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

JOHN DOE,	:	
Petitioner,	:	CIVIL ACTION
v.	:	No. 26-cv-1906
J.L. JAMISON, ET AL.,	:	
Respondents.	:	

ORDER

AND NOW, this day of , 2026, upon consideration of Petitioner John Doe's habeas corpus petition (ECF 1), his motion to proceed under the Doe pseudonym and to be able to file identifying information under seal (ECF 2), and his motion for a temporary restraining order (ECF 4), and the government's response in opposition (ECF 10), it is hereby **ORDERED** that:

1. Petitioner's habeas request for immediate release from custody and for this Court to conduct a bond hearing is **DENIED** without prejudice. As someone who has been detained under 8 U.S.C. § 1226(a) (rather than under 8 U.S.C. § 1225(b)(2)(A)), Petitioner is entitled: (a) to request an administrative bond hearing before an immigration court; (b) if dissatisfied with that hearing, to seek administrative appellate review with the Board of Immigration Appeals; and (c) later to challenge those proceedings in this Court, but only to the extent that he can establish that the exhausted administrative process was constitutionally inadequate. *See Borbot v. Warden Hudson Cty. Corr. Facility*, 906 F.3d 274, 275-79 (3d Cir. 2018); *Ghanem v. Warden Essex Cnty. Corr. Facility*, No. 21-1908, 2022 WL 574624, at *1 (3d Cir. Feb. 25, 2022).

2. Petitioner's Motion for TRO is **DISMISSED** without prejudice. Because Petitioner may avail himself of an administrative bond hearing, which he may then administratively appeal, he is unlikely to succeed on the merits of this case, and will not suffer irreparable harm absent emergent relief here.

3. Petitioner's Motion for Anonymity continues to be temporarily **GRANTED**. *See* ECF 5 (granting the motion "temporarily and without prejudice").

BY THE COURT:

____

CYNTHIA M. RUFE, J.

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

JOHN DOE,	:	
	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	No. 26-cv-1906
	:	
J.L. JAMISON, ET AL.,	:	
	:	
Respondents.	:	

RESPONSE OPPOSING PETITION FOR WRIT OF HABEAS CORPUS[1]

Petitioner John Doe overstayed his visa after being admitted to this country. That made him removable under 8 U.S.C. § 1227(a)(1)(B). In seeking a writ of habeas corpus, he challenges the U.S. Department of Homeland Security (DHS) Secretary's authority to detain him under the Immigration and Nationality Act (INA), 8 U.S.C. **§ 1226(a).**

Doe's petition is distinguishable from the numerous recent petitions: (1) brought in this Court under the mandatory detention provisions of 8 U.S.C**. § 1225(b)(2)(A)**, where the non-citizens (unlike Doe) have never been inspected, admitted, or paroled; and (2) that this Court has considered in the wake of the Board of Immigration Appeals' (BIA) decision in *Matter of Hurtado*, 29 I&N Dec. 216 (BIA 2025), which is inapposite here. *See e.g., Menendez Ordonez v. Jamison*, No. 26-cv-1683, 2026 WL 782165 (E.D. Pa. Mar. 19, 2026) (Rufe, J.) (granting habeas petition where non-citizen who had not been inspected or admitted was detained under § 1225(b)(2)).

In response to this Court's March 24, 2026 Order (ECF 5), this response shows cause why Doe's habeas petition should be denied.

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[1] Petitioner also moves: (1) to proceed anonymously (ECF 2); and (2) for a temporary restraining order (ECF 4). Respondents take no current position on the anonymity request, but oppose the TRO motion. As explained below, Doe is unlikely to succeed on the merits and is unlikely to face irreparable harm. (Though he is entitled to an administrative bond hearing, to date he has chosen not to ask for one.)

Because detention here has been under § 1226(a) rather than under § 1225(b)(2)(A), **Doe is entitled to request and have**—*though he has not yet requested*—**a bond hearing before an immigration judge**. And, as a jurisdictional matter, he must exhaust that process before seeking relief here.

The Third Circuit has held that this administrative-review process for individuals detained under § 1226(a) is constitutionally sound. *See Borbot v. Warden Hudson Cty. Corr. Facility*, 906 F.3d 274, 275-79 (3d Cir. 2018) (affirming dismissal of habeas petition—where Russian-citizen petitioner had been detained under 8 U.S.C. § 1226(a) and denied release on bond pending removal/deportation proceedings—because: (1) the petitioner—who had overstayed a tourist visa and whom Russia had identified as a fugitive from criminal prosecution—was not, by virtue of length of detention, entitled to a second bond hearing, let alone with the proof burden shifted to the government; (2) an immigration-court judge (IJ) had already given him meaningful process when determining that continued detention was necessary; (3) the Board of Immigration Appeals (BIA) had upheld the IJ; and (4) circumstances had not materially changed following the initial bond hearing); *see also Guaman Guerrero v. McShane, et al.,* Case No. 2:25-cv-06974, Order (ECF No. 8) (E.D. Pa. Jan. 27, 2026) (Gallagher, J.) (denying habeas petition challenging the constitutional adequacy of a § 1226(a) bond hearing at which bond was denied, where the noncitizen was afforded process as well as the opportunity to seek BIA review).

Because Doe can seek immigration-court review of DHS's custody determination (and, later, if appropriate, BIA review), including a bond hearing, his claim is not ripe for consideration in this Court. Respondents therefore respectfully ask the Court to deny Doe's jurisdictionally inappropriate request: (1) to skip the available administrative-relief process; and (2) instead to obtain habeas relief here in the form of either immediate release from custody or a judicial bond hearing.

If and when Doe exhausts the administrative process, any federal-district-court review will be narrowly circumscribed to whether the administrative process was constitutionally adequate. *See, e.g.*, *Ghanem v. Warden Essex Cnty. Corr. Facility*, No. 21-1908, 2022 WL 574624, at *1 (3d Cir. Feb. 25, 2022) (recognizing that the Third Circuit and federal district court: (1) "lack[ed] jurisdiction to review any discretionary determinations underlying the IJ's bond hearing"; and (2) were limited in their review—where the BIA appeal had already been exhausted—to considering whether the bond hearing had been "fundamentally unfair"); *Saravia v. Green*, No. 17-4559, 2017 WL 6513345, at *3 (D.N.J. Dec. 15, 2017) (adverse bond-hearing decision must be appealed to the BIA); *see generally, e.g.*, *Kamara v. Attorney General of U.S.*, 420 F.3d 202, 211 (3d Cir. 2005) ("[T]he question for due process purposes is not whether the BIA reached the *correct* decision; rather, it is simply whether the [BIA] made an individualized determination of [the petitioner's] interest.") (citation omitted).

BACKGROUND

Doe is a native and citizen of Pakistan. On July 17, 2025, he was admitted to the United States on a nonimmigrant visitor visa. *See* Petition: (1) at p. 2; (2) at ¶¶ 10-11; and (3) at Exhibit A-2 thereto (ECF 3, filed under seal), p. 27 (passport stamp). The visa terms permitted him to remain in the United States for a temporary period, not beyond January 16, 2026. *See* Petition, at ¶ 17; *see also* ECF 3 (filed under seal) at: (1) Ex. A-3, pp. 29-30 ("Class of Admission: B1") ("Admit Until Date: 2026 January 16"); and (2) Ex. A-5, p. 39 (Declaration of Counsel) and ¶ 4.

Doe remained in the United States past his January 16, 2026 deadline. Therefore, earlier this week, on March 22, 2026, immigration officials arrested and detained him. *See* Petition, at p. 2 and at ¶¶ 19-20. Doe has been served with a Notice to Appear (NTA), charging that he is removable from the country under 8 U.S.C. § 1227(a)(1)(B) because he is a nonimmigrant who allegedly violated the durational terms of his nonimmigrant visa. *See* Exhibit A hereto (Notice to Appear) (identity fully redacted); *see also* ECF 1 (Petition), at p. 2. The NTA was filed with the immigration court on March 23, 2026, thus initiating Doe's removal proceedings. *Id.* He is scheduled for an initial hearing before the immigration court next week, on April 2, 2026. *See* Exhibit B hereto (Notice of Internet-Based Hearing) (identity redacted).

Since the filing of his habeas petition, Doe has been detained within this District.[2] *See* Petition, at p. 2 and ¶¶ 3, 20; *see also id.* at Ex. A-4 thereto (ECF 3, filed under seal), at p. 36. He alleges that his continuing detention violates due process, because (he maintains) it is not reasonably related to any legitimate regulatory purpose and was not based on an individualized assessment that detention is necessary. *See* Petition, ¶¶ 30-32, 35.

APPLICABLE LAW

A writ of habeas corpus is an "extraordinary remedy." *Shinn v. Ramirez*, 596 U.S. 366, 377 (2022). The petitioner bears the burden of showing his confinement is unlawful. *Hawk v. Olson*, 326 U.S. 271, 279 (1945); *accord Cullen v. Pinholster*, 563 U.S. 170, 181 (2011) (habeas petition "carries the burden of proof"); *see* 18 U.S.C. § 2241.

[2] On March 24, 2024, the Court ordered Respondents not to deport or transfer Doe from this District before a March 27, 2026 show-cause hearing. *See* ECF 5 (Order), ¶ 6.

Judicial review of immigration matters, including of detention issues, is limited. *I.N.S. v. Aguirre-Aguirre*, 526 U.S. 415, 425 (1999); *Reno v. Am.-Arab Anti-Discrimination Comm.* (*AADC*), 525 U.S. 471, 489-92 (1999); *Miller v. Albright*, 523 U.S. 420, 434 n.11 (1998); *Fiallo v. Bell*, 430 U.S. 787, 792 (1977); *Reno v. Flores*, 507 U.S. 292, 305 (1993); *Hampton v. Mow Sun Wong*, 426 U.S. 88, 101 n.21 (1976) ("[T]he power over aliens is of a political character and therefore subject only to narrow judicial review."). The Supreme Court has "underscore[d] the limited scope of inquiry into immigration legislation," and "has repeatedly emphasized that over no conceivable subject is the legislative power of Congress more complete than it is over the admission of aliens." *Fiallo*, 430 U.S. at 792 (internal quotation omitted); *Mathews v. Diaz*, 426 U.S. 67, 79-82 (1976); *Galvan v. Press*, 347 U.S. 522, 531 (1954).

The plenary power of Congress and the Executive Branch over immigration necessarily encompasses immigration detention, because the authority to detain is elemental to the authority to deport and because public safety is at stake. *See Shaughnessy v. United States*, 345 U.S. 206, 210 (1953) ("Courts have long recognized the power to expel or exclude aliens as a fundamental sovereign attribute exercised by the Government's political departments largely immune from judicial control."); *Carlson v. Landon*, 342 U.S. 524, 538 (1952) ("Detention is necessarily a part of this deportation procedure."); *Demore v. Kim*, 538 U.S. 510, 531 (2003) ("Detention during removal proceedings is a constitutionally permissible part of that process."); *Jennings v. Rodriguez*, 583 U.S. 281, 286 (2018) ("Congress has authorized immigration officials to detain some classes of aliens during the course of certain immigration proceedings. Detention during those proceedings gives immigration officials time to determine an alien's status without running the risk of the alien's either absconding or engaging in criminal activity before a final decision can be made.”).

As discussed above, Doe’s ability to challenge his detention in federal district court does not even jurisdictionally ripen until he has exhausted the administrative process that will allow him to obtain an administrative bond hearing once he requests one.

Even if he does eventually exhaust his administrative remedies and then seek constitutional review in this Court of the administrative process afforded to him, he will have to make a strong showing to demonstrate that his continued detention violates the Constitution or laws of the United States. *See, e.g.*, *United States v. Five Gambling Devices*, 346 U.S. 441, 449 (1953) (“This Court does and should accord a strong presumption of constitutionality to Acts of Congress. This is not a mere polite gesture. It is a deference due to deliberate judgment by constitutional majorities of the two Houses of Congress that an Act is within their delegated power or is necessary and proper to execution of that power”). *See also* cases cited at pp. 2-3, *supra*.

ARGUMENT

The Court should deny the habeas petition because: (1) Doe is lawfully detained under 8 U.S.C. § 1226(a), which affords him the opportunity to seek administrative review of his detention through a custody redetermination hearing before an immigration judge (where he can request release on bond) and, later, with the BIA; and (2) Doe will be administratively afforded the process that is due to him, and as a jurisdictional matter, any claim that he has not received constitutional due process will not ripen until he has exhausted administrative remedies.

1. Doe is lawfully detained under 8 U.S.C. § 1226(a).

Under 8 U.S.C. § 1226(a), the Attorney General may issue a warrant for the arrest and detention of a noncitizen pending a decision on whether to remove the noncitizen from the United States. So long as the noncitizen is not subject to mandatory detention under § 1226(c), the Attorney General (through a DHS district director): (1) makes an initial determination whether to detain the noncitizen pending completion of removal proceedings; and (2) then decides whether to release the noncitizen on bond. *See* 8 C.F.R. § 236.1(c).

As of the date of this Response, Doe has been detained for four days. He is being detained under 8 U.S.C. § 1226(a) because he is alleged to have failed to follow the duration-of-stay conditions of his nonimmigrant status and is therefore removable. The Attorney General has the statutory authority and discretion to detain Doe pending a decision on potential removal. *See* 8 U.S.C. § 1226(a).

Doe is entitled to administrative process before the Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice and its immigration court. In the immigration court, DHS bears the burden of establishing removability, and Petitioner may make his requests to be relieved from removal, including the requests that he focuses on in his Petition. *See* Petition, ECF 1, at p. 2 and ¶¶ 3, 12, 15, 23, 37-45 (averring requests for relief from removal). During the pendency of removal proceedings before EOIR, Doe is in pre-removal detention and, therefore, "decisions concerning his ongoing detention are at the discretion of the immigration judge." *Perez-Cobon v. Bowen*, No. 1:CV-17-1550, 2017 WL 6039733, at *3 (M.D. Pa. Dec. 6, 2017).

Further, Doe may seek his release by requesting an initial bond redetermination hearing before an immigration judge, who can review DHS's initial custody determination. *See* 8 C.F.R. §§ 236.1(d), 1003.19. At that hearing, Doe would be afforded the opportunity to present evidence supporting his release on bond. If the immigration judge were to deny release on bond, or to grant bond in a manner with which Doe disagreed, Doe would then be able to appeal the immigration judge's decision to the BIA, which is the part of EOIR that is responsible for reviewing immigration-court decisions. 8 C.F.R. § 236.1(d)(3). On an administrative appeal, the BIA's decision to detain or release an arrested noncitizen on bond is discretionary and is not subject to judicial review. 8 U.S.C. § 1226(e). Even if ultimately denied bond after a BIA appeal, Doe would still be able to request an additional bond redetermination hearing before an immigration judge if he could show a material change in circumstances since his first bond redetermination. 8 C.F.R. §1003.19(e).

Importantly, none of the above administrative process that is afforded to Doe under the statute and regulations has happened yet. That is because Doe has not requested a custody redetermination hearing before an immigration judge and has instead chosen to file a habeas petition with this Court based on what amounts to anticipatory and unripe allegations. This Court is not in a jurisdictional position to review these speculative claims. *See Texas v. United States*, 523 U.S. 296, 300 (1998) ("A claim is not ripe for adjudication if it rests upon 'contingent future events that may not occur as anticipated, or indeed may not occur at all.'").

Accordingly, because Doe's detention is lawful, statutorily authorized, and not yet ripe for review by this Court pending exhaustion of administrative remedies, Doe's detention does not violate the INA, bond regulations, or the Administrative Procedures Act. The Court should therefore deny the habeas petition.

2. Doe's detention does not violate due process.

Courts may grant habeas relief only if a petitioner can establish that his present detention is unlawful. 28 U.S.C. § 2241(c)(3). As repeatedly recognized by the Supreme

Court, "[i]n the exercise of its broad power over naturalization and immigration, Congress regularly makes rules that would be unacceptable if applied to citizens." *Demore v. Kim*, 538 U.S. 510, 522 (2003) (*quoting Mathews v. Diaz*, 426 U.S. 67, 79-80 (1976)); *Reno v. Flores*, 507 U.S. 292, 305-306 (1993). Therefore, while the Fifth Amendment entitles noncitizens to due process in deportation proceedings, "detention during deportation proceedings is a constitutionally valid aspect of the deportation process." *Demore*, 538 U.S. at 523; *see also Reno*, 507 U.S. 292 (upholding INS's detention policies regarding juvenile aliens with its "blanket" presumption of the unsuitability of custodians other than parents, close relatives, and guardians).

Here, as indicated above, Petitioner Doe is being held in a manner that is consistent with DHS's statutory and discretionary authority under § 1226(a). He does not currently hold lawful status, and was properly detained and placed in removal proceedings. Moreover, he is afforded an opportunity to contest his detention through a custody redetermination hearing before an immigration judge and, later, the BIA—of which he has not yet availed himself. 8 C.F.R. §§ 236.1(d), (d)(3), 1003.19. Therefore, he cannot demonstrate that his detention of four days violates constitutional due process.

Doe claims that, despite the administrative process afforded to him under the INA and accompanying regulations, his detention nonetheless violates due process because such process is constitutionally deficient. ECF 1 (Petition). He avers:

> [A]lthough Petitioner may ultimately be deemed eligible for a bond hearing in immigration court, these have become inadequate remedies due to the statutory burden on the detainee to prove that he is *not* a danger or a flight risk, and trending orders making discretionary findings of flight risk under any set of circumstances, or exorbitant bond amounts surpassing $30,000 imposed on individuals who are not only incarcerated but usually unauthorized to work.

Petition, at p. 3.

These allegations are speculative and not ripe for judicial review, because Doe has not yet even requested a custody redetermination hearing. Moreover, numerous courts, including the Supreme Court, have looked favorably on the administrative procedures governing § 1226(a). For example, the Third Circuit rejected a due-process challenge to detention under § 1226(a). *See Borbot v. Warden Hudson Cty. Corr. Facility*, 906 F.3d 274 (3d Cir. 2018).

In *Borbot*, the habeas petitioner argued that, based on the *length* of his detention under section 1226(a)—of more than one year—he was constitutionally entitled to a second bond hearing at which the government would bear the burden of proof. *Id.* at 276–77. The Third Circuit rejected that argument, which relied on cases involving prolonged detention under the mandatory detention statute, 8 U.S.C. § 1226(c). And the court noted that, "unlike § 1226(c) detainees . . . who were detained for prolonged periods without being given any opportunity to apply for release on bond, [petitioner] *was granted meaningful process* prior to filing his habeas petition." *Id.* at 279 (emphasis added).

The alien in *Borbot* did not take issue with his initial bond hearing. The Third Circuit's central holding was that no additional procedures were required because the existing procedures for bond hearings under § 1226(a) are constitutionally adequate. 906 F.3d at 278–29. The Court specifically noted that "Borbot was afforded a prompt bond hearing, *as required by § 1226(a) and its implementing regulations,*" and it was on this basis that the court concluded that he was "granted meaningful process." *Id.* (emphasis added). The *Borbot* decision thus stands for the proposition that § 1226(a) and its implementing regulations fully satisfy the requirements of due process.

Here, in detaining Doe under § 1226(a) with the opportunity to request a bond hearing, DHS-ICE is providing Doe the same type of process that was afforded to the petitioner in *Barbot,* which the Third Circuit held to be constitutionally adequate. Moreover, Doe's detention is not prolonged: he has been detained for only four days. *See Contant v. Holder*, 352 Fed. Appx. 692 (3d Cir. 2009) (affirming denial of a petitioner's habeas petition where he had received process under § 1226(a) and his 19 months' detention was not overly prolonged).

Therefore, because Doe's detention under § 1226(a) comports with constitutional due process, the Court should deny the habeas petition. *See Guaman Guerrero v. McShane*, *et al.,* Case No. 2:25-cv-06974, Order (ECF No. 8) (E.D. Pa. Jan. 27, 2026) (Gallagher, J.).

CONCLUSION

For the foregoing reasons, Respondents respectfully request that the habeas corpus petition be denied.

Respectfully submitted,

DAVID METCALF
United States Attorney

/s/ Susan R. Becker, for
GREGORY B. DAVID
Assistant United States Attorney
Chief, Civil Division

/s/ Gerald B. Sullivan
ANTHONY ST. JOSEPH
GERALD B. SULLIVAN
Assistant United States Attorneys
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106
(215) 861-8267/8786
anthony.stjoseph@usdoj.gov
gerald.sullivan@usdoj.gov

Dated: March 26, 2026

Counsel for Respondents

CERTIFICATE OF SERVICE

I certify that on this date, I filed the foregoing Response Opposing Petition for Writ of Habeas Corpus via the Court's CM/ECF System, thereby making it available for viewing and download for all parties to the case.

Dated: March 26, 2026

/s/ *Gerald B. Sullivan*
GERALD B. SULLIVAN
Assistant United States Attorney

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [redacted]
Event No: [redacted]

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

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

In the Matter of:

Respondent: [redacted] currently residing at:

[redacted] [redacted]

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

☐ You are an arriving alien.

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

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

The Department of Homeland Security alleges that you:

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

2. You are a native of PAKISTAN and a citizen of PAKISTAN;

3. You were admitted to the United States at New York, NY on or about July 17, 2025 as a B1 nonimmigrant with authorization to remain in the United States for a temporary period not to exceed January 16th, 2026;

4. You remained in the United States beyond January 16th, 2026 without authorization from the Immigration and Naturalization Service or its successor the Department of Homeland Security.

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

Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted, in violation of this Act or any other law of the United States.

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

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

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

625 EVANS ST, RM 148A, ELIZABETH, NEW JERSEY 07201. ELIZABETH - VIDEO HEARINGS

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

on April 3, 2026 at 1:00 pm to show why you should not be removed from the United States based on
(Date) *(Time)*

the charge(s) set forth above. PATRICK MCCALLION - SDDO

(Signature and Title of Issuing Officer)

Date: March 23, 2026 Philadelphia,PA

(City and State)

EOIR – 1 of 3

Notice to Respondent

Alien Registration: This Notice to Appear serves as evidence of your alien registration pursuant to INA § 262. If you are 18 years or older, failure to carry this Notice to Appear, or other evidence of alien registration as provided in 8 C.F.R. § 264.1(b), on your person at all times is a criminal offense pursuant to INA § 264(e), for which you may be subject to a criminal penalty of $5,000 and imprisonment of up to 30 days.

Notification to the Department of Homeland Security (DHS) of Change of Address: All aliens aged 14 years or older, and all parents and legal guardians of aliens under the age of 14, must report a change of address to U.S. Citizenship and Immigration Services, a component of DHS, within 10 days of moving, pursuant to INA § 265(a). Failure to notify DHS of your change of address is a criminal offense pursuant to INA § 266(b), for which you may be subject to a criminal penalty of $5,000 and imprisonment of up to 30 days. More information is available online at **https://www.uscis.gov/addresschange.** **This obligation is in addition to your obligation to notify the Immigration Court of your change of address.**

Representation: If you choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to INA §§ 240(b)(4)(A) and 292. Unless you request otherwise in writing, no hearing will be scheduled earlier than 10 days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost is provided with this notice.

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

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

Notification to the Immigration Court of Change of Address: You are required to notify the Immigration Court, in writing, of your full mailing address and telephone number (if any). You must also immediately notify the Immigration Court whenever you change your address or telephone number during the course of this proceeding by using Form EOIR-33/IC, Change of Address/Contact Information Form. Notices of hearing will be mailed to this address. If you file a Form EOIR-33/IC with the Immigration Court, you must serve a copy on the ICE Office of the Principal Legal Advisor. If you change your address or telephone number during the course of this proceeding and do not submit Form EOIR-33/IC, the Immigration Court shall not be required to provide you with written notice of your hearing. **This obligation is in addition to your obligation to notify DHS of your change of address.**

Failure to Appear: If you fail to attend the hearing at the date, time, and place designated on this notice, or any date, time, or place later directed by the Immigration Court, the immigration judge shall order you removed in your absence upon determining that you were provided written notice and are removable. If you are arrested by ICE after being ordered removed in your absence by the immigration judge pursuant to INA § 240(b)(5), you will be required to pay a minimum fee of $5,000, adjusted for inflation, or a greater amount as established by the Secretary of Homeland Security.

Mandatory Duty to Depart the United States: If you become subject to a final order of removal as defined in 8 C.F.R. § 1241.1, you must depart the United States within 90 days of the order. If you do not depart, you may be subject to a civil penalty under INA § 274D(a) of $500 per day, adjusted for inflation, and imprisonment of up to 4 years (or 10 years if you belong to certain specified classes described in INA § 237(a)(1)(E), (2), (3), or (4)). If you are granted voluntary departure, you must comply with the terms of the voluntary departure order. If you fail to voluntarily depart within the time provided, you will be subject to a final order of removal, may be ineligible for certain immigration benefits for a period of 10 years from the date you overstayed the order, and may be subject to a civil penalty from $1,000 to $5,000, adjusted for inflation. For additional information, refer to the order granting voluntary departure, as well as INA § 240B(d).

Sensitive Locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in INA § 239(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

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

Before: ______________________ *(Signature of Respondent)*

Date: ______________

____
(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on March 23, 2026, in the following manner and in compliance with section 239(a)(1) of the Act.

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

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

[redacted] *(Signature of Respondent if Personally Served)*

JOHN SCHLEAR - Deportation Officer
(Signature and Title of officer)

Privacy Act Statement

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

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

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

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

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

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ELIZABETH IMMIGRATION COURT

LEAD FILE: [redacted]
IN REMOVAL PROCEEDINGS
DATE: Mar 23, 2026
EAD Clock:

TO:
[redacted]

RE: [redacted]

Notice of Internet-Based Hearing

Your case has been scheduled for a MASTER hearing before the immigration court on:

Your hearing is not in person. You will access your hearing by using the web page below.
URL: https://eoir.webex.com/meet/IJ.Wilson

Date: Apr 2, 2026
Time: 09:00 A.M. ET
Court Address: 625 EVANS STREET ROOM 148A, ELIZABETH, NJ 07201

Representation: You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at https://www.justice.gov/eoir/list-pro-bono-legal-service-providers is a list of free legal service providers who may be able to assist you.

Failure to Appear: If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

Change of Address: The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33 either online at https://respondentaccess.eoir.justice.gov/en/ or by completing the enclosed paper form and mailing it to the immigration court listed above.

Internet-Based Hearings: If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at https://www.justice.gov/eoir/eoir-immigration-court-listing.

In-Person Hearings: If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call **1-800-898-7180** (toll-free) or **304-625-2050.**

The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY:MAIL[M] PERSONAL SERVICE[P] ELECTRONIC SERVICE[E]
TO: [ ] Noncitizen | [**M**] Noncitizen c/o Custodial Officer |
[ ] Noncitizen ATT/REP | [**M**] DHS
DATE: 03/23/2026 BY: COURT STAFF CSR
Attachments [ ] EOIR-33 [ ] Appeal Packet [ ] Legal Services List [ ] Other NH

Use a smartphone's camera to scan the code on this page to read the notice online.

Usa la cámara de un teléfono inteligente para escanear el código de esta página y leer el aviso en línea.

Use a câmara do smartphone para digitalizar o código nesta página e ler o manual de instruções online.

使用智能手机摄像头扫描本页面的代码，即可在线阅读该通知。

ਨੋਟਿਸ ਨੂੰ ਔਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੰਨੇ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে নোটিশ পড়ার জন্য এই পেজের কোডটি স্ক্যান করতে স্মার্টফোনের ক্যামেরা ব্যবহার করুন

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijan pou eskane kòd ki nan paj sa a pou li avi a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

Чтобы прочитать уведомление онлайн, отсканируйте код на этой странице с помощью камеры вашего смартфона.

Utilisez l'appareil photo d'un téléphone intelligent pour scanner le code sur cette page afin de lire l'avis en ligne.