

Zandra L. Lopez
California State Bar No. 216567
Federal Defenders of San Diego, Inc.
225 Broadway, Suite 900
San Diego, California 92101-5030
Telephone: (619) 234-8467
Facsimile: (619) 687-2666
Zandra_Lopez@fd.org

Attorneys for Mr. Muñoz Nieves¹

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

WINDER MUNOZ NIEVES,

Petitioner,

v.

KRISTI NOEM, Secretary of the
Department of Homeland Security,
PAMELA JO BONDI, Attorney General,
TODD M. LYONS, Acting Director,
Immigration and Customs Enforcement,
JESUS ROCHA, Acting Field Office
Director, San Diego Field Office,
CHRISTOPHER LAROSE, Warden at
Otay Mesa Detention Center,

Respondents.

CIVIL CASE NO.:
26-cv-1497-JLS-JLB

**AMENDED Petition for Writ
of
Habeas Corpus**

**[Civil Immigration Habeas,
28 U.S.C. § 2241]**

¹ Federal Defenders of San Diego, Inc., is filing the instant petition with provisional appointment under Chief Judge Order No. 134. Mr. Muñoz's financial eligibility for representation is included in a sworn statement attached to this petition.

Introduction

In December of 2023, Mr. Muñoz came to the United States after fleeing his native Venezuela and requested asylum. He was 20 years old. ICE detained him at the border for about three days, did a background investigation, and then released him into the community.

While released, Mr. Muñoz complied with everything that was required of him. During that time, he married a United States Citizen, applied for adjustment of status, and filed an asylum claim. On October 10, 2025, Mr. Muñoz reported to his calendared immigration hearing and was re-detained by ICE without proper notice or opportunity to contest his detention.

Mr. Muñoz's re-detention violates his regulatory and due process rights. Specifically, while it is unclear whether the government has formally revoked Mr. Muñoz's parole, the government's actions are unlawful regardless. If the agency did not revoke his parole, then it violated that parole by detaining him. And if the agency *did* revoke his parole, then it did so in violation of the statute and regulations, which require written notification and a determination that the purposes of the parole have been served, as well as the Constitution, which requires pre-deprivation notice and hearing. Either way, the agency's actions violated the Administrative Procedures Act and the Due Process Clause.

Thus, this Court should grant this habeas petition and order immediate release.

Statement of Facts

Mr. Muñoz is a Venezuelan national who entered the United States on December 19, 2023. Exhibit A, Declaration of Muñoz at ¶ 1-2. He was detained for about three nights and then released into the community the next day. *Id.*

Mr. Muñoz integrated himself into the community. He married a United States Citizen and applied for adjustment of status. *Id.* at ¶¶ 3-6. In August of 2024, Mr. Muñoz also applied for asylum. *Id.* He complied with all requirements

1 of his release and attended all of his immigration court hearings. *Id.* at 2.

2 On October 10, 2025, Mr. Muñoz appeared for his asylum hearing in
3 immigration court. *Id.* at ¶ 7. Leading up to the hearing date, he was reporting
4 often with the Intensive Supervision Appearance Program (“ISAP”). On the day
5 of the hearing, ISAP called him and told him to go to ICE offices. *Id.* at ¶¶ 7-8.
6 When he arrived at ICE offices, he was immediately re-detained. *Id.* at ¶ 9-10.
7 ICE did not give him any paperwork or any opportunity to explain why he should
8 not be re-detained. *Id.* at ¶ 9-10. Mr. Munoz learned that a few days prior to his
9 hearing date, a judge denied his asylum claim, without notice, because he had not
10 filed a renewal fee that was required following the recent passage of the recent
11 Big Beautiful Bill. Mr. Muñoz’s asylum petition remains pending on appeal. *Id.* at
12 ¶ 11.

13 Mr. Muñoz continues to be detained at Otay Mesa Detention Center.

14 LEGAL BACKGROUND

15 This Court should grant this petition by ordering Mr. Muñoz’s immediate
16 release.

17 I. Revoking Mr. Muñoz’s release and subjecting him to detention violates 18 the Administrative Procedures Act and Due Process.

19 1. The government’s actions violated the Administrative 20 Procedures Act.

21 The INA “establishes the framework governing noncitizens’ entry into and
22 removal from the United States, with regulations promulgated by the enforcing
23 agencies providing further governance.” *Y-Z-L-H v. Bostock*, 792 F. Supp. 3d
24 1123, 1132 (D. Or. 2025). “Noncitizens who arrive at a port of entry without a
25 visa or other entry document, like Petitioner, are deemed ‘inadmissible’ under 8
26 U.S.C. § 1182(a)(7)” due to their lack of entry documents. *Id.* at 1132 & n.7
27 (noting that “[d]epending on the circumstances, other categories of inadmissibility
28 may also apply, but § 1182(a)(7) applies for noncitizens without proper
documentation”). Once a noncitizen is deemed inadmissible, “the immigration

1 officer must order the noncitizen's removal unless the noncitizen indicates an
2 intention to apply for asylum or fear of prosecution.” *Id.* (citing 8 U.S.C. §
3 1225(b)(1)(A)(i)). The government may place the noncitizen into expedited
4 removal proceedings, *see* 8 U.S.C. § 1225(b)(1), or the government may place the
5 noncitizen into regular removal proceedings under 8 U.S.C. § 1229(a). *See Y-Z-L-*
6 *H*, 792 F. Supp. 3d at 1132–33 (citing 8 U.S.C. § 1225(b)(2)).

7 Section § 1225(b)(2)(A) provides that “in the case of an alien who is an
8 applicant for admission, if the examining immigration officer determines that an
9 alien seeking admission is not clearly and beyond a doubt entitled to be admitted,
10 the alien shall be detained for a proceeding under section 1229a of this title.” 8
11 U.S.C. § 1225(b)(2)(A). However, “applicants for admission may be temporarily
12 released on parole [into the United States] ‘for urgent humanitarian reasons or
13 significant public benefit,’ as set forth in 8 U.S.C. § 1182(d)(5)(A). *Jennings v.*
14 *Rodriguez*, 583 U.S. 281, 288 (2018) (quoting 8 U.S.C. § 1182(d)(5)(A)). The
15 decision to grant parole pursuant to 8 U.S.C. § 1182(d)(5)(A) is determined “on a
16 case-by-case basis.” 8 U.S.C. § 1182(d)(5)(A). Then, “when the purpose of the
17 parole has been served,” § 1182(d)(5)(A) provides that “the alien shall forthwith
18 return or be returned to the custody from which he was paroled and thereafter his
19 case shall continue to be dealt with in the same manner as that of any other
20 applicant for admission to the United States.” *Jennings*, 583 U.S. at 288 (quoting
21 8 U.S.C. § 1182(d)(5)(A)).

22 To terminate the previously granted parole, the agency must comply with
23 the applicable regulatory and statutory requirements. As set forth in 8 C.F.R. §
24 212.5(e)(2)(i), which governs the “[t]ermination of parole,”

25 In cases not covered by paragraph (e)(1) of this section,³ upon
26 accomplishment of the purpose for which parole was authorized or
27 when in the opinion of one of the officials listed in paragraph (a)
28 of this section, neither humanitarian reasons nor public benefit
warrants the continued presence of the alien in the United States,

1 parole shall be terminated upon written notice to the alien and he
2 or she shall be restored to the status that he or she had at the time
3 of parole.

4 8 C.F.R. § 212.5(e)(2)(i). That is, “[u]nder the governing regulation, [§
5 1182(d)(5)(A)] parole may be terminated only if the purpose of parole is
6 accomplished, or humanitarian reasons and the public benefit no longer warrant
7 parole.” *Loaiza Arias v. LaRose*, No. 3:25-cv-02595-BTM-MMP, 2025 WL
8 3295385, at *3 (S.D. Cal. Nov. 25, 2025) (citing 8 C.F.R. § 212.5(e)).

9 What’s more, ICE is required to inform noncitizens of the reasons for
10 revocation. The court in *Y-Z-H-L* determined that under the Administrative
11 Procedure Act, immigration parolees are entitled to determinations related to their
12 parole revocations that are not arbitrary, capricious or an abuse of discretion. *Y-Z-*
13 *L-H*, 792 F. Supp. 3d at 1144. An agency acts arbitrarily and capriciously by
14 failing to make a reasoned determination or where the agency fails to “articulate[]
15 a satisfactory explanation for its action including a rational connection between
16 the facts found and the choice made.” *Id.* Parole revocations in the context of the
17 INA must occur on a case-by-case basis and may occur “when the purposes of
18 such parole shall, in the opinion of the Secretary of Homeland Security, have been
19 served the alien shall forthwith return or be returned to the custody from which he
20 was paroled.” *Id.* (quoting 8 C.F.R. § 212.5(e)). 8 C.F.R. § 212.5(e) requires
21 written notice of the termination of parole except where the immigrant has
22 departed or when the specified period of parole has expired.

23 The government has failed to follow the applicable statutory and regulatory
24 provisions to terminate Petitioner’s parole. *Cf. Coal. for Humane Immigrant Rts.*
25 *v. Noem*, No. 25-cv-872 (JMC), 2025 WL 2192986, at *2 (D.D.C. Aug. 1, 2025)
26 (holding that the government failed to follow the applicable statutory and
27 regulatory provisions and that paroled noncitizens cannot be subject to expedited
28 removal proceedings); *Salgado Bustos v. Raycraft*, No. 25-13202, 2025 WL

1 3022294, at *5–7 (E.D. Mich. Oct. 29, 2025) (same); *E.V. v. Raycraft*, No. 4:25-
2 cv-2069, 2025 WL 2938594, at *10 (N.D. Ohio Oct. 16, 2025) (same).

3 First, the statute at 8 U.S.C. §1182(d)(5)(A) permits the termination of
4 parole only where there is a finding that the purpose of such parole has been
5 served. *Y-Z-L-H*, 792 F. Supp. 3d at 1133. Here, however, the purpose of
6 Petitioner’s parole has not been served. He fled from Venezuela, seeking asylum
7 in the United States, and he entered the United States at a port of entry. Exh. A ¶
8 1. At that time, Mr. Muñoz was granted release pursuant to 8 U.S.C. §
9 1182(d)(5)(A), which provides for parole into the United States “for urgent
10 humanitarian reasons or significant public benefit.” 8 U.S.C. § 1182(d)(5)(A). He
11 filed an asylum application and he has filed an appeal of the immigration judge’s
12 decision. Thus, the purpose of parole has not yet been served. *Perez Bueno v.*
13 *Janecka*, No. 5:25-CV-03376-CAS-BFM, 2026 WL 309934, at *1 (C.D. Cal. Feb.
14 5, 2026) (granting habeas noting asylum remains pending when on appeal prior to
15 detention); *Velasquez-Chinga v. Noem*, No. 3:26-CV-00105-RBM-KSC, 2026
16 WL 311507, at *1 (S.D. Cal. Feb. 5, 2026) (same)

17 Second, ICE is required to provide the noncitizen “a cogent description of
18 the reasons supporting the revocation decision.” *J.E.H.G. v. Chestnut*, No. 1:25-
19 CV-01673-JLT SKO, 2025 WL 3523108, at *6 (E.D. Cal. Dec. 9, 2025). In *Y-Z-*
20 *H-L*, the Petitioner received an email stating that “DHS was exercising its
21 discretion” to terminate parole. 792 F. Supp. 3d at 1146. The court said that this
22 language was vague and did not provide an actual reason. *Id.* It stated that the
23 “email was legally insufficient to meet the statutory and regulatory requirements,
24 even though it cited those provisions and invoked the word ‘discretion.’” *Id.*
25 Common sense and the words of the statute require parole revocation to be
26 analyzed on a case-by-case basis and that a decision to revoke parole “must attend
27 to the reasons an individual [noncitizen] received parole.” *J.E.H.G.*, 2025 WL
28 3523108, at *6 (citing *Mata Velasquez v. Kurzdorfer*, No. 25-CV-493-LJV, 2025

1 WL 1953796, at *11 (W.D.N.Y. July 16, 2025)). There is no indication that the
2 government conducted that analysis in this case.

3 Judge Curiel found an APA violation in *Noori v. LaRose*, No. 25-CV-1824-
4 GPC-MSB, 2025 WL 2800149 (S.D. Cal. Oct. 1, 2025). *Noori* concluded that “to
5 meet statutory and regulatory requirements, revocation should only occur when
6 (1) the parole’s purpose is served or (2) when humanitarian reasons and public
7 benefit are no longer warranted, and the noncitizen is provided written notice.” *Id.*
8 The first requirement was not met because the petitioner “applied for asylum and
9 was still in the middle of those proceedings when Respondents issued and
10 executed the revocation.” *Id.* And even though the petitioner was provided a
11 “generic notification” of his revocation, the second requirement was not met
12 because “humanitarian reasons still warrant the Petitioner’s presence in the
13 country.” *Id.* At a minimum, Judge Curiel held, parole revocation “requires an
14 individualized determination,” which the government had not provided because it
15 failed to explain “why the Petitioner would now be considered a flight risk or
16 danger to the community.” *Id.*

17 Here, as in *Noori*, the government failed to meet the statutory and
18 regulatory requirements for parole revocation. Thus, the government here “has
19 acted arbitrarily and capriciously in violation of the APA.” *Id.*

20 2. Mr. Muñoz’s detention is a violation of the Due Process Clause.

21 The Due Process Clause of the Fifth Amendment forbids the government
22 from depriving any person of liberty without due process of law. U.S. Const.
23 amend. V. “Freedom from imprisonment—from government custody, detention,
24 or other forms of physical restraint—lies at the heart of the liberty” that the Due
25 Process Clause protects. *Zadvydas*, 533 U.S. at 690 (citing *Foucha v. Louisiana*,
26 504 U.S. 71, 80 (1992)).

27 An individual released from immigration custody has a constitutionally
28 protected liberty interest in remaining free from detention. *Morrissey v. Brewer*,

1 408 U.S. 471, 482, 92 S. Ct. 2593, 2601, 33 L. Ed. 2d 484 (1972); *see also*
2 *Sanchez v. LaRose*, 25-cv-2396; 2025 WL 2770629, at * 3 (S.D. Cal.). Thus,
3 Petitioner has a fundamental interest in liberty and being free from official
4 restraint.

5 “Even when ICE has the initial discretion to detain or release a noncitizen
6 pending removal proceedings, after that individual is released from custody [he]
7 has a protected liberty interest in remaining out of custody.” *Pinchi v. Noem*, 792
8 F. Supp. 3d 1025, 1032 (N.D. Cal. 2025). (internal citation omitted). Thus, the
9 liberty interest applies to individuals who are paroled into the United States and
10 released to attend removal proceedings. *Garcia v. Andrews*, No. 1:25-CV-01006
11 JLT SAB, 2025 WL 2420068, at *11 (E.D. Cal. Aug. 21, 2025); *Valencia Zapata*
12 *v. Kaiser*, No. 25-CV-07492-RFL, 2025 WL 2578207, at *3 (N.D. Cal. Sept. 5,
13 2025); *Y-Z-L-H v. Bostock*, No. 3:25-CV-965-SI, 2025 WL 1898025, at *13 (D.
14 Or. July 9, 2025).

15 To determine which procedures are constitutionally sufficient to satisfy the
16 Due Process Clause, the Court must apply the *Matthews* factors. *See Matthews*,
17 424 U.S. at 335. Courts must consider: (1) “the private interest that will be
18 affected by the official action”; (2) “the risk of an erroneous deprivation of such
19 interest through the procedures used, and the probable value, if any, of additional
20 or substitute procedural safeguards”; and (3) “the Government’s interest, including
21 the function involved and the fiscal and administrative burdens that the additional
22 or substitute procedural requirement would entail.” *Id.*

23 All three factors support a finding that the government’s revocation of Mr.
24 Muñoz’s release without reasoning or an opportunity to be heard, denied
25 Petitioner of his due process rights. First, Mr. Muñoz has a significant liberty
26 interest in remaining out of custody pursuant to his conditional parole. “Freedom
27 from imprisonment—from government custody, detention, or other forms of
28 physical restraint—lies at the heart of the liberty [the Due Process Clause]

1 protects.” *Zadvydas*, 533 U.S. at 690. He also has an interest in remaining with his
2 family and continuing the process of adjusting status to a lawful permanent
3 resident and asylum. *See Morrissey*, 408 U.S. 471 at 482 (“Subject to the
4 conditions of his parole, he can be gainfully employed and is free to be with
5 family and friends and to form the other enduring attachments of normal life.”).

6 Second, the risk of an erroneous deprivation of such interest is high as Mr.
7 Muñoz parole was revoked without providing him a reason for revocation or
8 giving him an opportunity to be heard. When he was paroled, the government
9 made a finding that he did not pose a danger to the community and was not a
10 flight risk. *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1760 (N.D. Cal. 2017)
11 (“Release reflects a determination by the government that the noncitizen is not a
12 danger to the community or a flight risk.”). “Once a noncitizen has been released,
13 the law prohibits federal agents from rearresting him merely because he is subject
14 to removal proceedings.” *Saravia*, 280 F. Supp. 3d at 1760. “Rather, the federal
15 agents must be able to present evidence of materially changed circumstances—
16 namely, evidence that the noncitizen is in fact dangerous or has become a flight
17 risk....” *Id.* “Where, as here, ‘the petitioner has not received any bond or custody
18 hearing,’ ‘the risk of an erroneous deprivation of liberty is high’ because neither
19 the government nor [Petitioner] has had an opportunity to determine whether there
20 is any valid basis for [his] detention.” *Pinchi*, 2025 WL 2084921, at *5 (quoting
21 *Singh v. Andrews*, No. 25-cv-801-KES-SKO (HC), 2025 WL 1918679, at *7
22 (E.D. Cal. July 11, 2025)) (cleaned up).

23 Third, the Government’s interest in detaining Mr. Muñoz without proper
24 notice and reasoning or a hearing is “low.” *See Pinchi*, 2025 WL 2084921, at *5;
25 *Matute*, 2025 WL 2817795, at *6; *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970
26 (N.D. Cal. Nov. 22, 2019) (“If the government wishes to re-arrest [Petitioner] at
27 any point, it has the power to take steps toward doing so; but its interest in doing
28 so without a hearing is low.”).

Thus, Mr. Muñoz’s detention is unlawful. *See, e.g., Alegria Palma v. Larose et al.*, No. 25-cv-1942 BJC (MMP), slip op. at 14 (S.D. Cal. Aug. 11, 2025) (granting a TRO based on a procedural due process challenge to a revocation of parole without a pre-deprivation hearing); *Navarro Sanchez*, 2025 WL 2770629, at *5 (granting a writ of habeas corpus releasing petitioner from custody to the conditions of her preexisting parole on due process grounds).

II. This Court has jurisdiction to consider Mr. Muñoz’s claim.

In cases raising similar claims, the government has argued that this Court lacks jurisdiction to consider or grant relief under 8 U.S.C. §§ 1252(g) and 1252(b)(9). This argument fails here for at least three independent reasons. First, Mr. Muñoz’s claims are inextricably intertwined with the government’s authority to detain him, which this Court has jurisdiction to consider. Second, this Court has jurisdiction to review whether the agency has complied with due process and its mandatory, nondiscretionary duties.

Courts have jurisdiction to “decide a purely legal question that does not challenge the Attorney General’s discretionary authority.” *Ibarra-Perez v. United States*, 154 F.4th 989, 996 (9th Cir. 2025) (quotations omitted). In *Ibarra-Perez*, the Ninth Circuit squarely held that “§ 1252(g) does not prohibit challenges to unlawful practices merely because they are in some fashion connected to removal orders.” *Id.* at 997. Accordingly, the question is whether Petitioner’s claim “challenge[s] the Attorney General’s discretionary authority.” *Id.* at 996.

They do not. First, Petitioner claim relates to the government’s authority to detain him, and courts have widely held that review of issues related to detention is not barred by § 1252(g) or (b)(9). *See, e.g., Flores–Torres v. Mukasey*, 548 F.3d 708, 711 (9th Cir. 2008) (holding that habeas jurisdiction exists to review a challenge to immigration detention based on a citizenship claim); *Kong v. United States*, 62 F.4th 608, 617 (1st Cir. 2023) (holding that “assertions of illegal detention [were] plainly collateral to ICE’s prosecutorial decision to execute [a

1 detainee's removal" and thus not subject to § 1252's jurisdictional bars); *Cardoso*
2 *v. Reno*, 216 F.3d 512, 516 (5th Cir. 2000) ("[S]ection 1252(g) does not bar courts
3 from reviewing an alien detention order[.]"); *Parra v. Perryman*, 172 F.3d 954,
4 957 (7th Cir. 1999) (§ 1252(g) did not apply to a "claim concern[ing] detention").
5 To undersigned counsel's knowledge, every judge in this district has held that it
6 has jurisdiction to consider claims that an individual is unlawfully detained.
7 Petitioner's claim asserts in his habeas petition relate to the government's
8 authority to detain him without following the regulations and statues relating to
9 parole.

10 Second, the jurisdictional bars of § 1252 do not bar review of claims that
11 ICE is "failing to carry out non-discretionary statutory duties and provide due
12 process." *J.R. v. Bostock*, No. 2:25-CV-01161-JNW, 2025 WL 1810210, at *3
13 (W.D. Wash. June 30, 2025); *see also D.V.D. v. U.S. Dep't of Homeland Sec.*, 778
14 F. Supp. 3d 355, 377–78 (D. Mass. 2025) (§ 1252(g) did not bar review of "the
15 purely legal question of whether the Constitution and relevant statutes require
16 notice and an opportunity to be heard").

17 That is precisely what Judge Curiel recently held in a similar case. In *Noori*
18 *v. Larose*, No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *1 (S.D. Cal. Oct.
19 1, 2025), the petitioner was (like Petitioner) an asylum seeker from Afghanistan
20 who "presented himself at the U.S. Port of Entry in San Ysidro, California and
21 applied for admission with a CBP One application." Immigration officials
22 "paroled him into the United States" under the same type of "DT" humanitarian
23 parole as Mr. Galdamez Ortega. *Id.* But after the government cancelled the
24 petitioner's removal proceedings and placed him in expedited removal, he filed a
25 habeas petition, and the government argued that §§ 1252(g) and (b)(9) stripped
26 the court of jurisdiction to hear his claims. *Id.* at *5.

27 Nevertheless, Judge Curiel found that he had jurisdiction to hear the claims,
28 noting that "Petitioner does not challenge the decision to commence proceedings."

1 *Id.* at *6. Instead, “Petitioner challenges the legality of the revocation of
2 humanitarian parole in violation of the law and dismissal of ongoing removal
3 proceedings without due process.” *Id.* So even assuming the agency’s revocation
4 of parole “constitutes a decision or action to adjudicate cases,” that action is not
5 “in the discretion” of the agency under § 1252(g) where it was “not performed in
6 accordance with the mandatory procedures.” *Id.* (quoting *Sharkey v. Quarantillo*,
7 541 F.3d 75, 86 (2d Cir. 2008) (alterations omitted)).

8 Other courts have held the same. In *Dep’t of Homeland Sec. v. Regents of*
9 *the Univ. of California*, 140 S. Ct. 1891, 1907 (2020), the Supreme Court held
10 that § 1252(b)(9) “does not present a jurisdictional bar” where those bringing suit
11 “are not asking for review of an order of removal,” “the decision to seek
12 removal,” or “the process by which removability will be determined.” (quotations
13 and alterations omitted). And in *Vasquez Garcia v. Noem*, 25-cv-02180-DMS-
14 MMP, 2025 WL 2549431, Dkt. 7 at *8 (S.D. Cal. Sept. 3, 2025), Judge Sabraw
15 held that “§ 1252(g) does not limit the Court’s jurisdiction in the present case”
16 because the petitioners were “enforcing their constitutional rights to due process
17 in the context of the removal proceedings—not the legitimacy of the removal
18 proceedings or any removal order.”

19 Here, because these actions were “not performed in accordance with the
20 mandatory procedures,” they were not undertaken “in the discretion” of the
21 agency. *Noori*, 2025 WL 2800149, at *6; *see also United States ex rel. Accardi v.*
22 *Shaughnessy*, 347 U.S. 260, 265–68 (1954) (holding that agencies must adhere to
23 their own binding regulations, both substantively and procedurally). Accordingly,
24 this Court is not jurisdictionally barred from reviewing them.

CLAIM AND PRAYER FOR RELIEF

For the reasons just given, the statute, the regulations, and the Fifth Amendment Due Process Clause prohibits the government from continuing to detain Petitioner.

Accordingly, Petitioner respectfully requests that this Court:

1. Order Respondents to immediately release Petitioner from custody under the same conditions of parole;
2. Order all other relief that the Court deems just and proper.

Respectfully submitted,

Dated: March 19, 2026

s/ Zandra Lopez

Zandra Lopez

Federal Defenders of San Diego, Inc.

Email: Zandra_Lopez@fd.org