* which held that detention of similarly situated noncitizens under 8 U.S.C. § 1225(b)(2) is unlawful.

42. Respondents are detaining Petitioner under §1225(b)(2) in violation of that declaratory judgement and in violation of the Immigration and Nationality Act.

43. Accordingly, the Court should order Respondents to release Petitioner within one day. Alternatively, the Court should Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) before an Immigration Judge within seven days.

COUNT TWO

Violation of the Immigration and Nationality Act, 8 USC 1226(a)

44. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

45. Petitioner is not subject to mandatory detention under § 1225(b)(2).

46. At the time of his detention on March 2, 2026, Petitioner had been physically present in the United States for more than 20 years.

47. As a noncitizen already present in the United States and placed in removal proceedings, Petitioner's detention is governed by 8 U.S.C. §1226(a), not §1225(b).

48. Section 1226(a) expressly authorizes release on bond or conditional parole following an individualized custody determination.

49. Because Petitioner's detention falls within §1226(a), he is statutorily entitled to seek a bond redetermination hearing before Immigration Judge and to be released upon a showing that he is not a flight risk or a danger to the community.

50. Respondent's refusal to afford Petitioner a bond hearing rests solely on a DHS policy interpreting § 1225(b)(2) to mandate detention of all noncitizens charged with entry without admission or parole.

51. Numerous district courts, including courts within the Eastern District of Pennsylvania, have rejected this interpretation and held that similarly situated noncitizens are detained under §1226(a), not §1225(b)(2). See, e.g., Demirel v. Fed . Det. Ctr. Philadelphia, No. 25-5488 at *2- 3 (E.D. Pa. Nov. 18, 2025) (Diamond, J.) (listing 282 district decisions).

52. By refusing to provide Petitioner with a bond redetermination hearing, Respondents have violated the Immigration and Nationality Act.

53. Petitioner is therefore entitled to immediate release from detention or, at minimum, an order requiring the Government to provide a prompt bond redetermination hearing consistent with 8 U.S.C. § 1226(a).

COUNT THREE

Violation of Fifth Amendment Right to Substantive Due Process

(Unlawful detention without opportunity for individualized custody determination or bond hearing)

54. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

55. Noncitizens who are physically present in the United States are entitled to the protections of the Due Process Clause, regardless of their immigration status. Zadvydas v. Davis, 533 U.S. 678, 693 92001).

56. "Freedom from imprisonment – from government custody, detention, or other forms of physical restraint – lies at the heart of the liberty protected by the Due Process Clause." Id. at 690. Further, "government detention violates [the Due Process] Clause unless the detention is ordered in a *criminal* proceeding with adequate procedural safeguards ..., or, in ... special and 'narrow' nonpunitive 'circumstances' ... where a special justification ... outweighs the 'individual's constitutionally protected interest in avoiding physical restraint." Id. at 690.

57. "The Supreme Court has held repeatedly that non-punitive detention violates the constitution unless it is strictly limited ...[and] accompanied by a prompt individualized hearing before a neutral decision maker to ensure that the imprisonment serves government legitimate goals. Padilla v. ICE, No. 19-35565 at p. 16 (9th Cir. 2019) (citing United States v. Salerno, 481 U.S. 739, 750-51 (1987)).

58. Here, Petitioner has been detained without any individualized custody determination and without an opportunity to demonstrate that he is neither a flight risk nor a danger to the community.

59. In Mathews v. Eldridge, the Supreme Court established the constitutional standard for determining what due process is required before the government can deprive an individual of

a liberty interest. 424 U.S. 319 (1976). Under the Mathews v. Eldridge framework, the Court must consider: (1) the private interest affected; (2) the risk of erroneous deprivation under the procedures used; and (3) the Government's interest. Id at 335.

60. Each factor weighs in Petitioner's favor. First, Petitioner's private liberty interest – his freedom from confinement – "lies at the heart of the liberty" protected by the Due Process Clause. Zadvydas, 533 U.S. at 690. Moreover, before he was detained, Petitioner was employed, resided with his wife, was raising his children, and established ties to his community. Detention, therefore, severely disrupts his family unity, employment, and community life.

61. Second, the risk of erroneous deprivation is not speculative – it is actual and ongoing. Petitioner has no criminal history other than a single DUI conviction more than twenty years ago, for which he completed all terms of probation. His detention is based solely on a cruel new policy approach to a category of noncitizens that has already been deemed unlawful by numerous courts.

62. Third, the government lacks a legitimate interest in detaining an individual who is neither a flight risk nor a danger to the community. The Government's asserted interest rests solely on a detention policy applied without individualized findings and for nonpunitive purposes. Such an interest cannot outweigh Petitioner's liberty interest. See Zadvydas, 533 U.S. at 690.

63. Petitioner's detention without an opportunity for a bond hearing violates the Fifth Amended Due Process Clause. Petitioner is therefore entitled to immediate release or a prompt bond hearing before a neutral Immigration Judge.

COUNT FOUR

Violation of the Administrative Procedure Act ("APA"), 5 U.S.C. § 701, *et seq.*

64. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

65. The Administrative Procedure Act ("APA") prohibits agency action that is "arbitrary, capricious or an abuse of discretion." 5 U.S.C. §706(2)(A). An agency acts arbitrarily and capriciously when it fails to "articulate a 'rational connection between the facts found and the decision made.'" Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 59 (1983).

66. Respondents have articulated no individualized, reasoned basis for detaining Petitioner. Instead, Respondents' decision to detain Petitioner rests solely on a blanket DHS policy interpreting 8 U.S.C. § 1225(b)(2) to mandate detention of all noncitizens charged with entry without admission or parole.

67. This categorical detention policy, as applied to Petitioner, constitutes arbitrary and capricious agency action and a violation of the APA.

68. Petitioner is therefore entitled to relief under 5 U.S.C. §706(2)(A), including release from custody or, at minimum, an order requiring the Government to provide a prompt bond redetermination hearing consistent with 8 U.S.C. § 1226(a).

PRAYER FOR RELIEF

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

(1) Assume jurisdiction over this matter and issue an Order prohibiting Respondents from transferring Petitioner outside the Eastern District of Pennsylvania while this habeas action is pending;

(2) Issue an Order to Show Cause forthwith directing Respondents to justify the legal and factual basis for Petitioner's continued detention within three days;

(3) Declare that Petitioner is entitled to the declaratory relief issued by the Court in *Maldonado Bautista* and declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, the Immigration and Nationality Act, 8 USC §1226(a) and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701, *et seq.;*

(4) Issue a Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from Custody or, in the alternative, order Respondents to provide Petitioner with a prompt, constitutionally adequate bond hearing before an Immigration Judge within seven days, at which Petitioner's continued detention must be justified in based upon relevant factors including flight risk and danger to the community;

(5) Award Petitioner attorney's fees and costs under the Equal Access to Justic Act, and on any other basis justified under law; and

(6) Grant any further relief this Court deems just and proper.

Dated: March 6, 2026

Respectfully submitted,

s/ Lauren V. Amjed
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Sweet & Paciorek, LLC
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Avondale, PA 19311
Lauren@sweetpaciorek.com

<u>VERIFICATION PURSUANT TO 28 U.S.C. § 2242</u>

I represent Petitioner, Jorge Mata Mercado, 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 06 day of March 2026.

s/*Attorney Name*

Lauren V. Amjed

F

Exhibit F

Find an inmate.

Locate the whereabouts of a federal inmate incarcerated from 1982 to the present. Due to the First Step Act, sentences are being reviewed and recalculated to address pending Federal Time Credit changes. As a result, an inmate's release date may not be up-to-date. Website visitors should continue to check back periodically to see if any changes have occurred.

If an individual is listed as "Released" or "Not in BOP Custody" and no facility location is indicated, the inmate is no longer in BOP custody, however, the inmate may still be in the custody of some other correctional/criminal justice system/law enforcement entity, or on parole or supervised release.

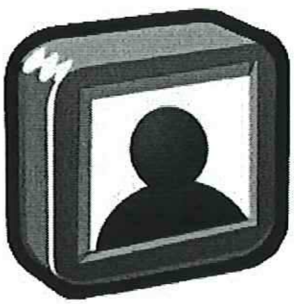
Find By Number | **Find By Name**

First	Middle	Last	Race	Age	Sex
Jorge		Mata-Mercado			

1 Result for search **Jorge Mata-Mercado**

Clear Form

Search



JORGE MATA-MERCADO

Register Number: [redacted]

Age: 49
Race: White
Sex: Male

Located at: Philadelphia FDC

Release Date: UNKNOWN

Related Links

Facility Information
Call or email
Send mail/package
Send money
Visit
Voice a concern

About the inmate locator & record availability ›

G

Exhibit G

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [redacted]
Event [redacted]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [redacted] FINS: [redacted] File No: [redacted]

In the Matter of:

Respondent: GERMAN CHILEL-MENDEZ currently residing at:

555 Geo Dr Philipsburg, PENNSYLVANIA 168668139 [redacted]

(Number, street, city, state and ZIP code) (Area code and phone number)

☐ You are an arriving alien.

☒ You are an alien present in the United States who has not been admitted or paroled.

☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You entered the United States at or near unknown place, on or about an unknown date;

2. You were not then admitted or paroled after inspection by an Immigration Officer.

3. You are not a citizen or national of the United States;

4. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act; and/or
See Continuation Page Made a Part Hereof

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

See Continuation Page Made a Part Hereof

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

625 EVANS ST, RM 148A, ELIZABETH, NEW JERSEY 072010000. ELIZABETH DETENTION CENTER

(Complete Address of Immigration Court, including Room Number, if any)

on February 25, 2026 at 1:00 pm to show why you should not be removed from the United States based on the
(Date) *(Time)*

charge(s) set forth above. O. #9127 AMARO - SDDO

(Signature and Title of Issuing Officer)

Date: February 14, 2026 Dover, Delaware

(City and State)

EOIR — 1 of 4

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at http://www.ice.gov/contact/ero, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before: ______________________ *(Signature of Respondent)*

Date: ______________

____
(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on February 14, 2026, in the following manner and in compliance with section 239(a)(1) of the Act.

☒ in person ☐ by certified mail, returned receipt # ___________ requested ☐ by regular mail
☐ Attached is a credible fear worksheet.
☐ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

DAVID MOORMAN - Deportation Officer

(Signature of Respondent if Personally Served) *(Signature and Title of officer)*

EOIR - 2 of 4

Privacy Act Statement

Authority:
The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:
You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:
For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at https://www.dhs.gov/system-records-notices-sorns. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at https://www.justice.gov/opcl/doj-systems-records. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:
Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

EOIR — 3 of 4

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name	File Number	Date
CHILEL-MENDEZ, GERMAN	[redacted]	02/14/2026

THE SERVICE ALLEGES THAT YOU:

5. You are an immigrant not in possession of a valid unexpired passport, or other suitable travel document, or document of identity and nationality.

ON THE BASIS OF THE FOREGOING, IT IS CHARGED THAT YOU ARE SUBJECT TO REMOVAL FROM THE UNITED STATES PURSUANT TO THE FOLLOWING PROVISION(S) OF LAW:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

Signature	Title
O. #9127 AMARO	SDDO

EOIR — 4 of 4

Form I-831 Continuation Page (Rev. 08/01/07)

EOIR Automated Case Information

Court Closures Today March 6, 2026

Please check https://www.justice.gov/eoir-operational-status for up to date closures.

Home > **MATA-MERCADO, JORGE [redacted]**

Automated Case Information

Name: MATA-MERCADO, JORGE | A-Number [redacted] | Docket Date: 3/2/2026

Next Hearing Information

Your upcoming **MASTER** hearing is **INTERNET-BASED** on **March 16, 2026** at **9:00 AM**.

JUDGE
Ryan, Dennis

WEBEX ADDRESS
HTTPS://EOIR.WEBEX.COM/MEET/IJ.DENNIS.RYAN

Court Decision and Motion Information

This case is pending.

BIA Case Information

No appeal was received for this case.

Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

COURT ADDRESS
625 EVANS STREET ROOM 148A
ELIZABETH, NJ 07201

PHONE NUMBER
(908) 787-1355

H

Exhibit H

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

File No. [redacted]

Date: 02/17/2026

To: **Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations**

I have determined that there is probable cause to believe that LLUNCOR-BEJARANO, JOSE is removable from the United States. This determination is based upon:

☒ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☒ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☒ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

T-9818 BROCKSON - Deportation Officer (A)SDDO
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at Dover, Delaware (Location)

on LLUNCOR-BEJARANO, JOSE (Name of Alien) on February 17, 2026 (Date of Service), and the contents of this

notice were read to him or her in the SPANISH (Language) language.

PS13482 STILES
Deportation Officer
Name and Signature of Officer

N/A
Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Jorge MATA-MERCADO, Petitioner, v. J.L. JAMISON, in his official capacity as Warden of the Federal Detention Center, Philadelphia; JOHN RIFE, in his official capacity as Acting Philadelphia Field Office Director, United States Immigration and Customs Enforcement; TODD LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security; THE DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI, Attorney General of the United States Respondents.	Case No. 26-CV-1455 Before the Honorable ____________

CERTIFICATE OF SERVICE

I, Lauren V. Amjed, Esquire, attorney for the Petitioner, Jorge Mata Mercado, hereby certify that on this 6th day of March 2026, I served a true copy of the following documents by electronic filing and USPS first class mail upon the parties named below:

PETITION FOR WRIT OF HABEAS CORPUS

J.L. Jamison, Warden
Warden of Federal Detention Center
700 Arch Street
Philadelphia, PA 19106

John Rife
Acting Philadelphia Field Office Director
United States Immigration & Customs
114 N 8th Street, Philadelphia, PA 1910

Todd Lyons, Acting Director
Immigration and Customs Enforcement
500 12th St. SW
Washington, DC 20536

Kristi Noem, Secretary
Department of Homeland Security
245 Murray Lane
Washington, DC 20528

The US Department of Homeland Security
245 Murray Lane
Washington, DC 20528

Pamela Bondi, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

United States Attorney for EDPA
desiree.wilkins@usdoj.gov, anthony.stjoseph@usdoj.gov, susan.becker@usdoj.gov, and gregory.david@usdoj.gov,

Date: March 6, 2026

/s/ Lauren V. Amjed, Esq.
Lauren V. Amjed (PA Bar 91980)
Sweet & Paciorek, LLC
P.O. Box 1216
Avondale, PA 19311
p. 484-868-4814
lauren@sweetpaciorek.com
ATTORNEY FOR PETITIONER

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Federal Detention Center, 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:

[X] 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.

JS 44 (Rev. 03/24)

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

Jorge Mata Mercado

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

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
Lauren V. Amjed, Esq.
Sweet & Paciorek, LLC
PO Box 1216
Avondale, PA 19311

DEFENDANTS

J.L. Jamison, John Rife, Todd Lyons, US ICE, Kristi Noem
US DHS, and Pamela Bondi

County of Residence of First Listed Defendant: Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*
US Attorney's Office, Philadelphia, PA

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)*
- [X] 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:
- [X] 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)*

- [X] 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)***:
28 U.S.C. 2241

Brief description of cause:
Petition for Habeas Corpus

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
3/6/2026

SIGNATURE OF ATTORNEY OF RECORD
/s/ Lauren V. Amjed

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.