

1 **Kamal D. Mann, Esq.**  
2 **The Mann Law Offices, P.C.**  
3 2440 W. Shaw Ave, Suite 210  
4 Fresno, CA 93711  
5 Tel: 559-577-7140  
6 Email: attorney@themannlawoffices.com

7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 **In the Matter of** )

11 **DEYBIS RAFAEL ARIAS-CHACON** )

12 ~~XXXXXXXXXXXXXXXXXXXX~~ )  
13 Petitioner )

**'26CV1722 DMS VET**

**PETITION FOR WRIT OF  
HABEAS CORPUS**

**ORAL ARGUMENT  
REQUESTED**

**EXPEDITED HEARING  
REQUESTED**

14  
15  
16 **Warden of Imperial Regional Detention Facility** )  
17 **Kristi Noem, Secretary of the U.S. Department** )  
18 **of Homeland Security** )  
19 **Pam Bondi, Attorney General of the United** )  
20 **States** )  
21 **U.S Immigration Customs Enforcement** )  
22 **U.S. Department of Homeland Security** )  
23 **In their official capacities** )  
24 **Respondents** )

25 **PETITION FOR WRIT OF HABEAS CORPUS**



**Introduction**

1. Petitioner respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 to challenge the legality of his continued detention by Respondents in Calexico, California.
2. Petitioner is a citizen and national of Venezuela. He entered the United States on or about May 1, 2021, near Del Rio, Texas, without inspection, fleeing political persecution and fearing for his life due to his opposition to the Venezuelan government. Fearing for his life in Venezuela due to his political views, he came to the United States to seek protection and refuge by applying for asylum.
3. Petitioner has no criminal history and poses neither a danger to the community nor a flight risk.
4. Petitioner is currently detained at the Imperial Regional Detention Facility in Calexico, California. Immigration Judges are presently declining to exercise jurisdiction over custody redeterminations based on Matter of Yajure Hurtado, rendering any request for bond futile. The Petitioner was unlawfully denied bond because of the Respondents' failure to properly interpret and apply the Immigration and Nationality Act (INA).
5. Petitioner seeks immediate release.
6. Petitioner applied for asylum before United States Immigration authorities. Respondents commenced removal proceedings against Petitioner in Immigration court, entitling Petitioner to present an asylum claim with the due process rights under 8 U.S.C. § 1229a. Yet, Respondents now seek to eject Petitioner from Petitioner's own asylum case and to detain petitioner so that they can rapidly deport Petitioner under an entirely separate law. Respondents' interpretation effectively denies Petitioner the procedural protections guaranteed by the Fifth Amendment and is inconsistent with settled constitutional law.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- 7. The U.S. Constitution requires Respondents to provide Petitioner with the rights available to Petitioner when Petitioner filed an application for asylum.
- 8. This Court should grant this petition for a Writ of Habeas Corpus. Petitioner asks that this Court find that Respondents' attempts to continuously detain Petitioner are a violation of due process.

**JURISDICTION**

- 9. Petitioner is in the physical custody of Respondents and is detained at the Imperial Regional Detention Facility in Calexico, CA.
- 10. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C § 1101 *et. seq.*
- 11. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C § 1331 (federal question), and Article 1, § 9 cl 2. Of the United States Constitution (Suspension Clause).
- 12. This Court may grant relief under the habeas corpus statutes, 28 U.S.C § 2241, the Declaratory Judgment Act, 28 U.S.C § 2201 *et. seq.*, the All Writs Act, 28 U.S.C § 1651, and the Immigration and Nationality Act, 8 U.S.C § 1252(e)(2).
- 13. The Petitioner is presently in custody under color of authority of the United States and such custody is in violation of the U.S. Constitution, laws, or treaties of the United States.
- 14. Nothing in the INA deprives this Court of jurisdiction, including 8 U.S.C. § 1252(b)(9), (f)(1), or 1226(e). Congress has preserved judicial review of challenges to prolonged immigration detention. *See Jennings v. Rodriguez*, 138 S. Ct. 830, 839-41 (2018).



**VENUE**

1  
2 15. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500  
3 (1973), venue lies in the United States District Court for the Southern District of  
4 California, the judicial district in which the Petitioner is detained.

5 16. Venue is also properly vested in this Court pursuant to 28 U.S.C. § 1391(e) because  
6 Respondents are employees, officers, and agencies in the United States, and because a  
7 substantial part of the events or omissions giving rise to the claims occurred in the  
8 Southern District of California.  
9

10  
11 **CUSTODY**

12 17. Petitioner is in the physical custody of the Department of Homeland and the U.S.  
13 Immigration and Customs Enforcement (ICE). At the time of this petition, Petitioner is  
14 detained at the Imperial Regional Detention Facility State Annex facility in Calexico,  
15 California. Petitioner is under the direct control of Respondents and their agents.  
16

17  
18 **REQUIREMENTS OF 28 U.S.C 2243**

19 18. The Court must grant the petition for writ of habeas corpus or issue an order to show  
20 cause (OSC) to the Respondent’s “forthwith,” unless the petitioner is not entitled to relief.  
21 28 U.S.C § 2243. If an OSC is issued, the Court must require Respondents to file a return  
22 “within three days unless for good cause additional time, not exceeding twenty days, is  
23 allowed.” *Id.*

24 19. The habeas statute has long been recognized by Courts for its significance in protecting  
25 individuals from unlawful detention in the U.S. The Great Writ has been referred to as  
26 “perhaps the most important writ known to the constitutional law of England, affording as  
27



1 it does a swift and imperative remedy to all cases of illegal restraint or confinement.” *Fay*  
2 *v. Noia*, 372 U.S. 391, 400 (1963).

3  
4  
5 **PARTIES**

6 20. Petitioner is a 45-year-old citizen of Venezuela. Petitioner is present within the state of  
7 California as of the time of the filing of this petition. Petitioner has been in custody of the  
8 Department of Homeland Security (DHS) since February of 2026. Since that time,  
9 Petitioner has sought relief from removal in Immigration Court.

10 21. Respondent Warden of the Imperial Regional Detention Facility has immediate physical  
11 custody of Petitioner pursuant to the facility’s agreement with U.S. Immigration and  
12 Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner.  
13 Respondent is a legal custodian of Petitioner.

14 22. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (DHS)  
15 and has authority over the actions of all other DHS Respondents in this case, as well as all  
16 operations of DHS. Respondent Noem is a legal custodian of Petitioner and is charged  
17 with faithfully administering the immigration laws of the United States.  
18

19 23. Respondent Pamela Bondi is the Attorney General of the United States, and as such has  
20 authority over the Department of Justice and is charged with faithfully administering the  
21 immigration laws of the United States.  
22

23 24. Respondent U.S Immigration Customs Enforcement is the federal agency responsible for  
24 custody decisions relating to non-citizens charged with being removable from the United  
25 States, including the arrest, detention, and custody status of non-citizens.  
26  
27  
28



1 25. Respondent U.S. Department of Homeland Security (DHS) is the federal agency  
2 responsible for implementing and enforcing the INA, including the detention of  
3 noncitizens.

4 26. This action is commenced against all Respondents in their official capacities.  
5

6  
7 **LEGAL FRAMEWORK**

8 27. The Due Process Clause of the Fifth Amendment provides Petitioner with important  
9 protections regarding his detention. As the Supreme Court has explained, “[f]reedom from  
10 imprisonment- from government custody, detention, or other forms of physical restraint-  
11 lies at the heart of the liberty” that the Due Process Clause protects. *Zadvydas v. Davis*,  
12 533 U.S. 678, 690 (2001).  
13

14 28. Since the Supreme Court’s *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018) decision, the  
15 Ninth Circuit has expressed “grave doubt” that “any statute that allows for arbitrary  
16 prolonged detention without any process is constitutional or that those who founded our  
17 democracy precisely to protect against the government’s arbitrary deprivation of liberty  
18 would have thought so.” *Rodriguez v. Marin*, 909 F.3d 252, 256 (9th Cir. 2018).  
19

20 29. To guarantee against such arbitrary detention and to guarantee the right to liberty, due  
21 process requires “adequate procedural protection” that ensure the government’s asserted  
22 justification for a noncitizen’s physical confinement “outweighs the individual’s  
23 constitutionally protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at  
24 690.

25 30. In the immigration context, the Supreme Court has recognized only two valid purposes for  
26 civil detention; to mitigate the risks of danger to the community and to prevent flight. The  
27 government may not detain a noncitizen based on any other justification.  
28



1 31. To justify immigration detention, the government must bear the burden of proof by clear  
2 and convincing evidence that the noncitizen is a danger or flight risk. See *Singh v. Holder*,  
3 638 F.3d 1196, 1203 (9<sup>th</sup> Cir. 2011).

4 32. The requirement that the government bear the burden of proof by clear and convincing  
5 evidence is also supported by application of the three-factor balancing test from *Mathews*  
6 *v. Eldridge*, 424 U.S. 319, 335 (1976).

7 33. First, incarceration deprives noncitizens of a profound liberty interest – one that always  
8 requires some form of procedural protections. *Diouf*, 634 F.3d at 1091-92.

9 34. Second, the risk of error is great where the government is represented by trained attorneys  
10 and noncitizens are often unrepresented and frankly lack English proficiency. See  
11 *Santosky v. Kramer*, 455 U.S. 745, 762-63 (1982). Moreover, Respondents detain  
12 noncitizens in prison-like conditions that severely hamper their ability to obtain legal  
13 assistance, gather evidence, and prepare for a bond hearing.

14 35. Third, placing the burden on the government imposes minimal cost or inconvenience, as  
15 the government has access to the noncitizen's immigration records and other information  
16 that it can use to make its case for continued detention.

17 36. Here, the Respondents can neither show that the continued detention of the Petitioner is  
18 reasonably related to the original purpose and the Mathews tests are satisfied. Similarly,  
19 no procedural safeguards are offered to those who remain in custody.

20 37. Under the three-part test of Mathews, 424 U.S., the balance overwhelmingly favors  
21 Petitioner. His interest in liberty is paramount.

22 38. Immigration detention is a form of civil confinement that “constitutes a significant  
23 deprivation of liberty that requires due process protection.” *Addington v. Texas*, 441 U.S.  
24 418, 4253 (1979).



1 39. The Refugee Act of 1980 establishes the statutory right to apply for asylum and reflects  
2 Congress's intent that individuals feeling persecution be afforded meaningful procedural  
3 protections while their claims are adjudicated, including protection from arbitrary  
4 detention that would undermine access to asylum adjudication. Refugee Act of 1980, §  
5 101(a), Pub. L. No. 96-212, 94 Stat. 102 (1980).  
6

7 40. Refugee Act reflects a legislative purpose "to give 'statutory meaning to our national  
8 commitment to human rights and humanitarian concerns.'" *Duran v. INS*, 756 F.2d 1338,  
9 1340 n.2 (9<sup>th</sup> Cir. 1985).

10 41. The Refugee Act established the right to apply for asylum in the United States and defines  
11 the standards for granting asylum. It is codified in the INA.

12 42. The INA gives the Attorney General or the Secretary of Homeland Security discretion to  
13 grant asylum to noncitizens who satisfy the definition of "refugee." Under this definition,  
14 individuals are generally eligible for asylum if they have experienced past persecution or  
15 have a well-founded fear of future persecution on account of race, religion, nationality,  
16 membership in a particular social group, or political opinion and if they are unable or  
17 unwilling to return to and avail themselves of the protection of their homeland because of  
18 that persecution of fear. 8 U.S.C. § 1101(a)(42)(A).  
19

20 43. A grant of asylum may be discretionary, but the right to apply for asylum is not. The  
21 Refugee Act broadly affords a right to apply for asylum to any noncitizen "who is  
22 physically present in the United States or who arrives in the United States." 8 U.S.C. §  
23 1158(a)(1).  
24

25 44. Because of the life-or-death stakes that are often present in asylum matters, the statutory  
26 right to apply for asylum is robust. The right includes the right to counsel, at no expense to  
27  
28



1 the government, the right to notice, and the right to access information in support of an  
2 application.

3 45. Noncitizens who seek asylum in the U.S. are guaranteed Due Process under the Fifth  
4 Amendment to the U.S. Constitution. *Reno v. Flores*, 507 U.S. 292, 306 (1993).

5 46. Noncitizens who are applicants for asylum are entitled to a full hearing in immigration  
6 court before they can be removed from the United States. 8 U.S.C. § 1229a. Noncitizens  
7 may seek administrative appellate review before the Board of Immigration Appeals of  
8 removal orders against them and judicial review in federal court upon a petition for  
9 review. 8 U.S.C § 1252(a) *et seq.*

10 47. Immigration detention is civil, not punitive, and is constitutionally permissible only to  
11 serve a legitimate, nonpunitive purpose, such as preventing flight or protecting the  
12 community. Where due process requires continued detention, the government must justify  
13 it through an individualized determination of flight risk or danger. *Zadvydas v. Davis*, 533  
14 U.S. 678, 690 (2001).

15 48. Immigration detention is civil, not punitive, and must bear a reasonable relationship to its  
16 purported purposes, such as ensuring appearance at proceedings or protecting the  
17 community.

18 49. The Due Process Clause of the Fifth Amendment limits the government's authority to  
19 detain noncitizens without adequate procedural safeguards. Prolonged detention without a  
20 meaningful opportunity for release violates due process, particularly where the individual  
21 has no criminal history or has demonstrated eligibility for relief from removal.

22  
23  
24  
25  
26 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**



1 50. Respondents' continued detention of Petitioner constitutes final agency action that is  
2 arbitrary and capricious because it reflects a failure to engage in reasoned decision-  
3 making and to consider legally required factors, including Petitioner's lack of criminal  
4 history, demonstrated compliance with proceedings, and eligibility for release under §  
5 1226(a).  
6

7 51. Petitioner has exhausted his administrative remedies to the extent required by law.  
8 He has fully cooperated with Respondents and has not delayed or obstructed his  
9 detention. Petitioner's only remedy is by way of this judicial action.

10 52. No further administrative remedy is available that would address the constitutional  
11 violations raised in this petition.

12 **STATEMENT OF FACTS**

13 53. Petitioner is a citizen and national of Venezuela.  
14

15 54. Petitioner was threatened by individuals affiliated with the Venezuelan government due to  
16 his political opposition and support for democratic movements.

17 55. Petitioner entered the United States on or about May 1, 2021, near Del Rio, Texas,  
18 without inspection. Respondents initiated removal proceedings against Petitioner under 8  
19 U.S.C. § 1229a and filed his Notice to Appear.  
20

21 56. Respondents alleged that Petitioner was inadmissible to the United States and commanded  
22 that Petitioner appear for a hearing in the immigration court.

23 57. Prior to his detainment in Imperial Regional Detention Facility, Petitioner resided in East  
24 Meadow, New York.

25 58. Petitioner has timely filed an application for asylum, withholding of removal, and  
26 protection under the Convention Against Torture based on past persecution and fear of  
27 future harm. before United States and Immigration Services.  
28



- 1 59. Petitioner has timely and consistently appeared for all hearings in Immigration Court.
- 2 60. Petitioner is currently in active removal proceedings following issuance of a Notice to
- 3 Appear dated January 19, 2026, and his claims for relief remain pending. Petitioner is now
- 4 detained in the Imperial Regional Detention Facility without an adequate justification.
- 5
- 6 61. Immigration Judges presently are denying custody redetermination for lack of jurisdiction,
- 7 relying on Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025), and declining to
- 8 conduct any bond hearing or individualized custody review for noncitizens detained under
- 9 8 U.S.C. §1225(b). However, the continued validity of Matter of Yajure Hurtado is
- 10 currently the subject of ongoing federal litigation. See *Maldonado Bautista v. DHS*, No.
- 11 26-1044 (9th Cir. Mar. 6, 2026) (administrative stay order pending appellate review).
- 12 Thus, despite the evolving legal landscape, Immigration Judges continue to deny
- 13 jurisdiction for custody redeterminations based on Yajure Hurtado.
- 14
- 15 62. Because the Immigration Judge took the position that she lacked jurisdiction to provide
- 16 any meaningful custody review and that denial was inevitable under Matter of Yajure
- 17 Hurtado, Petitioner withdrew the bond request to avoid a futile ruling. As a result,
- 18 Petitioner has no available administrative forum in which to challenge his continued
- 19 detention, rendering habeas corpus the only remaining mechanism through which
- 20 Petitioner may vindicate his constitutional right to freedom from prolonged and arbitrary
- 21 detention. Petitioner has no history of being a public threat.
- 22
- 23 63. Petitioner is not a flight risk and has every incentive to meet all requirements for his
- 24 asylum matter.
- 25

26 **CLAIMS FOR RELIEF**

27 **Count One**

28 **Constitutional Claim: Violation of Fifth Amendment Right to Due Process**



**Procedural Due Process**

64. Petitioner restates and realleges all paragraphs as if fully set forth here.

65. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the] Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

66. Civil immigration detention is only permissible where it bears a “reasonable relation to the purpose for which the individual was committed.” *Jackson v. Indiana*, 406 U.S. 715, 738 (1972). Those purposes are limited: preventing flight and protecting the community. *Demore v. Kim*, 538 U.S. 510, 528 (2003).

67. In the Ninth Circuit, prolonged immigration detention without a constitutionally adequate bond hearing violates due process. See *Singh v. Holder*, 638 F.3d 116, 1203-05 (9<sup>th</sup> Cir. 2011) (requiring bond hearings with procedural protections); *Aleman Gonzalez v. Barr*, 955 F.3d 762, 770 (9<sup>th</sup> Cir. 2020) (recognizing constitutional limitation on prolonged detention). Where detention becomes prolonged, due process requires the Government to justify continued custody at an individualized hearing before a neutral decisionmaker.

68. Petitioner has been detained without a constitutionally adequate individualized custody determination despite having no criminal history and maintaining strong community ties. Petitioners’ detention violates his right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

69. The Due Process Clause of the Fifth Amendment to the U.S. Constitution prohibits the federal government from depriving any person of “life, liberty, or property, without due process of law.” U.S. Const. Amend. V. Due process protects “all ‘persons’ within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas*, 533 U.S. at 693.



1 70. Due process requires that government action be rational and non-arbitrary. *See U.S. v.*  
2 *Trimble*, 487 F.3d 752, 757 (9<sup>th</sup> Cir. 2007).

3 71. Petitioner’s continued detention without a meaningful opportunity for release violates the  
4 Due Process Clause of the Fifth Amendment.

5 72. Petitioner’s detention is excessive and unconstitutional.

6 73. Petitioner has not received a bond hearing that satisfies due process requirements. Any  
7 bond hearing must place the burden of proof on the government to justify continued  
8 detention by clear and convincing evidence. The denial of bond without such safeguards  
9 violates due process. Here, the government’s arguments that the Petitioner is a flight risk  
10 and a danger to the community are unwarranted.  
11

12  
13 **Count Two**

14 **Violation of the Immigration and Nationality Act Detention After Removal Proceedings**

15 74. Petitioner herein incorporates all allegations and facts set forth in the paragraphs above.

16 75. Petitioner’s continued detention violates the Immigration and Nationality Act.

17 76. The INA does not authorize indefinite or unreasonably prolonged detention.

18 77. Respondents’ continued detention of Petitioner violates the Immigration and Nationality  
19 Act (“INA) because Petitioner, who has a pending asylum application and was  
20 apprehended within the interior of the United States, is detained pursuant to 8 U.S.C §  
21 1226(a), which authorizes discretionary detention and contemplates individualized  
22 custody determinations. The Immigration Judges jurisdictional ruling does not convert  
23 Petitioners detention into mandatory detention for constitutional purposes, nor does it  
24 eliminate the Government’s obligation to provide a constitutionally adequate custody  
25 hearing.  
26  
27  
28



1 78. Despite Petitioner’s detention since February of 2026, Respondents have failed to provide  
2 a constitutionally adequate bond hearing or otherwise justify continued detention under  
3 the INA.

4 79. The mandatory detention provision of 8 U.S.C § 1225(b)(2) does not apply to noncitizens  
5 residing in the United States who entered without inspection and were not placed in  
6 expedited removal, and Petitioner is not subject to any other mandatory detention statute,  
7 including §1225(b)(1), 1226(c), or 1231.

8 80. Even where detention has not yet reached extreme duration, the complete denial of any  
9 meaningful custody review renders such detention constitutionally deficient from its  
10 inception.

11 81. By detaining Petitioner for an unreasonably prolonged period without a meaningful  
12 opportunity to seek release on bond or parole, Respondents have exceeded their statutory  
13 authority under the INA and are unlawfully restraining Petitioner’s liberty.  
14  
15

16 **Count Three**

17 **Violation of the Administrative Procedure Act**

18 82. Under the Administrative Procedure Act, a court shall “hold unlawful and set aside  
19 agency action” that is an abuse of discretion. 5 U.S.C. 706(2)(A).  
20

21 83. An action is an abuse of discretion if the agency entirely failed to consider an important  
22 aspect of the problem, offers an explanation for its decision that runs counter to the  
23 evidence before the agency, or is so implausible that it could not be ascribed to a different  
24 in view or the product of agency expertise. *Nat’l Ass’n of Home Builders v. Defs. Or*  
25 *Wildlife*, 551 U.S. 644, 658 (2007).  
26  
27  
28



1 84. To survive an APA challenge, the agency must articulate a satisfactory explanation for its  
2 action, including a rational connection between the facts found and the choice made.  
3 *Dep't of Com. V. New York*, 139 S. Ct. 2551, 2569 (2019).

4  
5 85. On information and belief, Respondents have made no substantiated finding that  
6 Petitioner is a danger to the community.

7 86. On information and belief, Respondents have made no substantiated finding that the  
8 Petitioner is a flight risk, in fact, the Petitioner has never failed to appear for immigration  
9 proceedings.

10 87. By detaining the Petitioner, the Respondents have abused their discretion.

11  
12  
13 **PRAYER FOR RELIEF**

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

- 15 1. Assume jurisdiction over this matter;
- 16 2. Issue an Order to Show Cause ordering Respondents to show cause why this Petition  
17 should not be granted within three (3) days;
- 18 3. Declare that Petitioner's detention without an individualized determination violates the  
19 Due Process Clause of the Fifth Amendment;
- 20 4. Issue a Writ of Habeas Corpus ordering the Respondents to release Petitioner from  
21 custody; hold a hearing if warranted; determine that Petitioners' detention is not  
22 justified because the government has not established by clear and convincing  
23 evidence that Petitioner presents a risk of flight or a danger to the community in  
24 light of the available alternatives;
- 25 5. Issue an Order prohibiting the Respondents from transferring Petitioner from the  
26 district without the court's approval;
- 27 6. Declare that Petitioner's continued detention is unconstitutional and unlawful because  
28



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- it is not reasonably related to any legitimate purpose of immigration detention;
- 7. In the alternative, should the Court determine that immediate release is not warranted, order Respondents to provide Petitioner with an individualized bond hearing before an impartial immigration judge within fourteen (14) days, at which the Government bears the burden of proving by clear and convincing evidence that continued detention is justified.
- 8. Declare that Respondents' conduct violates the Administrative Procedure Act, 5 U.S.C. §§ 702 and 706, as arbitrary, capricious, and not in accordance with law;
- 9. In the alternative, should the Court determine that immediate release is not warranted, order Respondents to provide Petitioner an individualized bond hearing before an impartial immigration judge within 14 days, at which the government bears the burden to justify continued detention by clear and convincing evidence;
- 10. Award reasonable attorneys' fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, and any other applicable authority; and
- 11. Grant such other and further relief as the Court deems just and proper.

Respectfully Submitted,

Dated this 17 day of March 2026.




---

Kamal D. Mann  
 THE MANN LAW OFFICES, P.C.  
 Attorney for Petitioner

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



1 I am submitting this verification on behalf of the Petitioner because I am the attorney for  
2 Petitioner. I or my co-counsel have discussed with the Petitioner the events described in this  
3 Petition. Based on those discussions, I hereby verify that the statements made in the attached  
4 Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.  
5

6 Dated this 18 day of March 2026.  
7

8   
9

10  
11 

---

  
12 Kamal D. Mann

13 THE MANN LAW OFFICES, P.C.

14 *Attorney for Petitioner*  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

