

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
IMPERIAL DIVISION

FERUZ K. ODILOV



Petitioner,

v.

PAMELA BONDI, U.S. Attorney General;
KRISTI NOEM, Secretary, U.S. Department
of Homeland Security; DANIEL A. BRIGHTMAN,
Field Office Director, San Diego Field Office,
Immigration and Customs Enforcement;
JEREMY CASEY, Facility Administrator, Imperial
Regional Detention Facility.

Respondents.

Case No. '26CV1473 JES DDL

PETITION FOR WRIT OF HABEAS CORPUS AND
COMPLAINT FOR INJUNCTIVE RELIEF

The Petitioner, FERUZ K. ODILOV, by and through his own and proper person and through his attorney, CURTIS MORRISON, of RED EAGLE LAW, petition this Honorable Court to issue a Writ of Habeas Corpus to review his unlawful detention in violation of her constitutional and statutory rights.

Introduction

1. Petitioner is presently being detained by U.S. Immigration and Customs Enforcement ("ICE") at the Imperial Regional Detention Facility located in Calexico, California.
2. Petitioner is a native and citizen of Uzbekistan. Respondent last entered the United States without inspection in November 2022, over three years ago.
3. Petitioner timely applied for asylum, was able to obtain a work permit, and has been working lawfully since he entered.
4. Petitioner has never been arrested or convicted of any crime anywhere in the world.
5. Petitioner is currently in removal proceedings before the Imperial Immigration Court.

He is scheduled for a preliminary hearing on March 24, 2026.

1 6. However, Petitioner was previously in removal proceedings and had submitted an
2 application for asylum (Form I-589) before the Immigration Judge at another
3 Immigration Court. Petitioner's application was timely filed.

4 7. Petitioner's detention became unlawful on February 27, 2026, when he was taken into
5 custody by ICE/ERO officials in his regular course of working as a truck driver. His
6 continued detention is an unlawful violation of due process and an incorrect
7 interpretation of immigration law.

8
9 8. Petitioner is currently detained at Imperial Regional Detention Facility located in
10 Calexico, California.

11 9. Petitioner respectfully asks this Court to issue a temporary restraining order directing
12 Petitioner's release and enjoin Respondents' continued detention of Petitioner or a
13 temporary restraining order directing Respondents to conduct a bond hearing to ensure
14 his due process rights.

15
16 10. In the alternative, Petitioner respectfully requests the Court order Respondents to show
17 cause why this Petition should not be granted within three days. *See* 28 U.S.C. § 2243.

18 **Jurisdiction and Venue**

19 11. The action arises under the Constitution of the United States, the Immigration and
20 Nationality Act of 1952, as amended ("INA"), 8 U.S.C. § 1101 *et seq.*, and the
21 Administrative Procedure Act ("APA"), 5 U.S.C. § 701 *et seq.*

22 12. This Court has habeas corpus jurisdiction pursuant to 28 U.S.C. § 2241, and Article I,
23 section 9, clause 2 of the United States Constitution (the "Suspension Clause"), as
24 Petitioner is presently subject to immediate detention and custody under color of
25 authority of the United States government, and said custody is in violation of the
26 Constitution, law or treaties of the United States.
27
28

1 13. This action is brought to compel the Respondents, officers of the United States, to
2 accord Petitioner the due process of law to which she is entitled under the Fifth and
3 Fourteenth Amendments of the United States Constitution.

4 14. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment
5 Act, 28 U.S.C. § 2201 *et seq.*, 28 U.S.C. § 1331 (federal question jurisdiction), 28
6 U.S.C. § 1361 (mandamus), and the All Writs Act, 28 USC § 1651.

7 15. Venue is proper in the Southern District of California because Petitioner is presently
8 detained by Respondents at Imperial Regional Detention Facility located in Calexico,
9 California– which is located within the Southern District. 28 U.S.C. § 1391(b), (e)(1).

11 **Parties**

12 16. Petitioner FERUZ K. ODILOV is a native and citizen of Uzbekistan. Petitioner is
13 presently detained at Imperial Regional Detention Facility located in Calexico,
14 California.

15 17. Respondent KRISTI NOEM is being sued in her official capacity only as Secretary of
16 the U.S. Department of Homeland Security. Pursuant to the Homeland Security Act of
17 2002, Pub. L. 107-296, Respondent, through his delegates, has broad authority over the
18 operation and enforcement of the immigration laws.

19 18. Respondent DANIEL A. BRIGHTMAN, is being sued in his official capacity only, as
20 the Field Office Director of the San Diego Field Office of ICE. As such, he is charged
21 with the detention and removal of aliens which fall under this jurisdiction.

22 19. Respondent JEREMY CASEY, Sheriff, is being sued in his official capacity only, as
23 the Facility Administrator of Imperial Regional Detention Facility. As such, he is
24 charged with the detention of individuals within this facility.

25 **Custody**

26 20. Petitioner FERUZ K. ODILOV is being unlawfully detained by ICE and he is not likely
27 to be removed in the reasonably foreseeable future.

Factual and Procedural Background

21. Petitioner FERUZ K. ODILOV is a native and citizen of Uzbekistan. He first entered the United States over 3 years ago.

22. Petitioner lives in Sacramento.

23. Petitioner last entered the U.S. in November 2022 without inspection. He was subsequently released and not placed in expedited removal proceedings. He has remained in the country since that time. Petitioner had been placed in removal proceedings before the Immigration Court and timely filed an asylum application. Petitioner has a work permit allowing him to lawfully work in the U.S. He has timely filed taxes every year. He had been scheduled to appear at hearings before the prior Immigration Court.

24. Petitioner is detained at the Imperial Regional Detention Facility located in Calexico, California.

25. On September 5, 2025, the Board of Immigration Appeals (“BIA”) issued the decision, *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). This decision, for the first time in immigration history, proclaimed that any person who crossed the border unlawfully and is later taken into immigration detention is no longer eligible for release on bond.

26. Before September 5, 2025, just 3 months prior, the official position of the BIA was that the Immigration Judge had power to grant release on bond under INA section 236(a) if the person did not have a disqualifying criminal record and the judge was satisfied, after a hearing, that the person was not a danger to the community or a flight risk. *Matter of Akhmedov*, 29 I&N Dec. 166 (BIA 2025).

27. Moreover, ICE had a longstanding practice of treating noncitizens taken into custody while living in the United States as detained pursuant to 8 U.S.C. section 1226(a). *Rocha Rosado v. Figueroa*, 2025 WL 2337099, (D. Arizona August 11, 2025); *see*

1 *Loper Bright Enter. v. Raimondo*, 603 U.S. 369, 386 (2024) (“[T]he longstanding
 2 practice of the government—like any other interpretive aid—can inform [a court’s]
 3 determination of what the law is.”). However, this position changed on July 8, 2025,
 4 when internal “interim guidance” was released regarding a change in their longstanding
 5 interpretation of which noncitizens are eligible for release on bond. Ex. 1, Interim
 6 Guidance (July 8, 2025). ICE’s position is that only those already admitted to the U.S.
 7 are eligible to be released from custody during their removal proceedings, and that all
 8 others are subject to mandatory detention under 8 U.S.C. § 1225, instead of 8 U.S.C. §
 9 1226, and will remain detained with only extremely limited parole options at ICE’s
 10 discretion. *See id.*

12 28. Petitioner’s continued detention, without the possibility to request a bond hearing,
 13 separates him from his family, prohibits him from being able to financially provide for
 14 his family, and inhibits his removal defense in many ways, including by making it
 15 difficult to communicate with witnesses, gathering evidence, and afford legal
 16 representation, among other related harm.

18 29. Since the September 5, 2025 BIA decision, Petitioner now has no opportunity to seek
 19 a request for bond redetermination and must remain detained away from her family,
 20 counsel, and support system and continues to be subjected to the aforementioned harms.

21 30. Because Petitioner’s removal proceedings will remain pending until he is transferred
 22 and placed before a Judge, there is little likelihood that Petitioner’s removal will occur
 23 in the reasonably foreseeable future.

24 Legal Framework

25 **Due Process Clause**

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 27 31. “It is well established that the Fifth Amendment entitles [noncitizens] to due process of
 28 law in deportation proceedings.” *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting
Reno v. Flores, 507 U.S. 292, 306 (1993)). “Freedom from imprisonment—from

1 government custody, detention, or other forms of physical restraint—lies at the heart of
2 the liberty that [the Due Process] Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678,
3 690 (2001).

4 32. In the immigration context, the Supreme Court only recognizes two purposes for civil
5 detention: preventing flight and mitigating the risks of danger to the community.
6 *Zadvydas*, 533 U.S. at 690; *Demore*, 538 U.S. at 528. A noncitizen may only be
7 detained based on these two justifications if they are otherwise statutorily eligible for
8 bond. *Zadvydas*, 533 U.S. at 690.

10 33. “The fundamental requirement of due process is the opportunity to be heard at a
11 meaningful time and in a meaningful manner.” *Mathews v. Eldridge*, 424 U.S. 319, 333
12 (1976). In this case, to determine the due process to be afforded to Petitioner, the Court
13 should consider (1) the private interest affected by the government action; (2) the risk
14 that current procedures will cause an erroneous deprivation of that private interest, and
15 the extent to which that risk could be reduced by additional safeguards; and (3) the
16 government’s interest in maintaining the current procedures, including the
17 governmental function involved and the fiscal and administrative burdens that the
18 substitute procedural requirement would entail. *Id.* at 335.

20 **Detention Provisions under the Immigration and Nationality Act**

21 34. The Immigration and Nationality Act is codified at Title 8 of the United States Code,
22 Section 1221 *et seq.*, and controls the United States Government’s authority to detain
23 noncitizens during their removal proceedings.

24 35. The INA authorizes detention for noncitizens under four distinct provisions:

25
26 1) **Discretionary Detention.** 8 U.S.C. § 1226(a) generally allows for the detention of
27 noncitizens who are in regular, non-expedited removal proceedings; however, permits
28 those noncitizens who are not subject to mandatory detention to be released on bond or
on their own recognizance.

2) **Mandatory Detention of “Criminal” Noncitizens.** 8 U.S.C. § 1226(c) generally requires the mandatory detention of noncitizens who are removable because of certain criminal or terrorist-related activity after they have been released from criminal incarceration.

3) **Mandatory Detention of “Applicants for Admission.”** 8 U.S.C. § 1225(b) generally requires detention for certain noncitizen applicants for admission, such as those noncitizens arriving in the U.S. at a port of entry or other noncitizens who have not been admitted or paroled into the U.S. and are apprehended soon after crossing the border.

4) **Detention Following Completion of Removal Proceedings** 8 U.S.C. § 1231(a) generally requires the detention of certain noncitizens who are subject to a final removal order during the 90-day period after the completion of removal proceedings and permits the detention of certain noncitizens beyond that period. *Id.* at § 1231(a)(2), (6).

36. This case concerns the detention provisions at §§ 1226(a) and 1225(b). Both detention provisions, §§ 1226(a) and 1225(b), were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No. 104–208, Div. C, §§ 302–03, 110 Stat. 3009–546, 3009–582 to 3009–583, 3009–585.¹

37. Following enactment of the IIRIRA, the Executive Office for Immigration Review (“EOIR”) drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225(b) and that they were instead detained under § 1226(a) after an arrest warrant was issued by the Attorney General. *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) (“Despite being applicants for admission, aliens who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) *will be eligible for bond and bond redetermination*”) (emphasis added).

38. The legislative history behind § 1226 also demonstrates that it governs noncitizens, like

¹ Section 1226(a) was recently amended in 2025 by the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025).

Petitioner, who were deemed inadmissible upon inspection at the border, released into the United States at the border after being placed into removal proceedings, and were present in the United States for a number of years prior to being taken into detention. Before passage of the Immigration Reform and Immigrant Responsibility Act (“IRIRA”), the predecessor statute to § 1226(a) governed deportation proceedings for all noncitizens arrested within the United States, and like § 1226(a), included a provision allowing for discretionary release on bond. *See* 8 U.S.C. § 1252(a)(1) (1994).² After passing the IIRIRA, Congress declared the new § 1226(a) “restates the current provisions in [the predecessor statute] regarding the authority of the Attorney General to arrest, detain, and release on bond” a noncitizen “who is not lawfully in the United States.” H.R. Rep. No. 104-469, pt. 1, at 229. *See also* H.R. Rep. No. 104-828, at 210. Because noncitizens like Petitioner were entitled to discretionary detention under § 1226(a)’s predecessor statute, and Congress declared the statute’s scope unchanged by IIRIRA, the Court should interpret § 1226 to allow for a discretionary release on bond for noncitizens in a situation similar to Petitioner.

39. On September 5, 2025, the Board of Immigration Appeals issued its decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025) and proclaimed for the first time that any person who crossed the border unlawfully and is later taken into immigration detention is no longer eligible for release on bond.

40. This decision ignores decades of immigration law and precedent by the Supreme Court, as well as the policies and procedures that had been in place before EOIR for more than 30 years.

41. In *Jennings v. Rodriguez*, the Supreme Court analyzed the statutory sections in

² *See* 8 U.S.C. § 1252(a)(1) (1994) (“Pending a determination of deportability...any [noncitizen]...may, upon warrant of the Attorney General, be arrested and taken into custody.”); *Hose v. Immigration & Naturalization Serv.*, 180 F.3d 992, 994 (9th Cir. 1999)(noting a “deportation hearing” was the “usual means” of proceeding against an alien physically in the United States).

question, 8 U.S.C. section 1225 and 8 U.S.C. 1226. 583 U.S. at 287. The Court held that section 1225(b) “applies primarily to aliens seeking entry into the United States.” *Id.* At 297 Then, the Court noted that section 1226 “applies to aliens already present in the United States.” *Id.* At 303.

42. The Court specifically found that “Section 1226(a) creates a default rule for those aliens by permitting- but not requiring- the Attorney General to issue warrants for their arrest and detention pending removal proceedings. Section 1226(a) also permits the Attorney General to release those aliens on bond, ‘except as provided in subsection (c) of this section.’” (subsection pertains to aliens who fall into categories involving criminal offenses or terrorist activities). *Id.* at 303. “Federal regulations provide that alien detained under § 1226(a) receive bond hearings at the outset of detention.” *Id.* at 306; 8 C.F.R. § 236.1(d)(1), 1236.1(d)(1)

43. The Supreme Court’s analysis in *Jennings* demonstrates the difference for detention of arriving aliens who are seeking entry into the United States under section 1225 and the detention of those who are already present in the United States under section 1226.

44. The BIA’s erroneous interpretation of the INA defies the plain text of 8 U.S.C. §§ 1225 and 1226. A key phrase in § 1225 states that “[I]n the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien *seeking admission* is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding under section 1229a[.]” 8 U.S.C. § 1225(b)(2)(A) (emphasis added). In other words, mandatory detention applies when “the individual is: (1) an ‘applicant for admission’; (2) ‘seeking admission’; and (3) ‘not clearly and beyond a doubt entitled to be admitted.’” *Martinez*, 2025 WL 2084238, at *2.

45. The “seeking admission” language, “necessarily implies some sort of present tense action.” *Martinez*, 2025 WL 2084238, at *6; *see also Matter of M- D-C-V-*, 28 I&N Dec. 18, 23 (BIA 2020) (“The use of the present progressive tense ‘arriving,’ rather

1 than the past tense ‘arrived,’ implies some temporal or geographic limit’); *U.S. v.*
2 *Wilson*, 503 U.S. 329, 333 (1992) (“Congress’ use of verb tense is significant in
3 construing statutes.”).

4 46. In other words, the plain language of § 1225 applies to immigrants currently seeking
5 admission into the United States at the nation’s border or another point of entry. It does
6 not apply to noncitizens “already present in the United States”—only § 1226 applies in
7 those cases. *See Jennings*, 583 U.S. at 303.

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9 47. When interpreting a statute, “every clause and word . . . should have meaning.” *United*
10 *States ex rel. Polansky, M.D. v. Exec. Health Res., Inc.*, 599 U.S. 419, 432 (2023)
11 (internal quotation marks and citation omitted). And “the words of the statute must be
12 read in their context and with a view to their place in the overall statutory scheme.”
13 *Gundy v. United States*, 588 U.S. 128, 141 (2019) (quotation omitted).

14 48. The *Matter of Yajure Hurtado* decision in requires the Court to ignore critical
15 provisions of the INA and it also renders portions of the newly enacted provisions of
16 the INA superfluous. “When Congress amends legislation, courts must presume it
17 intends its amendment to have real and substantial effect.” *Van Buren v. United States*,
18 593 U.S. 374, 393 (2021).

19
20 49. Congress passed the Laken Riley Act (the “Act”) in January 2025. The Act amended
21 several provisions of the INA, including §§ 1225 and 1226. Laken Riley Act, Pub. L.
22 No. 119-1, 139 Stat. 3 (2025). Relevant here, the Act added a new category of
23 noncitizens subject to mandatory detention under § 1226(c)—those already present in
24 the United States who have also been arrested, charged with, or convicted of certain
25 crimes. 8 U.S.C. § 1226(c)(1)(E); 8 U.S.C. § 1182(a)(6)(A). Of course, under the
26 government’s position, these individuals are already subject to mandatory detention
27 under § 1225—rendering the amendment redundant. Likewise, mandatory-detention
28 exceptions under § 1226(c) are meaningful only if there is a default of discretionary

1 detention—and there is, under § 1226(a). *See Rodriguez*, 2025 WL 1193850, at *12.

2 50. Additionally, “[w]hen Congress adopts a new law against the backdrop of a
3 longstanding administrative construction, the court generally presumes that the new
4 provision works in harmony with what came before.” *Monsalvo v. Bondi*, 604 U.S. ,
5 145 S. Ct. 1232, 1242 (2025). Congress adopted the Act against the backdrop of
6 decades of agency practice applying § 1226(a) to immigrants like Petitioner, who are
7 present in the United States but have not been admitted or paroled. *Rodriguez*, 2025
8 WL 1193850, at *15; *Martinez*, 2025 WL 2084238, at *4; 62 Fed. Reg. 10312, 10323
9 (Mar. 6, 1997) (“Despite being applicants for admission, aliens who are present without
10 having been admitted or paroled . . . will be eligible for bond and bond
11 redetermination.”).

12
13 51. Section 1226(a) applies by default to all persons “pending a decision on whether the
14 [noncitizen] is to be removed from the United States.” Removal hearings for
15 noncitizens under 1226(a) are held under § 1229a, which “decid[e] the inadmissibility
16 or deportability of a[] [noncitizen].” By contrast, § 1225(b) applies to people arriving
17 at U.S. ports of entry or who recently entered the United States.

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19 52. The analysis and holding by the BIA in *Matter of Yajure Hurtado* has also consistently
20 been rejected by district courts across the country over the last several months. *See*,
21 Appendix; *see also* Inspection and Expedited Removal of Aliens, 62 Fed. Reg. 10312,
22 10323 (Mar. 6, 1997) (explaining that “[d]espite being applicants for admission, aliens
23 who are present without having been admitted or paroled (formerly referred to as aliens
24 who entered without inspection) will be eligible for bond and bond redetermination”).

25
26 53. This Court is not required, and should not, give deference to the recent Board decision cited
27 in Respondent’s brief. In *Loper Bright*, the Supreme Court was clear that “[c]ourts must
28 exercise their independent judgment in deciding whether an agency has acted within its
statutory authority,” and indeed “may not defer to an agency interpretation of the law simply

1 because a statute is ambiguous.” *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 412
2 (2024). Rather, this Court can simply look to the Supreme Court’s own words in *Jennings*
3 that held that for decades, § 1225 has applied only to noncitizens “seeking admission into the
4 country”—i.e., new arrivals, and that this contrasts with § 1226, which applies to noncitizens
5 “already in the country.” *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018).

6
7 **Claims for Relief**

8 **FIRST CAUSE OF ACTION**

9 Violation of the Due Process Clause of the Fifth Amendment
10 of the United States Constitution

11 54. Petitioner repeats and incorporates by reference all allegations above as though set forth
12 fully herein.

13 55. The Due Process Clause asks whether the government’s deprivation of a person’s life,
14 liberty, or property is justified by a sufficient purpose. Here, there is no question that
15 the government has deprived Petitioner of her liberty by refusing her the opportunity to
16 request a bond hearing.

17 56. The government’s detention of Petitioner is unjustified. Respondents have not
18 demonstrated that Petitioner needs to be detained. *See Zadvydas*, 533 U.S. at 690
19 (finding immigration detention must further the twin goals of (1) ensuring the
20 noncitizen’s appearance during removal proceedings and (2) preventing danger to the
21 community). There is no credible argument that Petitioner cannot be safely released
22 back to her community and family.

23
24 57. The *Matter of Yajure Hurtado* decision wrongly interprets the Immigration and
25 Nationality Act.

26 58. This Court is not required to give deference to *Matter of Yajure Hurtado*. In *Loper*
27 *Bright*, the Supreme Court was clear that “[c]ourts must exercise their independent
28 judgment in deciding whether an agency has acted within its statutory authority,” and

indeed “may not defer to an agency interpretation of the law simply because a statute is ambiguous.” *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 412 (2024).

59. Rather, this Court can simply look to the Supreme Court’s own words in *Jennings* that held that for decades, § 1225 has applied only to noncitizens “seeking admission into the country”—i.e., new arrivals, and that this contrasts with § 1226, which applies to noncitizens “already in the country.” *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018). By keeping Petitioner detained today, his detention is unconstitutional as applied to him and in violation of his due process rights. Petitioner should have the opportunity to have a bond hearing before an Immigration Judge.

60. By issuing its decision in *Matter of Yajure Hurtado*, the BIA has taken nearly all bond authority away from Immigration Judges.

61. For these reasons, Petitioner’s detention violates the Due Process Clause of the Fifth Amendment.

62. Petitioner therefore requests immediate release, or, in the alternative, a bond hearing within seven days, where the burden is on the Government to prove by clear and convincing evidence that the detainee poses a danger or flight risk. *Ochoa Ochoa v. Noem*, 2025 WL 2938779 (N.D. Ill. Oct. 16, 2025); *Lopez-Alvarez v. Ripa*, 2025 WL 2691828 (W.D. Tex. Sept. 22, 2025) (ordering a bond hearing within seven day or release); *Kostak v. Trump*, 2025 WL 2472136 (W.D. La. Aug. 27, 2025) (same); *Roman v. Noem*, 2025 WL 2710211 (D. Nev. 23, 2025).

SECOND CAUSE OF ACTION

Violation of the Immigration and Nationality Act

63. Petitioner repeats and incorporates by reference all allegations above as though fully set forth fully herein.

64. Petitioner has been detained and will not be afforded the opportunity to have a bond

redetermination hearing before an Immigration Judge pursuant to *Matter of Yajure Hurtado*.

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

66. The BIA has wrongfully issued its decision in *Matter of Yajure Hurtado* finding all noncitizens, such as Petitioner, are subject to mandatory detention under § 1225(b)(2).

67. The unlawful application of § 1225(b)(2) to Petitioner violates the INA.

Prayer for Relief

WHEREFORE, Petitioner respectfully request that this Honorable Court:

A. Accept jurisdiction over this action;

B. Declare that Respondents' actions to detain Petitioner violate the Due Process Clause of the Fifth Amendment and violates the Immigration and Nationality Act;

C. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and order the immediate release of Petitioner or order Respondents to schedule a bond hearing for Petitioner's removal proceedings within 5 days of the order and accept jurisdiction to issue a bond order;

D. Award reasonable attorneys' fees and costs for this action; and

E. Grant such further relief as the Court deems just and proper.

1 Dated: March 9, 2026

Respectfully Submitted,

2
3 /s/ Curtis Morrison

4 Curtis Morrison, Esq.

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7 Attorney for Petitioner
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