

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

M
A  MEZA CRUZ
Petitioner,

Case No. 26-1898

v.
JAMAL L. JAMISON, in his official capacity as the Facility
Administrator of the Philadelphia Federal Detention Center; John E.
RIFE, in his official capacity as acting Philadelphia Field Office
Director for U.S. Immigration and Customs Enforcement; TODD
LYONS, Acting Director of U.S. Immigration and Customs
Enforcement, in his official capacity; KRISTI NOEM, Secretary of
the U.S. Department of Homeland Security, in her official capacity;
PAMELA BONDI, Attorney General of the United States, in her
official capacity;

Respondents.

**VERIFIED PETITION
FOR WRIT OF
HABEAS CORPUS**

**PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241**

Petitioner respectfully requests that this Honorable Court issue a writ of habeas corpus to remedy Petitioner's unlawful detention by Respondents, as follows:

INTRODUCTION

1. Petitioner, Mr. Manuel Antonio Meza Cruz is a 37-year-old noncitizen from Nicaragua, who is in the custody of the United States Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE"), and is currently detained at the Philadelphia Federal Detention Center ("PFDC" or the "Facility"). Pet Exh. A, F. Mr. Meza Cruz is a person of vulnerabilities, as he is an asylum-seeker. Prior to his detention, Petitioner lived in Reading, Pennsylvania without issue. Petitioner has resided continuously in the United States subsequent to entering the United States without inspection on or about October 5, 2022, to seek safety. Pet Exh. B, C, D, E.

2. Petitioner peaceably resided Pennsylvania and complied with the requirements to lawfully seek asylum and related protections including by filing an application for protection and obtaining employment authorization. Pet Exh. B, C. Petitioner further complied with immigration procedures by attending routine supervision appointments with U.S. Immigration and Customs Enforcement. Pet Exh. D.

3. While in the United States, the Petitioner has lived responsibly. He has obtained employment authorization from the immigration services and has maintained himself working in construction, while awaiting a decision on his protection application. Pet Exh. B. He lived as a lawful asylum seeker, with a pending application for protection before the government, as he is a person who fears violence 

. Pet Exh. B, C.

4. After entering the United States on or about October 5, 2022, the Petitioner was released by the Respondents. Pet Exh. E. As a result of that release, Petitioner settled in Reading, Pennsylvania and was required to attend regular immigration supervision appointments and virtual supervision, at which he appeared and complied. Pet Exh. D. At his most recent supervision appointment at a Pennsylvania office of U.S. Immigration and Customs Enforcement, Mr. Meza Cruz was detained without notice or cause. He was not informed as to the reasons for his change in custody that occurred on or about March 20, 2026.

5. Petitioner is detained pending his removal proceedings without access to a hearing conducted by a neutral decisionmaker—a federal judge or an immigration judge—to determine whether his detention is warranted based on danger or flight risk, pursuant to the BIA’s recent decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Similarly, the Respondent’s rely on *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025), to also remove access to a bond hearing to immigrant applicants.

6. The *Hurtado* decision, which holds that 8 U.S.C. § 1225(b)(2) makes noncitizens like Petitioner, who are apprehended in the United States but have never been admitted, subject to mandatory detention without a bond hearing, violates the statute. Instead, 8 U.S.C. § 1226(a) applies and authorizes release on bond after a hearing before an immigration judge. The BIA’s interpretation conflicts with the plain language and structure of the statute, as well as decades of uncontroverted agency practice. Therefore, the application of § 1225(b)(2) to Petitioner is contrary to law and violates the Immigration and Nationality Act (INA) and the Administrative Procedure Act (APA).

7. In the alternative, if the statute does authorize Petitioner’s detention without a bond hearing, it violates his rights to substantive and procedural due process. Detention of all

noncitizens who are subject to inadmissibility grounds, like Petitioner, without any individualized hearing does not “bear a reasonable relation to the purpose for which the individual was committed.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Moreover, application of the *Mathews v. Eldridge* balancing test shows that a bond hearing is necessary to protect Petitioner from an unnecessary deprivation of liberty. *See* 424 U.S. 319, 335 (1976).

8. Petitioner therefore respectfully requests that this Court issue a writ of habeas corpus and order Petitioner’s immediate release from custody. In the alternative, Petitioner requests that this Court conduct, or order an immigration judge to conduct, a bond hearing at which (1) the government bears the burden of proving flight risk and/or dangerousness by clear and convincing evidence and (2) the reviewing court considers alternatives to detention that could mitigate risk of flight. *See German Santos v. Warden Pike Cty. Corr. Facility*, 965 F.3d 203, 213-214 (3d Cir. 2020).

PARTIES

9. Petitioner Manuel Antonio Meza Cruz is a noncitizen currently detained by Respondents at the Philadelphia Federal Detention Center without access to bond and pending removal proceedings. Pet Exh. F.

10. Respondent Jamal L. Jamison is employed as the Warden of the Philadelphia Federal Processing Center, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

11. Respondent John E. Rife is the acting Director of the Philadelphia Field Office of ICE’s Enforcement and Removal Operations division, a component of the Department of Homeland Security. He is responsible for administration and management of ICE Enforcement Removal Operations in Pennsylvania. As such, he is Petitioner’s immediate custodian and is responsible for Petitioner’s detention and removal. He is sued in his official capacity.

12. Respondent Todd Lyons is named in his official capacity as the Acting Director of ICE. In this capacity, Respondent Lyons is responsible for the administration of federal immigration law and the execution of detention and removal determinations, and, as such, he is a legal custodian of Petitioner.

13. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

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

JURISDICTION AND VENUE

15. Petitioner is in the physical custody of Respondents. He is detained at the Philadelphia Federal Detention Center, in Philadelphia, Pennsylvania. Pet Exh. F.

16. This action arises under the Fifth and Fourteenth Amendments to the U.S. Constitution.

17. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

18. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgement Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.

19. The United States has waived sovereign immunity for this action for declaratory and injunctive relief against one of its agencies, and that agency's officers are sued in their official capacities. *See* 5 U.S.C. § 702.

20. Venue lies in the United States District Court for the Eastern District of Pennsylvania, the judicial district in which Petitioner currently is detained. *Anariba v. Dir. Hudson Cnty. Corr. Ctr.*, 17 F.4th 434, 444–45 (3d Cir. 2021) (describing how a habeas petitioner seeking to challenge his present physical custody should “file the petition in the district of confinement.”).

EXHAUSTION OF ADMINISTRATIVE REMEDIES

21. There is no statutory requirement of exhaustion of administrative remedies where a noncitizen challenges the lawfulness of his detention. *Arango Marquez v. I.N.S.*, 346 F.3d 892, 897 (9th Cir. 2003). Any requirement of administrative exhaustion is therefore purely discretionary. *See Santos v. Lowe*, No. 1:18-cv-1553, 2020 WL 4530728, at *2 (M.D. Pa. Aug. 2020) (“[T]he exhaustion requirement imposed by courts relating to habeas corpus petitions filed by immigration detainees is a prudential benchmark which is not compelled by statute.”).

22. In making that decision, the Court should consider the urgency of the need for immediate review. “Where a person is detained by executive order . . . the need for collateral review is most pressing. . . In this context the need for habeas corpus is more urgent.” *Boumediene v. Bush*, 553 U.S. 723, 783 (2008) (waiving administrative exhaustion for executive detainees).

23. Moreover, the exhaustion “doctrine is not without exception.” *Ashley v. Ridge*, 288 F. Supp. 2d 662, 666. (D.N.J. 2003). “Courts have found that the exhaustion of administrative remedies may not be required when available remedies provide no opportunity for adequate relief,

an administrative appeal would be futile, or if plaintiff has raised a substantial constitutional question.” *Id.* at 666-67.

24. The Board of Immigration Appeals has issued a published decision holding that people like Petitioner who entered the United States without inspection and therefore have not been admitted are ineligible for bond pursuant to 8 U.S.C. § 1225(b)(2)(A). Immigration judges and the BIA are bound by this decision. 8 C.F.R. § 1003.1(g)(1). Exhaustion before the BIA would therefore be futile.

25. Further, the BIA does not have jurisdiction to adjudicate constitutional issues. *Qatanani v. Att’y Gen. of the U.S.*, 144 F.4th 485, 500 (3d Cir. 2025); *see also Ashley*, 288 F. Supp. 2d at 667 (citation omitted). Therefore, any administrative proceedings would be futile because petitioner raises a constitutional due process claim. *Qatanani*, 144 F.4th at 500.

STATEMENT OF FACTS

26. Manuel Antonio Meza Cruz is a citizen and native of Nicaragua. Pet Exh. A. Prior to his detention by the Respondents, Mr. Meza Cruz resided in Reading, Pennsylvania. On information and belief, he has not had any adverse or negative contacts with authorities. Rather, he is an asylum seeker, who has followed the procedures to seek protection from persecution and torture in Nicaragua. Pet Exh. C.

27. Petitioner entered the United States on or about October 5, 2022. He was released by immigration authorities with instructions to appear in immigration court and seek appropriate relief before the court and immigration services. Pet. Exh D.

28. Mr. Meza Cruz is a bona fide asylum seeker who suffered persecution in Nicaragua as a result of [REDACTED] Petitioner previously submitted a lawful

application for asylum with the U.S. government. Pet Exh. C. That application remains pending today.

29. Petitioner is a person of good character and an asylum seeker. On information and belief, he has not had any criminal contacts anywhere in the world. He supports himself by working construction, and does so lawfully pursuant to a grant of employment authorization. Therefore, he properly obtained legal assistance, obtained lawful employment authorization, filed for relief before the government and appeared as required by immigration services. Pet Exh. D.

30. Petitioner, most recently, attended a supervision appointment on or about March 20, 2026 at the supervision office for Immigration and Customs Enforcement in King of Prussia, PA. Despite not missing an appointment nor violating the terms of his release, whatsoever, the Respondents' detained the Petitioner. Pet Exh. D. He was not provided an explanation of the reasons for his change in custody.

31. Respondents took Petitioner into immigration custody, even though he is not a danger to the community nor is he a flight risk.

32. Petitioner is currently detained at the Philadelphia Federal Detention Center ("PFDC" or the "Facility") in Philadelphia, Pennsylvania. Pet. Exh. F.

33. Pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), Petitioner is now being held without access to bond as Respondents and the Board has determined, incorrectly, that the Petitioner is subject to detention pursuant to § 1225(b)(2). However, the record and Petitioner's detention in the interior of the United States demand that he is instead detained pursuant to the arrest authority at 8 U.S.C. § 1226(a) which requires eligibility for an immigration bond before an impartial adjudicator.

34. Petitioner's ongoing confinement without the opportunity for bond serves no legitimate governmental interest. He poses no threat to public safety and presents no risk of flight. Prior to detention, he lived peacefully in the United States, was an asylum seeker, and complied with all legal requirements to seek asylum protection in the United States. The Petitioner has always demonstrated he is a person of good character who supports the principles of safety and protection. His record reflects that he has complied with the requirements to lawfully seek protection in the United States.

35. In light his compliance with the lawful procedures to seek asylum, Petitioner was afforded work authorization until the year 2030. Pet Exh. B. His asylum application remains pending before the immigration services. Pet. Exh. C.

36. On information and belief, Petitioner never engaged in criminal activity and has no history of conduct suggesting danger to the community. On the contrary, he has demonstrated a deep respect for lawful authority and a consistent willingness to participate in legal proceedings and comply with all conditions of ICE supervision.

37. Prolonged and unlawful detention is inconsistent with humanitarian principles and with the U.S.'s commitment to protect *bona fide* asylum seekers under domestic and international law.

38. Considering Petitioner's character and demonstrated respect for the lawful asylum process, the Petitioner's continued detention is excessive, unjustified, and inconsistent with constitutional principles of due process and humane treatment. The equities of this case, as well as humanitarian and public interest considerations, weigh heavily in favor of his immediate release or conditions of bond.

LEGAL FRAMEWORK

I. Section 1226(a) Governs the Detention of People Like Petitioner Who are Detained in the United States and Have Not Previously Been Admitted

39. The Immigration and Nationality Act contains several provisions authorizing detention of noncitizens. Section 1226(a) entitles most noncitizens with pending removal proceedings to a hearing before an Immigration Judge to determine whether they should be released on bond. 8 U.S.C. § 1226(a); 8 C.F.R. § 1236.1(d). Section 1226(c) creates an exception to section 1226(a) and provides that noncitizens who are removable by virtue of certain criminal convictions must be detained without a bond hearing. Section 1225(b) provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals “seeking admission” under (b)(2). Finally, section 1231 governs the detention of noncitizens with a final order of removal.

40. The detention provisions at § 1226(a) and § 1225(b)(2) 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. Section 1226 was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025). “Upon passing IIRIRA, Congress declared that the new Section 1226(a) ‘restates the current provisions in the predecessor statute,’” which allowed noncitizens who entered without inspection to be released on bond. *Rodriguez v. Bostock*, 779 F. Supp. 3d 1239, 1260 (W.D. Wash. 2025) (citing H.R. Rep. No. 104-469, pt. 1, at 229; H.R. Rep. No. 104-828, at 210).

41. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *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.”).

42. Thus, in the decades that followed, most people who entered without inspection and were thereafter arrested and placed in standard removal proceedings were considered for release on bond and received bond hearings before an IJ, unless their criminal history rendered them ineligible. *Diaz Martinez v. Hyde*, No. 25-11613, 2025 WL 2084238, -- F. Supp. 3d --, at *4 (D. Mass. July 24, 2025). That practice was consistent with many more decades of prior practice, in which noncitizens who had entered the United States, even if without inspection, were entitled to a custody hearing before an IJ or other hearing officer. See 8 U.S.C. § 1252(a) (1994).

43. In recent months, Respondents have abruptly changed course by reinterpreting these statutes. On May 15, 2025, the BIA issued a decision holding that a noncitizen who entered without inspection and was apprehended and paroled near the border was subject to mandatory detention under § 1225(b)(2)(A) when her parole was terminated and she was re-detained. *Matter of Q. Li*, 29 I&N Dec. 66, 70 (BIA 2025).

44. On July 8, 2025, ICE Director Todd M. Lyons issued an internal memorandum stating that, “in coordination with the Department of Justice (DOJ),” DHS had “revisited” its legal position and believed that § 1225, not § 1226, governs the detention of noncitizens who are present in the United States without having been admitted. *Diaz Martinez*, 2025 WL 2084238, at *4.

45. On September 5, 2025, the BIA followed suit and issued a precedential decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). The BIA held that noncitizens “who are present in the United States without admission are applicants for admission as defined under

section 235(b)(2)(A) of the INA, 8 U.S.C. § 1225(b)(2)(A), and must be detained for the duration of their removal proceedings.” 29 I&N Dec. at 220.

46. The BIA adopted this position despite numerous recent federal court decisions rejecting DHS’s position and holding that people who are present without having been admitted are eligible for bond pursuant to § 1226(a), including this Court. See *Demirel v. Fed. Det. Ctr. Phila.*, Civ. A. No. 25-5488, 2025 WL 3218243, at *2 and App. (E.D. Pa. Nov. 18, 2025) (collecting 288 cases nationwide); see also, e.g., *Picon v. O’Neill*, Civ. A. No. 25-6731, 2025 WL 3634212 (E.D. Pa. Dec. 15, 2025); *Anirudh v. McShane*, Civ. A. No. 25-6458, 2025 WL 3527528 (E.D. Pa. Dec. 9, 2025); *Pereira v. O’Neill*, Civ. A. No. 25-6543, 2025 WL 3516665 (E.D. Pa. Dec. 8, 2025); *Ibarra v. Warden of Fed. Det. Ctr. Phila.*, Civ. A. No. 25-6312, 2025 WL 3294726 (E.D. Pa. Nov. 25, 2025); *Patel v. McShane*, Civ. A. No. 25-5975, 2025 WL 3241212 (E.D. Pa. Nov. 20, 2025); *Ndiaye v. Jamison*, Civ. A. No. 25-6007, 2025 WL 3229307 (E.D. Pa. Nov. 19, 2025); *Kashranov v. Jamison*, Civ. A. No. 25-5555, 2025 WL 3188399 (E.D. Pa. Nov. 14, 2025). See, also, *Perez v. Berg*, No. 8:25-cv-494, 2025 WL 2531566, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025); *Maldonado v. Olson*, No. 25-cv-3142, 2025 WL 2374411, – F. Supp. 3d –, at *13 (D. Minn. Aug. 15, 2025); *Lopez Benitez v. Francis*, No. 25-cv-5937, 2025 WL 2371588, -- F. Supp. 3d –, at *9 (S.D.N.Y. Aug. 13, 2025); *Rosado v. Figueroa*, No. 25-2157, 2025 WL 2337099, at *7 (D. Ariz. Aug. 11, 2025); *Diaz Martinez*, 2025 WL 2084238, at *8; *Gomes v. Hyde*, No. 1:25-cv-11571, 2025 WL 1869299, at *7 (D. Mass. July 7, 2025); *Rodriguez*, 779 F. Supp. 3d at 1257.

47. As these decisions explain, the BIA’s position in *Matter of Yajure Hurtado* defies the INA. The plain text of the statute shows that § 1226(a), not § 1225(b), applies to people like Petitioner.

48. Section 1226(a) applies by default to all persons “pending a decision on whether the [noncitizen] is to be removed from the United States.” *See Jennings v. Rodriguez*, 583 U.S. 281, 288 (2018) (describing 1226(a) as the “default rule” for detention of noncitizens pending removal). These removal hearings are held under § 1229a, to “decid[e] the inadmissibility or deportability of a[] [noncitizen].”

49. The text of § 1226 explicitly applies to people charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Just this year, Congress enacted subparagraph (E) in the Laken Riley Act to exclude certain noncitizens who entered without inspection from § 1226(a)’s default bond provision. Subparagraph (E)’s reference to persons inadmissible under § 1182(6)(A), i.e., persons inadmissible for entering without inspection, makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, “[w]hen Congress creates “specific exceptions” to a statute’s applicability, it “proves” that absent those exceptions, the statute generally applies. *Rodriguez Vazquez*, 2025 WL 1193850, at *12 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)).

50. Under the BIA’s interpretation, **all** noncitizens subject to inadmissibility grounds are detained without the opportunity for a bond hearing under 8 U.S.C. § 1225(b). *Matter of Yajure Hurtado*, 29 I&N Dec. at 220; *see* 8 U.S.C. § 1182(a)(6) (making people who are present without having been admitted inadmissible); 8 U.S.C. § 1101(a)(14) (defining an admission). Therefore, this interpretation would render all the grounds of mandatory detention in § 1226(c) applying to inadmissible noncitizens, including the recently-passed Laken Riley Act, superfluous. *Gomes*, 2025 WL 1869299, at *7; *Rodriguez*, 779 F. Supp. 3d at 1258; *see Marx v. Gen. Revenue Corp.*, 568 U.S. 371, 386 (2103) (“[T]he canon against surplusage is strongest when an interpretation

would render superfluous another part of the same statutory scheme.”). This statutory structure demonstrates that Congress did not intend to make § 1226(a) inapplicable to all inadmissible noncitizens and instead viewed it as the default bond provision for people arrested within the United States.

51. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who very recently entered the United States. The statute’s entire framework is premised on inspections at the border of people who are “seeking admission” to the United States. 8 U.S.C. § 1225(b)(2)(A); *see also Diaz Martinez*, 2025 WL 2084238, at *8 (“[O]ur immigration laws have long made a distinction between those [noncitizens] who have come to our shores seeking admission . . . and those who are within the United States after an entry, irrespective of its legality.” (quoting *Leng May Ma v. Barber*, 357 U.S. 185, 187 (1958))). Indeed, the Supreme Court has explained that this mandatory detention scheme applies “at the Nation’s borders and ports of entry, where the Government must determine whether a[] [noncitizen] seeking to enter the country is admissible.” *Jennings*, 583 U.S. at 287.

52. The BIA’s interpretation “would render the phrase ‘seeking admission’ in 8 U.S.C. § 1225(b)(2)(A) mere surplusage.” *Lopez Benitez*, 2025 WL 2371588, at *6. That section applies to people who are (1) applicants for admission; (2) seeking admission; and (3) not clearly and beyond a doubt entitled to be admitted. 8 U.S.C. § 1225(b)(2)(A); *Lopez Benitez*, 2025 WL 2371588, at *6; *Diaz Martinez*, 2025 WL 2084238, at *2. The BIA’s interpretation makes all applicants for admission subject to mandatory detention, leaving the “seeking admission” criterion unnecessary and violating the rule against surplusage. *Lopez Benitez*, 2025 WL 2371588, at *6; *Diaz Martinez*, 2025 WL 2084238, at *6.

53. Instead, the phrase “seeking admission” indicates that § 1225(b)(2)(A) applies to people who are taking “some sort of present-tense action,” in other words, coming or attempting to come into the United States. *Diaz Martinez*, 2025 WL 2084238, at *6; *see also Matter of M-C-D-V-*, 28 I&N Dec. 18, 23 (BIA 2020) (stating that “the use of the present progressive tense . . . denotes an ongoing process”). Therefore, § 1226(a), not § 1225(b)(2)(A), governs the detention of people detained within the United States who are not actively seeking admission, as required by the statute.

54. Applying § 1226(a), rather than § 1225(b), to people detained in the interior who had previously entered without inspection is consistent with the government’s longstanding practice, which “can inform a court’s determination of what the law is.” *Loper Bright Enter. v. Raimondo*, 603 U.S. 369, 386 (2024). This longstanding practice further counsels against the BIA’s abrupt change in policy. *Maldonado*, 2025 WL 2374411, at *11.

55. Finally, as discussed below, the BIA’s interpretation of § 1225(b)(2)(A) to mandate detention without a bond hearing for all noncitizens present in the United States without having been admitted presents serious constitutional concerns. Therefore, to the degree that the statute remains ambiguous, the Court should presume that Congress “did not intend the alternative which raises serious constitutional doubts” and reject that construction. *Clark v. Martinez*, 543 U.S. 371, 381-82 (2005). Therefore, § 1226(a), which permits bond hearings, not § 1225(b)(2)(A), which does not, governs the detention of people like Petitioner.

II. The BIA’s Application of Mandatory Detention to Noncitizens Like Petitioner Violates Substantive and Procedural Due Process

56. “It is well established that the Fifth Amendment entitles [noncitizens] to due process of 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 government

custody, detention, or other forms of physical restraint—lies at the heart of the liberty” that the Due Process Clause protects. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also id.* at 718 (Kennedy, J., dissenting) (“Liberty under the Due Process Clause includes protection against unlawful or arbitrary personal restraint or detention.”). This fundamental due process protection applies to all noncitizens within the United States, including both removable and inadmissible noncitizens. *See id.* at 693; *Plyler v. Doe*, 457 U.S. 202, 212 (1982); *Wong Wing v. United States*, 163 U.S. 228, 238 (1896).

57. Absent adequate procedural protections, substantive due process requires a “special justification” that “outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690; *accord, e.g., Torralba v. Knight*, No. 2:25-cv-1366, 2025 WL 2581792, at *12 (D. Nev. Sept. 5, 2025) (describing the standard for a substantive due process violation); *Fernandez v. Lyons*, No. 8:25-cv-506, 2025 WL 2531539, at *4 (D. Neb. Sept. 3, 2025) (same). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention—to mitigate the risks of danger to the community and to prevent flight. *Id.*; *Demore*, 538 U.S. at 528. Thus, to withstand constitutional scrutiny, the nature and duration of mandatory immigration detention must be reasonably related to these purposes.

58. In *Demore*, the Supreme Court upheld the constitutionality of § 1226(c) against a facial challenge, specifically citing evidence that had been before Congress about noncitizens with criminal convictions. 538 U.S. at 518-520. This justification does not apply, however, to noncitizens with no criminal record whatsoever who have lived in the community for years. The broad policy set forth in *Matter of Yajure Hurtado* is not reasonably related to the purposes of prevent danger to the community or flight risk and violates substantive due process.

59. Additionally, procedural due process protects noncitizens against deprivation of liberty without adequate procedural protections, including notice and the opportunity to be heard. *A.A.R.P. v. Trump*, 145 S. Ct. 1364, 1367 (2025); *Trump v. J.G.G.*, 145 S. Ct. 1003, 1006 (2025); *Velasco Lopez v. Decker*, 978 F.3d 842, 851 (2d Cir. 2020). In determining the proper procedure to protect a detained noncitizen’s procedural due process rights under the Fifth Amendment, courts apply the three-part balancing test in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976), weighing (1) “the private interest that will be affected by the official action;” (2) “the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards;” and (3) “the Government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.” *Black v. Decker*, 103 F.4th 133, 147-48 (2d Cir. 2024); *Gayle v. Warden Monmouth C’ty Corr. Facility*, 12 F. 4th 321, 331 (3d Cir. 2021); *Hernandez-Lara*, 10 F.4th at 28; *Velasco Lopez*, 978 F.3d at 851 (all quoting *Mathews*, 424 U.S. at 335). Here, the BIA’s interpretation of the statute to require detention of all people in the United States without having been admitted deprives them of their liberty without any individualized process to determine whether such detention is necessary to prevent flight risk or danger to the community and violates due process.

60. First, the “importance and fundamental nature” of an individual’s liberty interest is well-established. *United States v. Salerno*, 481 U.S. 739, 750 (1987); *see also Ashley*, 288 F. Supp. at 670 (“[F]reedom from confinement is a liberty interest of the highest constitutional import.”). For people “who can face years of detention before resolution of their immigration proceedings, ‘the individual interest at stake is without doubt particularly important.’” *Linares Martinez v. Decker*, No. 18-cv-6527 (JMF), 2018 WL 5023946 at *3 (S.D.N.Y. Oct. 17, 2018).

61. Weighing this factor in *Velasco Lopez*, the Second Circuit found the private interest to be “on any calculus, substantial,” observing that the petitioner, “could not maintain employment or see his family or friends or others outside normal visiting hours. The use of a cell phone was prohibited, and he had no access to the internet or email and limited access to the telephone.” 978 F.3d at 851-52. Similarly, the First Circuit found a substantial private liberty interest for the petitioner in *Hernandez-Lara*, noting that the petitioner there was incarcerated “alongside criminal inmates” at a jail where “she was separated from her fiancé and unable to maintain her employment.” 10 F.4th at 28.

62. Second, absent any individualized bond hearing, people will be detained despite not being a danger to the community or a flight risk, because there is no mechanism to determine whether their detention is necessary. *See, e.g., Günaydin v. Trump*, No. 25-cv-1151, 2025 WL 1459154, -- F. Supp. 3d --, at *8 (D. Minn. May 21, 2025) (noting that lack of consideration of “individualized or particularized facts . . . increases the potential for erroneous deprivation of individuals’ private rights”); *Ashley*, 28 F. Supp. 2d at 670 (finding a procedural due process violation because “the Government has not proved that Petitioner presents an identified and articulable threat to an individual or the community so as to justify his continued detention”). A bond hearing would have significant value because it is designed to assess the individualized facts of each case and determine whether less restrictive measures can fulfill the same goals.

63. Finally, the burden on the government of returning to the longstanding practice of holding bond hearings for people like Petitioner does not outweigh the liberty interest at stake. To the contrary, the government has an interest in “minimizing the enormous impact of incarceration in cases where it serves no purpose.” *Velasco Lopez*, 978 F.3d at 854; *see also Hernandez-Lara*, 10 F.4th at 33 (noting that “limiting the use of detention to only those noncitizens who are

dangerous or a flight risk may save the government, and therefore the public, from expending substantial resources on needless detention”). Additionally, “unnecessary detention imposes substantial societal costs . . . The needless detention of those individuals thus separates families and removes from the community breadwinners, caregivers, parents, siblings, and employees. Those ruptures in the fabric of communal life impact society in intangible ways that are difficult to calculate in dollars and cents.” *Hernandez-Lara*, 10 F.4th at 33 (citation and internal quotation marks omitted). The cost to the government and society of detaining people unnecessarily for extended periods of time is greater than the cost of providing individualized hearings, and weighs in favor of additional procedural protections.

64. At these bond hearings, due process requires that the Government bear the burden of proof by clear and convincing evidence. *See Gayle*, 12 F.4th at 332 (“[W]hen such a severe deprivation is at issue, the Government must bear the burden of proof.”). “A standard of proof serves to allocate the risk of error between the litigants and reflects the relative importance attached to the ultimate decision.” *German Santos v. Warden Pike C’ty Corr. Facility*, 965 F.3d 203, 213 (citing *Addington v. Texas*, 441 U.S. 418, 423 (1979)). Therefore, when the Third Circuit has ordered a constitutionally-required bond hearing, it is placed the burden on the government by clear and convincing evidence. *German Santos*, 965 F.3d at 214; *Guerrero-Sanchez v. Warden York C’ty Prison*, 905 F.3d 208, 224 & n.12 (3d Cir. 2018), *abrogated on other grounds by Johnson v. Arteaga-Martinez*, 596 U.S. 572 (2022). Other circuit courts have similarly held that due process requires this allocation of the burden in bond hearings for noncitizens like petitioner, who were then detained under § 1226(a). *Hernandez-Lara*, 10 F.4th at 39-40; *Velasco Lopez*, 978 F.3d at 855-56. Thus, even if the statute requires detention without a bond hearing, due process requires a hearing at which the government bears the burden by clear and convincing evidence.

FIRST CLAIM FOR RELIEF
Violation of 8 U.S.C. § 1226(a)
Unlawful Denial of Release on Bond

65. Petitioner re-alleges and incorporates by reference all above paragraphs.

66. 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 grounds of inadmissibility. Specifically, it does not apply to Petitioner, who has been living in the United States since on or about October 5, 2022 prior to being to being apprehended detained by Respondents on or about March 20, 2026.

67. The fact that Petitioner was previously detained and released at the border does not undermine this conclusion. In any event, that initial arrest “is not what is at issue in this case,” rather it is his 2026 arrest and detention. *See Lopez Benitez*, 2025 WL 2371588. Even if Petitioner was “seeking admission” within the meaning of § 1252(b)(2)(A) at the time of his entry and initial apprehension, he was no longer engaged in that “present-tense action” when he was arrested in 2025, and therefore no longer meets the requirements of § 1252(b)(2)(A) discussed above. *See Diaz Martinez*, 2025 WL 2084238, at *6.

68. Petitioner is detained under § 1226(a) and is eligible for release on bond. Respondents’ unlawful application of § 1225(b)(2) to Petitioner violates the INA.

SECOND CLAIM FOR RELIEF
Violation of Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1, and 1003.19
Unlawful Denial of Release on Bond

69. Petitioner re-alleges and incorporates by reference all above paragraphs.

70. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and Detention of [Noncitizens],” the

agencies explained that “[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. at 10323 (emphasis added). The agencies thus made clear that individuals who had entered without inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.

71. The regulation at 8 C.F.R. § 1003.19 lays out bond procedures, and § 1003.19(h)(2) delineates categories of noncitizens who are subject to mandatory detention and not entitled to a bond hearing. The fact that noncitizens within the United States who are subject to inadmissibility grounds are not included on this list shows that the agencies did not intend them to be subject to mandatory detention. The BIA’s interpretation thus violates the regulations and unlawfully denies Petitioner a bond hearing.

THIRD CLAIM FOR RELIEF
Violation of the Administrative Procedure Act
Contrary to Law and Arbitrary and Capricious Agency Policy

72. Petitioner re-alleges and incorporates by reference all above paragraphs.

73. The APA provides that a “reviewing court shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C. § 706(2)(A).

74. 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 grounds of inadmissibility. Specifically, it does not apply to Petitioner, who has been living in the United States for two years

prior to being to being apprehended and placed into removal proceeding by respondents. Petitioner is detained under § 1226(a) and is eligible for release on bond.

75. In taking a contrary position, the BIA has reversed decades of prior practice, and “would expand § 1225(b) face beyond how it has been enforced historically, potentially subjecting millions more undocumented immigrants to mandatory detention, while simultaneously narrowing § 1226(a) such that it would have extremely limited (if any) application.” *Lopez Benitez*, 2025 2371588, at *8. Respondents have failed to articulate reasoned explanations for their decisions, which represent changes in the agencies’ policies and positions; have considered factors that Congress did not intend to be considered; have entirely failed to consider important aspects of the problem; and have offered explanations for their decisions that run counter to the evidence before the agencies.

76. The application of § 1225(b)(2) to Petitioner is arbitrary, capricious, and not in accordance with law, and as such, it violates the APA. See 5 U.S.C. § 706(2).

FOURTH CLAIM FOR RELIEF
Violation of the Fifth Amendment Due Process Clause
Substantive Due Process

77. Petitioner re-alleges and incorporates by reference all above paragraphs.

78. The Due Process Clause of the Fifth Amendment forbids the government from depriving any “person” of liberty “without due process of law.” U.S. Const. amend. V. Substantive due process requires that immigration detention without a bond hearing be reasonably related to the goals of ensuring the appearance of noncitizens at future proceedings and preventing danger to the community. *Zadvydas*, 533 U.S. at 690.

79. The BIA's application of mandatory detention under § 1225(b)(2) is not reasonably related to those goals and thus violates substantive due process. Petitioner is not a flight risk; he is a *bona fide* asylum seeker who is known to the Respondents and has ties to his local community including gainful employment. Further, on information and belief he has no criminal contacts and is in no way a danger to his community.

FIFTH CLAIM FOR RELIEF
Violation of the Fifth Amendment Due Process Clause
Procedural Due Process

80. Petitioner re-alleges and incorporates by reference all above paragraphs.

81. The Due Process Clause of the Fifth Amendment forbids the government from depriving any "person" of liberty "without due process of law." U.S. Const. amend. V. Courts apply the *Mathews v. Eldridge* balancing test to determine what procedures the due process clause requires. *Gayle*, 12 F.4th at 331.

82. The first factor is the private interest that will be affected by the official action. *Id.* Here, the deprivation of Petitioner's liberty is a particularly weighty interest. As it stands, Petitioner's restricted liberty substantially interferes with his ability to seek asylum and to obtain evidence to support his claim for relief.

83. The second factor is the risk of erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional safeguards. *Id.* Here, there is a great risk of unnecessary detention because the BIA's interpretation of the statute does not permit any individualized determination of whether detention during removal proceedings is necessary. *See Ashley*, 288 F. Supp. 2d at 670. At a hearing, Petitioner could show that his detention is not necessary because he is neither a flight risk nor any danger whatsoever to his community. A

hearing at which the government bears the burden of proof by clear and convincing evidence would protect the substantial liberty interest at stake. *German Santos*, 965 F.3d at 213-14.

84. The final factor is the Government's interest. *Gayle*, 12 F.4th at 331. The government has no legitimate interest in detaining Petitioner when detention is not necessary to ensure appearance at future hearings or protect the community, and less restrictive measures like a reasonable bond would serve those purposes. *Hernandez-Lara*, 10 F.4th at 32-33; see *Ousman D. v. Decker*, No. 20-9646, 2020 WL 5587441, at *4 (holding that due process requires consideration of less restrictive alternatives to detention that would address the government's legitimate purpose); *Hechavarria v. Whitaker*, 358 F. Supp. 3d 227, 241-42 (W.D.N.Y. 2019) (same). Therefore, the government does not have an interest in detaining Petitioner without a bond hearing that outweighs his substantial liberty interest in such an individualized determination.

85. Respondents' detention of Petitioner without any hearing to determine whether that detention is necessary violates procedural due process.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- 1) Assume jurisdiction over this matter;
- 2) Declare that Petitioner's continued detention violates the Immigration and Nationality Act, the Administrative Procedure Act, 5 U.S.C. § 706(2)(A); and/or the Due Process Clause of the Fifth Amendment to the U.S. Constitution;
- 3) Issue a Writ of Habeas Corpus and order Petitioner's immediate release from custody;
- 4) In the alternative, hold a bond hearing at which the government must establish by clear and convincing evidence that Petitioner presents a risk of flight or danger, even after

consideration of alternatives to detention that could mitigate any risk that Petitioner's release would present;

5) Award Petitioner his costs and reasonable attorney fees in this action as provided for by the Equal Access to Justice Act, as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other basis justified under law; and

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

Dated: March 23, 2026

Respectfully submitted,

s/ Bridget Cambria
Bridget Cambria, Esq. PA 205271
Cambria and Kline, PC
532 Walnut Street
Reading, PA 19601
Telephone: (484) 926-2014
bridget.cambria@cambriaklinelaw.com

**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF PURSUANT
TO 28 U.S.C. § 2242**

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

Dated: March 23, 2026

Respectfully Submitted,

/s/Bridget Cambria
Bridget Cambria, Esq.
PA 205271
Cambria and Kline, PC
532 Walnut Street
Reading, PA 19601
Telephone: (484) 926-2014
bridget.cambria@cambriaklinelaw.com

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

Manuel Antonio Meza Cruz

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

Bridget Cambria, Cambria and Kline, 532 Walnut
Street, Reading PA 19601, 4849262014

DEFENDANTS

JAMAL L. JAMISON, in his official capacity as the Facility
Administrator of the Philadelphia Federal Processing Center

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)

United States Attorney's Office for the Eastern District of
Pennsylvania 615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

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

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

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | 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	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 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	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	☐ 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	☐ 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	☐ 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
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☒ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

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

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

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. § 2241(c)(5) and others
Brief description of cause:
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

03/23/2026

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

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

DESIGNATION FORM

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

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

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

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

Civil Litigation Categories

A. Federal Question Cases:

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

B. Diversity Jurisdiction Cases:

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

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

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

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

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

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

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

Next Reporting Date:

April 04, 2024 between 11:00 AM and 3:00 PM.

Participant reported on N/A. Identity verified through CART. System check show no new/derogatory information. No wants, no warrants.

For information on an Immigration court case, please go to: <https://acis.eoir.justice.gov> or call 800-898-7180.

Please keep this receipt with your records. Store receipt away from sunlight.

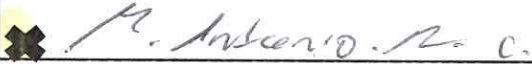


ICE



I-220R

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
ATD ENROLLMENT - NOTICE TO ALIEN

Name: MEZA-CRUZ, MANUEL	Field Office: ERO - Del Rio, TX Sub Office	A Number: 
Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U. S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of you release conditions or your arrest and detention. If fitted with a U.S. Immigration and Customs Enforcement GPS monitoring device do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. The unauthorized removal of the GPS monitoring device will result in damage to property of the United States. Damaging or attempting to damage the GPS monitoring device or any of its associated equipment (including, but not limited to, the charging station, batteries, and power cords) may result in your arrest, detention and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten year's imprisonment, or both.		
RECORD OF SERVICE		
Served On: (Alien's Signature)		Date:
		Oct 06, 2022
By signing I acknowledge that this form was provided to me in a language I understand or was read to me in a language I understand. I further acknowledge that tampering with, damaging, and/or removing the GPS Device, or any of its associated equipment, without permission may result in damage to federal property for which I may be criminally prosecuted.		
Served By: (Print Name and Title of Officer)	Location of Service:	
B. Williams, Deportation Officer	EAGLE PASS, TX	
Officer's Signature:		Date:
		Oct 06, 2022

Spanish**AVISO AL EXTRANJERO - INSCRIPCIÓN ATD**

Su puesta en libertad está supeditada a su inscripción y participación exitosa en un programa de Alternativas a la Detención (ATD, por sus siglas en inglés) según lo designado por el Departamento de Seguridad Nacional de los Estados Unidos. Como parte del programa ATD, usted estará sujeto a monitoreo electrónico y también a un toque de queda. El incumplimiento de los requisitos del programa ATD resultará en una nueva determinación de sus condiciones de su puesta en libertad o su arresto y detención.

Si está equipado con una tobillera de rastreo GPS del Servicio de Inmigración y Control de Aduanas de los Estados Unidos, no manipule o se quite el dispositivo. Bajo la ley federal, es un delito dañar intencionalmente o intentar dañar la propiedad de los Estados Unidos. Quien se quite sin autorización el dispositivo de vigilancia GPS resultará en daños a la propiedad de los Estados Unidos. Dañar o intentar dañar el dispositivo de vigilancia GPS o cualquiera de sus componentes relacionados (incluyendo, entre otros, la estación de carga, baterías, cables de alimentación, etc.) puede resultar en su arresto, detención y enjuiciamiento en virtud del Título 18, Artículo 1361 del Código de los Estados Unidos y del Título 18, Artículo 641 del Código de los Estados Unidos con una sanción de multa y prisión no superior a diez años, o ambos.

CERTIFICADO DE ENTREGA

Yo, el abajo firmante, confirmo que este formulario se me presentó o leí en un idioma que entiendo. Confirmo además que manipular, dañar, y/o quitarse el dispositivo GPS, sin permiso, o cualquiera de sus componentes relacionados puede dar lugar a daños a la propiedad federal por los que puedo ser procesado penalmente.

Portuguese**INSCRIÇÃO NO ATD - AVISO AO ESTRANGEIRO**

A sua libertação depende da sua inscrição e participação com sucesso num programa de Alternativa à Detenção (ATD), como designado pelo Departamento de Segurança Interna dos Estados Unidos. Como parte do programa ATD, estará sujeito a monitorização eletrónica e poderá estar sujeito a um toque de recolher. O não cumprimento dos requisitos do programa ATD resultará numa re-determinação das suas condições de libertação ou na sua prisão e detenção.

Se equipado com uma tornozeleira de rastreamento GPS da Imigração e Controle Aduaneiro dos EUA, não adultere ou remova o dispositivo. De acordo com a lei federal, é crime danificar ou tentar danificar intencionalmente propriedade dos Estados Unidos. A remoção não autorizada do dispositivo de monitoramento GPS resultará em danos à propriedade dos Estados Unidos. Danificar ou tentar danificar a tornozeleira de rastreamento GPS ou qualquer um de seus equipamentos associados (incluindo, mas não se limitando a, estação de carga, baterias, cabos de alimentação, etc.) pode resultar em sua prisão, detenção e ações judiciais sob 18 U.S.C. § 1361 e/ou 18 U.S.C. § 641, cada um deles punível com uma multa, até dez anos de prisão, ou até mesmo ambos.

REGISTRO DE DISTRIBUIÇÃO

Ao assinar, reconheço que este formulário foi fornecido em um idioma que eu entendo ou que foi lido para mim em um idioma que eu entendo. Eu também reconheço que adulterar, danificar e / ou remover o dispositivo GPS, ou qualquer um de seus equipamentos associados, sem permissão, pode resultar em danos à propriedade federal, pela qual posso ser processado criminalmente.

Somali**ISDIWAAN-GALINTA(ATD) - OGEYSIISKA AJNABIGA**

Siideyntaadu waxay ku xiran tahay isdiwaangalintaada iyo ka qeybgalkaaga guuleysta ee Barnaamijka Xintaanka lagu badalo (ATD); sida ay u qoorsheysay Waaxda Amniga Gudaha Dalka Mareykanka. Iyadoo qayb ka ah Barnaamijka ATD-da, waxaa lagu saar doonaa ilaalin Elektiroonig ah waxaana suurtoowda in lagu saaro baandow. U hogaan- sanaan la'aanta shuruudaha Barnaamijka ATD, waxay keenaysaa in dib u qimeyn lagu samaynayo shuruudihii sidayntaadu amaba xintaankaaga iyo xabsi galintaada.

Haddii ay Hay'adda Socdaalka iyo Dhaqangalinta Canshuuraha Mareykanka Jjin GPS leh kuu galiso anqowga lugta, ha isku dayin inaad taataabato ama iska saarto qalabkaas. Sida uu qabo sharciya Federaalku, waa dambi in si ula kac ah loo waxyeelleeyo ama lo isku dayo in la kharibo hantida dawladda Mareykanka. Ka saandda qalabka GPS-ka ee aan la fasaan waxay keenaysaa dhaawac soo gaara hantida Dawladda Mareykanka. Waxyeelaynta ama isku dayga waxyeelaynta GPS-ka raad-raaca Jjinta anqowga ku xiran, ama wax kasta oo qalabkeeda la xiriira (Ma aha kaliya, saldhigga koronta buuxinta, batariiga, waayamadda korontada, iwm.) waxay keen kartaa qabashadaada, xarigaaga, iyo in lagugu qaado sharci dambiyeedkan 18 U.S.C. § 1361 iyo/ama 18 U.S.C. §641, oo mid wa oo ciqaabteedu tahay ganaax, ilaa toban sano, ama labadaba.

DIIWAANKA ADEEGGA

Saxiixaygan, waxaan ku qiranayaa in Foomkan la igu siiyay luqad aan fahmayo ama la igu akhriyay luqad aan fahmayo. Waxaan sidoo kale qiranayaa in faragalinteeda, dhaawiciddeeda, iyo/ama ka-saandda qalabka GPS-ka, ama qalab kasta oo la xiriira, ogolaansho la'aan, uu keeni karo dhaawac hantida federaalka oo aniga dambi ciqaabeed iiga iman karo.

Vietnamese

GHI DANH THAY THẾ GIAM GIỮ- THÔNG BÁO CHO NGOẠI KIỀU

Việc trả tự do của quý vị tùy thuộc vào sự ghi danh và tham dự thành công trong chương trình Thay Thế cho Giám Giữ (ATD) như đã được chỉ định bởi Bộ Nội An Hoa Kỳ. Là một phần của chương trình ATD, quý vị sẽ là đối tượng giám sát điện tử và có thể là đối tượng bị giới nghiêm. Không tuân theo các đòi hỏi của chương trình ATD sẽ đưa đến kết quả quyết định lại các điều kiện trả tự do của quý vị hay việc bắt giữ quý vị.

Nếu được gắn vòng cổ chân theo dõi của Văn Phòng Thực Thi Hải Quan và Di Trú Hoa Kỳ, không nên phá hay cố bỏ thiết bị. Theo luật liên bang, khi cố tình làm hư hỏng hay tìm cách làm hư hỏng tài sản của Hoa Kỳ là một tội phạm. Việc tháo bỏ thiết bị theo dõi Định Vị không có phép sẽ đưa đến kết quả trong việc hư hỏng tài sản của Hoa Kỳ. Làm hư hỏng hay tìm cách làm hư hỏng vòng cổ chân định vị hay bất cứ dụng cụ liên hệ đến nó (kể cả, nhưng không giới hạn đến, trụ điểm nạp điện, pin, giấy điện) có thể đưa đến kết quả quý vị bị bắt, giam giữ?, và bị truy tố theo Luật Hoa Kỳ tiêu đề 18 mục 1361 và/hoặc Luật Hoa Kỳ tiêu đề 18 mục 641, mỗi tội sẽ bị phạt tiền, đến mười năm tù, hay cả hai.

CHỨNG NHẬN CHUYỂN GIAO

Bằng cách ký nhận, tôi công nhận rằng mẫu đơn này đã được cung cấp cho tôi bằng một ngôn ngữ tôi hiểu được hay đã được đọc cho tôi bằng một ngôn ngữ tôi hiểu. Tôi công nhận thêm rằng phá hoại với, làm hư hỏng, và/hoặc, không được phép, cố bỏ thiết bị Định Vị hay bất cứ dụng cụ nào liên hệ với nó, có thể đưa đến kết quả hư hỏng tài sản liên bang mà theo đó tôi có thể bị truy tố hình sự.

French

INSCRIPTION AU PROGRAMME ATD - AVIS AUX ETRANGERS

Votre libération dépend de votre inscription et participation réussie dans le programme « Alternatives to Detention » ATD [Détection Alternative] désigné par le DHS. Dans le cadre de ce programme ATD, vous serez surveillé électroniquement et peut-être vous devriez obéir à un couvre-feu. Le non-respect des conditions du programme ATD mènera à une ré-détermination des conditions de votre liberté conditionnelle ou votre arrestation et détention.

Au cas où ICE vous fournit un appareil de surveillance GPS, n'essayez ni de l'enlever, ni de le modifier. En vertu de la loi fédérale endommager ou essayer d'endommager délibérément des biens appartenant aux Etats-Unis, constitue un délit grave. L'enlèvement non-autorisé de l'appareil de surveillance GPS aura comme conséquence le dommage aux biens des Etats-Unis. Endommager ou essayer d'endommager l'appareil de surveillance GPS ou l'équipement y lié (y compris, mais pas limité à : la borne de recharge, les batteries et les câbles) pourrait mener à votre arrestation, détention ou des poursuites en vertu de 18 U.S.C. § 1361 et/ou U.S.C. § 641, chacune des infractions passible d'une amende et/ou une incarcération maximum de dix ans.

ACCUSE DE RECEPTION

En signant, je reconnais avoir reçu ce document dans une langue que je comprends ou qu'on me l'a lu dans une langue que je comprends. En outre, je reconnais que modifier, endommager et/ou enlever, sans permission, l'appareil GPS ou tout équipement y lié, pourrait avoir comme conséquence le dommage aux biens des Etats-Unis et pour ce fait je pourrais être l'objet de poursuites pénales.

Mandarin Chinese

ATD登记 - 外国人通知书

你的获释乃取决于你登记并成功参加美国国土安全部指定的替代拘留 (Alternatives to Detention, ATD) 计划, 作为ATD计划的一部分, 你必须受电子监察, 以及可能的宵禁。未能遵守ATD计划的要求, 将导致重新决定你的释放条件, 或对你逮捕及拘留。

如果配戴上美国移民和海关执法局的GPS监察设备, 请不要能乱摸弄或移除该装置。根据联邦法律, 故意毁损或尝试毁损美国政府财产是刑事罪行。未经授权而移除GPS监察设备, 将导致毁损美国财产。毁损或尝试毁损GPS监察设备, 或任何与其相关的配备 (包括, 但不限于, 充电器、电池、电源线等等) 可导致根据18 U.S.C. § 1361及/或18 U.S.C. § 641对你的逮捕、拘留、与起诉, 而每项均可处以罚金, 监禁长达十年, 或两者兼罚的惩罚。

服务记录

通过签署, 本人确认此表格是以本人理解的语言提供给本人, 或者已经以本人理解的语言阅读给本人听。本人进一步承认, 未经允许擅自胡乱摸弄、毁损和/或移除GPS设备或其任何相关配备, 可能会导致毁损联邦财产, 本人可能因此受到刑事起诉。

Programa de Supervisión Intensiva y Comparecencia**Acuerdo con el Participante de BI SmartLINK S-Site**

Los participantes que deban ser monitoreados con verificación de ubicación o de horario de regreso, serán monitoreados por medio de la aplicación BI SmartLINK®.

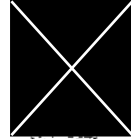
ACUERDO
1. Yo MANUEL MEZA-CRUZ , estoy autorizado(a) a viajar a la _____ en la ciudad de _____ dentro de los estados unidos. Estoy acuerdo en llegar a esta ubicación final antes de _____. Al llegar a esta ubicación final, ERO-ATD tomara una determinación y siguientes pasos.
2. Cuando esté en el Programa de Monitoreo Electrónico, me comprometo a llevar conmigo el dispositivo móvil provisto por BI y mantenerlo cargado y encendido en todo momento.
3. Reconozco que recibe BI Mobile dispositivo número de identificación:
4. Estoy de acuerdo en que si debo enviar un registro diario como parte de mi programa de supervisión, debo: • Entiendo que recibiré una notificación para enviar ☒ semanal o ☐ mensual en Select _____. Registre entre _____ y cumplirá completando mi registro según sea necesario. • Entiendo que mi dispositivo móvil permite que la aplicación SmartLink proporcione información sobre mi ubicación. • Reconozco estar en un área de cobertura de datos móviles o conectado a un punto de acceso WIFI con conexión a el internet en el momento de mi registro u otro evento requerido. Si no tengo cobertura en el momento del registro u otro evento, me trasladare a una área de cobertura lo más antes posible.
5. Entiendo que mi identidad se verifica por medio de tecnología biométrica y me comprometo a no intentar evitar o actuar de ninguna manera tendiente a evitar la fiabilidad de la tecnología biométrica.
6. Reconozco que es mi responsabilidad informar a ERO inmediatamente si pierdo o daño el dispositivo móvil en el que está instalada la aplicación SmartLINK.
7. Acuerdo a NO conducir un vehículo u operar maquinaria cuando utilice la aplicación SmartLINK.
8. Acuerdo NO alterar o descartar el dispositivo móvil de BI.
9. Comprendo que debo devolver el dispositivo móvil en mi primera visita a ERO o a una oficina de BI ISAP.

RECONOCIMIENTO DE REVISIÓN	
Mi firma a continuación reconoce que he recibido una copia de las reglas y el horario autorizado y que me han sido explicados. También reconozco que había servicios de traducción a mi disposición si los solicitaba. Entiendo que debo cumplir con estas reglas hasta que haya completado el Programa de Monitoreo Electrónico, o hasta que sea notificado de lo contrario por mi Especialista de Caso de Supervisión Intensiva. Entiendo que cualquier violación de estas reglas constituirá una infracción que podría ocasionar el cese de mi participación en este programa y mi regreso a detención.	
Nombre del participante: MANUEL MEZA-CRUZ	
Número de extranjero: 	
Firma del participante	Fecha
Firma del especialista del caso	Fecha

FINS #:1327274705

Subject ID

Event No:

1. FAMILY NAME (Capital Letters) MEZA-CRUZ, MANUEL ANTONIO		First Name	Middle Name	2. Age 33	3. Country of Citizenship NICARAGUA	
4. Alias				5. Date Apprehended October 05, 2022		6. Office DRT/EGT
7. Birth Date	8. Birth Place MANAGUA, D, NICARAGUA					
9. Sex ☒ Male ☐ Female	10. OSC/WA Served ☒ Yes ☐ No (Explain)					
11. File Number	12. Bond \$					
13. CINS ☐ Yes ☒ No	14 Medical Alert ☐ No ☐ Yes (Explain)					
15. TRANSFER DATE		FROM		TO		
A						
B						
C						
16. ADMITTED BY:		19. RELEASED TO: ☐ V/R ☐ Deport		22. Rt. Index Print - In		23. Rt. Index Print - Out
17. SEARCHED IN BY:		20. RELEASED BY:				
18. DATE ADMITTED:		21. DATE RELEASED:				
24. Remarks: See I-831						
FORM I-385 (08/01/07)				ALIEN BOOKING RECORD		
UNITED STATES DEPARTMENT OF HOMELAND SECURITY						

U.S. Department of Homeland Security

Continuation Page for Form

I385

Alien's Name
MEZA-CRUZ, MANUEL ANTONIOFile Number
Date
October 06, 2022

24. REMARK

AS A CONDITION OF YOUR PAROLE YOU ARE TO REPORT TO THE IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) OFFICE NEAR YOUR FINAL DESTINATION WITHIN 60 DAYS OR FACE REMOVAL FROM THE UNITED STATES. VISIT [WWW. ICE.GOV/CONTACT/FIELD-OFFICES#](http://WWW.ICE.GOV/CONTACT/FIELD-OFFICES#) FOR ADDRESSES

Signature JOHN J HORODYSKY III
Date: 2022.10.06 11:08:29 -04:00
0130817012.CBP.I

Title

2 of 2 Pages



DEPARTAMENTO DE SEGURIDAD INTERNA
Servicio de Inmigración y Control de Aduanas de los Estados Unidos

PD G-56

Numero del Expediente:



Fecha de Nacimiento:



Nombre: MANUEL ANTONIO MEZA-CRUZ

Fecha: 10/06/2022

Domicilio:



Favor de presentarse con este aviso en la oficina local de ICE cuando sea solicitado

UBICACIÓN DE LA OFICINA	Las oficinas locales de ICE están enumeradas en el documento adjunto titulado "Oficinas Locales de ICE". Favor de llamar al 1-888-351-4024 si usted necesita asistencia en localizar o reportarse a su oficina local de ICE.
FECHA LÍMITE	Debe presentarse en su oficina local de ICE en los 60 días siguientes de su puesta en libertad.
SOLICITUD	Preséntese ante un Oficial de Deportación de ICE para que continúe su tramitación y consideración para su inscripción en un Programa Alternativo a la detención (ATD, por sus siglas en inglés).
MOTIVO DE LA CITA	Usted ha sido puesto en libertad a discreción del Servicio de Aduanas y Protección Fronteriza de los Estados Unidos y ahora debe ponerse en contacto con su oficina local para completar la tramitación. Reportarse con ICE asegurará de que el Departamento de Seguridad Interna (DHS, por sus siglas en inglés) tiene su domicilio e información de contacto actualizados. Una vez que se presente con ICE por primera vez, será evaluado para cumplir con los requisitos de presentación continua que pueden incluir la presentación en persona. El no reportarse a la oficina local de ICE puede resultar en su detención o se le coloque en formas adicionales de supervisión o monitoreo.
TRAIGA CON USTED	Documentos de identificación (acta de nacimiento, documentos de identidad emitidos por el gobierno, tales como licencia de conducir o cédula) y todos los documentos de inmigración.

Plazo de un Año de la Solicitud de Asilo: Si usted cree que puede reunir los requisitos para el asilo, debe presentar el Formulario I-589, la Solicitud de Asilo y de Retención de Expulsión. El Formulario I-589, Instrucciones, y la información sobre dónde presentar el Formulario se pueden encontrar en www.uscis.gov/i-589. Si no presenta el Formulario I-589 en el plazo de un año desde su llegada, no podrá solicitar asilo de acuerdo con el artículo 208(a)(2)(B) de la Ley de Inmigración y Nacionalidad.

SI NO SE PRESENTA COMO SE LE HA INDICADO, PUEDE SER DETENIDO Y/O PERDER EL DERECHO A CUALQUIER POSIBLE RECURSO. GRACIAS POR SU COOPERACIÓN.



Report Crimes: Email or Call 1-866-DHS-2-ICE

[Home](#)[Who We Are](#)[What We Do](#)[Newsroom](#)[Information Library](#)[Contact ICE](#)

Search Results: 1

MANUEL MEZA-CRUZ**Country of Birth :** Nicaragua**A-Number:** **Status :** In ICE Custody**State:** PA**Current Detention Facility:** [Philadelphia Federal Detention Center](#)** Click on the Detention Facility name to obtain facility contact information*[BACK TO SEARCH >](#)

Related Information

Helpful Info

[Status of a Case](#)[About the Detainee Locator](#)[Brochure](#)[ICE ERO Field Offices](#)[ICE Detention Facilities](#)[Privacy Notice](#)

External Links

[Bureau of Prisons Inmate Locator](#)
[DHS.gov](#) [USA.gov](#) [OIG](#) [Open Gov](#) [FOIA](#) [Metrics](#) [No Fear Act](#) [Site Map](#) [Site Policies & Plug-Ins](#)

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

Manuel Antonio Meza Cruz A 

Petitioner,

Case No. 26-1898

v.

JAMAL L. JAMISON, in his official capacity as the Facility Administrator of the Philadelphia Federal Detention Center; John E. RIFE, in his official capacity as acting Philadelphia Field Office Director for U.S. Immigration and Customs Enforcement; TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity; KRISTI NOEM, Secretary of the U.S. Department of Homeland Security, in her official capacity; PAMELA BONDI, Attorney General of the United States, in her official capacity;

Respondents.

APPLICATION FOR ISSUANCE OF ORDER TO SHOW CAUSE

1. Pursuant to 28 U.S.C. § 2243, Petitioner respectfully requests that this Court issue an order directing Respondents to show cause as to why the petition for a writ of habeas corpus filed by Petitioners pursuant to 28 U.S.C. § 2241 should not be granted.

2. Petitioner challenges their immigration detention. *See* Petition for Writ of Habeas Corpus, ECF No. 1.

3. The federal habeas corpus statute provides that “[a] court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.” 28 U.S.C. § 2243.

4. Section 2243 further provides that the writ or order to show cause “shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.”

5. Section 2243 further provides that the court shall hold a hearing on the writ or order to show cause “not more than five days after the return unless for good cause additional time is allowed.”

6. In addition, Section 2243 states that the court “shall summarily hear and determine the facts, and dispose of the matter as law and justice require.”

7. Pursuant to Section 2243, Petitioner requests that the Court immediately issue an Order to Show Cause directing Respondents to file a return within three days of the Court’s order, showing cause, if any, why the writs of habeas corpus should not be granted, and to provide Petitioners an opportunity to file a reply within seven days after Respondents file the return.

8. Giving Respondents additional time to respond is inappropriate in this case because Petitioners faces irreparable harm due to their unlawful detention and deprivation of their physical liberty, separation from their families, and inability to participate in gainful employment.

Dated: 03/23/2026

Respectfully submitted,

s/ Bridget Cambria
Bridget Cambria, Esq.
PA 205271
Cambria and Kline, PC
532 Walnut Street
Reading, PA 19601
Telephone: (484) 926-2014
bridget.cambria@cambriaklinelaw.com

CERTIFICATE OF SERVICE

I hereby certify that on this date, March 23, 2026 a true and correct copy of this Application for Order to Show Cause and all attached pages was filed via the Court's CM/ECF filing system and will be served on all Defendants in accordance with the Federal Rules of Civil Procedure.

s/ Bridget Cambria
Bridget Cambria, Esq.
Cambria and Kline
532 Walnut Street
Reading, PA 19601
Telephone: (484) 877-8002