

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

RAMON VILLARREAL TORRES,

Petitioner,

v.

J.L. JAMISON, Warden, Federal Detention
Center, Philadelphia, *et al.*,

Respondents.

Case No. 26-cv-2000

**RESPONSE IN OPPOSITION TO PETITION
FOR WRIT OF HABEAS CORPUS**

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INTRODUCTION

Petitioner seeks a writ of habeas corpus, challenging the authority of the Secretary of the U.S. Department of Homeland Security (DHS) to detain him under the Immigration and Nationality Act (INA), 8 U.S.C. § 1225(b)(2)(A). But Petitioner is not detained under § 1225(b)(2)(A). He is detained under 8 U.S.C. § 1225(b)(1) because he was initially processed for **expedited removal** when he attempted to enter the United States without authorization. That Petitioner is no longer in expedited removal under 8 U.S.C. § 1225 and is now in standard removal proceedings under 8 U.S.C. § 1229a does not change the statutory basis for his detention.¹

DHS processed Petitioner for expedited removal pursuant to 8 U.S.C. § 1225(b)(1) after he entered the United States without inspection in 2023. *See* Ex. A, Form I-860, Notice and Order of Expedited Removal (Dec. 28, 2023); Ex. B, Form I-213, Record of Deportable/Inadmissible Alien (Dec. 28, 2023). Petitioner then claimed a fear of return to his home country and was subsequently released from DHS custody on his own recognizance and issued a Notice to Appear. *See* Ex. C, Form I-213, Record of Deportable/Inadmissible Alien (Mar. 22, 2026). But his release does not bar his re-detention under § 1225(b)(1). Petitioner's detention comports with the INA, the bond

¹ That said, multiple district courts in this jurisdiction have rejected this argument. *See, e.g., Talabadze v. Rose*, No. 26-cv-360 (E.D. Pa Jan. 30, 2026) (Perez, J.); *Seminario-Marcos v. Jamison*, No. 26-cv-421 (E.D. Pa Feb. 6, 2026) (Kearney, J.); *Vazquez-Diaz v. Rose*, No. 26-cv-342 (E.D. Pa Feb. 10, 2026) (Gallagher, J.); *Vargas Quejada v. Jamison*, 26-cv-914 (E.D. Pa. Feb. 17, 2026) (McHugh, J.); *Nawab Ali v. Jamison*, No. 26-cv-729 (E.D. Pa. Feb. 19, 2026) (Quiñones Alejandro, J.); *Zavala Ulloa v. Jamison*, No. 26-cv-823 (E.D. Pa. Feb. 20, 2026) (Marston, J.); *Green v. Jamison*, No. 26-cv-773 (E.D. Pa. Feb. 26 2026) (Scott, J.).

regulations, and the Constitution, and the Court should thus deny the petition for a writ of habeas corpus.

BACKGROUND

I. Detention Framework Under the Immigration and Nationality Act

The INA provides a statutory scheme for the civil detention of aliens pending a decision during removal proceedings as well as once a final order of removal has been entered. *See generally* 8 U.S.C. §§ 1225, 1226, 1231. The time and circumstances of entry, as well as the stage of the removal process, determines where an alien falls within this scheme and whether detention of the alien is discretionary or mandatory.

A. Applicants for Admission and Expedited Removal

An applicant for admission to the United States is defined as “[a]n alien present in the United States who has not been admitted or who arrives in the United States [] whether or not at a designated port of arrival.” 8 U.S.C. § 1225(a)(1). As explained by the Supreme Court, “an alien who tries to enter the country illegally is treated as an ‘applicant for admission,’ and an alien who is detained shortly after unlawful entry cannot be said to have ‘effected an entry’ into the United States.” *Dep’t of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 140 (2020). Put differently, an “alien who arrives at a ‘port of entry,’ *i.e.* a place where the alien may lawfully enter, must apply for admission. An alien [] who is caught trying to enter at some other spot is treated the same way.” *Id.* at 108. Such applicants for admission, “even those paroled elsewhere in the country for years pending removal—are ‘treated’ for due process purposes ‘as if stopped at the border.’” *Id.* at 139 (quoting *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 215 (1953)). Pursuant to § 1225, immigration officials have discretion to place aliens arriving in the United States in either expedited removal proceedings under

8 U.S.C. § 1225(b)(1) or standard removal proceedings under 8 U.S.C. § 1229a. Under either approach, § 1225 authorizes detention of such individuals “throughout the completion of applicable proceedings and not just until the moment those proceedings begin.” *Jennings v. Rodriguez*, 583 U.S. 281, 302 (2018).

In 1996, Congress amended § 1225(b) to add “expedited removal” procedures for certain applicants for admission. Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104208, Tit. III, § 302(a), 110 Stat. 3009-579 (1996); *see also Thuraissigiam*, 591 U.S. at 109-11 (describing the expedited removal process). Section 1225(b)(1) now provides that an applicant for admission is subject to expedited removal if the applicant is: (i) inadmissible because he or she lacks valid documents or is inadmissible due to fraud; (ii) has not “been physically present in the United States continuously for the 2-year period immediately prior to the date of determination of inadmissibility”; or (iii) is among those whom the Secretary of DHS has designated for expedited removal. For these individuals, once an immigration officer determines that they are inadmissible, the officer must “order the alien removed from the United States without further hearing.” 8 U.S.C. § 1225(b)(1)(A)(i); *Thuraissigiam*, 591 U.S. at 109.

B. Credible Fear Determinations

If, however, the alien expresses a fear of persecution or torture in their home country, an asylum officer must determine whether the alien has a credible fear. *See* 8 U.S.C. §§ 1225(b)(1)(A)(ii) & (B); 8 C.F.R. §§ 208.30, 235.3(b)(4). If an asylum officer makes a positive finding of credible fear, the individual is placed into removal proceedings to pursue asylum under 8 U.S.C. § 1229a. *Id.*

As explained by the Supreme Court, “[a]n alien subject to expedited removal thus has an opportunity at three levels to obtain an asylum hearing, and the applicant will obtain one unless the asylum officer, a supervisor, and an immigration judge all find that the applicant has not asserted a credible fear.” *Thuraissigiam*, 591 U.S. at 110-11 (“As a practical matter, then, the great majority of asylum seekers who fall within the category subject to expedited removal do not receive expedited removal and are instead afforded the same procedural rights as other aliens.”). An individual subject to expedited removal under § 1225(b)(1), however, including an individual undergoing further review of their asylum claim, “is not entitled to immediate release” regardless of whether their asylum claim is reviewed fully or in an expedited manner. *Id.* at 111; *Jennings*, 583 U.S. at 302. Rather, § 1225(b)(1)(B)(iii)(IV) provides for mandatory detention of individuals during the credible fear review process and until removal from the United States. (“Any alien subject to the procedures under this clause *shall be detained* pending a final determination of credible fear of persecution and, if found not to have such a fear, until removed.” (emphasis added)).

C. Parole for Applicants for Admission

While an applicant for admission is not entitled to release or a bond hearing by statute or regulation, the Secretary, acting through Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP), has discretion to release applicants for admission from custody on humanitarian parole. *See* 8 U.S.C. § 1182(d)(5). Such a parole is done “temporarily under such conditions as [the Secretary] may prescribe [and] only on a case-by-case basis for urgent humanitarian reasons or significant public benefit.” 8 U.S.C. §1182(d)(5)(A).

Parole is not an “admission” to the United States. 8 U.S.C. §§ 1101(a)(13)(B), 1182(d)(5)(A). As noted above, “aliens who arrive at ports of entry—even those paroled elsewhere in the country for years pending removal—are ‘treated’ for due process purposes ‘as if stopped at the border.’” *Thuraissigiam*, 591 U.S. at 139 (quoting *Mezei*, 345 U.S. at 215) (emphasis added); see also *Leng May Ma v. Barber*, 357 U.S. 185, 188-90 (1958). In other words, an applicant for admission paroled into the United States “remain[s] constructively detained at the border, i.e., legally unadmitted, while their status is being resolved by immigration officials.” *Ibragimov v. Gonzales*, 476 F.3d 125, 134 (2d Cir. 2007); see also *Duarte v. Mayorkas*, 27 F.4th 1044, 1059 (5th Cir. 2022) (“[A] paroled alien is legally equivalent to an alien that is held in custody at the border while their application for admission is processed.”).

ICE may terminate a parole under § 1182(d)(5)(A) when, “in the opinion of the Secretary of Homeland Security, “the purposes of such parole . . . have been served.” 8 U.S.C. § 1182(d)(5)(A); see also 8 C.F.R. § 212.5(e)(2)(i). When a Notice to Appear (NTA)—the charging document that initiates proceedings—is served on the parolee, this serves as written notice of termination of parole. See *Matter of Arambula-Bravo*, 28 I&N Dec. 388, 395 (BIA 2021) (“A charging document presumptively terminates parole because an intent to remove a noncitizen necessarily reflects a determination that the continued presence of that individual is no longer warranted.”). No pre-termination hearing is required. See *Ofosu v. McElroy*, 98 F.3d 694, 700 (2d Cir. 1996) (explaining that parole “may be ended without hearings or special forms.”); *Ahrens v. Rojas*, 292 F.2d 406, 410 (5th Cir. 1961) (“Neither the statute nor the regulation provides for a hearing on revocation of parole.”). Further, at the expiration of the time for which parole

was authorized, “[p]arole shall be automatically terminated without written notice.” 8 C.F.R. § 212.5(e)(1)(ii).

D. Return to Custody After Parole Expiration or Termination

After parole expires or is terminated, “the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall *continue to be dealt with in the same manner as that of any other applicant for admission* to the United States.” 8 U.S.C. § 1182(d)(5)(A) (emphasis added); 8 C.F.R. § 212.5(e)(2)(i) (explaining that after automatic termination, the alien “shall be restored to the status that he or she had at the time of parole”). Once parole is terminated, “[a]ny further inspection or hearing shall be conducted under section 235 [8 U.S.C. § 1225] or 240 [8 U.S.C. § 1229a] of the Act.” 8 C.F.R. § 212.5(e)(2)(i); *see Ahrens*, 292 F.2d at 410 (noting that after parole termination, “the plaintiff’s status was the same as if he had been stopped at the border.”). The grant of parole and its termination is committed to the broad discretion of the Secretary. *See Samirah v. O’Connell*, 335 F.3d 545, 549 (7th Cir. 2003) (holding DHS’s authority to “grant or revoke” parole under § 1182(d)(5)(A) is a matter of agency discretion barred from review by § 1252(a)(2)(B)(ii)); *Hassan v. Chertoff*, 593 F.3d 785, 789 (9th Cir. 2010) (same).

II. Factual and Procedural History

Petitioner, a native and citizen of Venezuela, entered the United States without inspection on December 28, 2023. Ex. A. Given his time, manner, and place of entry, CBP determined that Petitioner was inadmissible to the United States and thereafter placed him into expedited removal proceedings under § 1225(b)(1). Ex. A; *see* Exs. B-C. After Petitioner claimed a fear of return to his home country, DHS referred Petitioner to USCIS for completion of a credible fear interview. *See* Ex. B. Petitioner was

subsequently released on his own recognizance and placed into standard removal proceedings under § 1229a through issuance of a Notice to Appear on February 22, 2023. *See* Ex. C. On March 22, 2026, ICE detained Petitioner pending completion of his removal proceedings. *See id.*

LEGAL STANDARD

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 petitioner “carries the burden of proof”); *see also* 28 U.S.C. § 2241.

Judicial review of immigration matters, including detention issues, is limited. *INS 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*, 583 U.S. at 286 (“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.”).

Petitioner must make a strong showing to demonstrate that his continued detention violates the Constitution or laws of the United States. *See U.S. 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”).

ARGUMENT

As discussed below, Petitioner’s detention is authorized by statute, regulation, and comports with the Constitution and the Administrative Procedure Act. So the Court should deny the petition for a writ of habeas corpus.

I. Petitioner’s Detention is Authorized by 8 U.S.C. § 1225(b)(1)

Petitioner’s argument that his detention violates the INA is without merit because ICE’s current detention of Petitioner is authorized and, indeed, mandated by statute. Petitioner attempted to enter the United States without inspection in 2023 and was intercepted but not inspected, admitted, or paroled by an immigration officer at the time of that entry. *See* Ex. A. Petitioner was therefore an “applicant for admission” and was accordingly processed for expedited removal under § 1225(b)(1). *See id.* (Notice and Order of Expedited Removal citing INA § 235(b)(1)).

A. Petitioner Was Properly Processed for Expedited Removal

The regulations at 8 C.F.R. § 235.3(b)(2)(i) set forth a process that must be applied before removing an alien under the expedited removal process. This process involves two separate steps: (i) completion of a Form I-860, Notice and Order of Expedited Removal, which advises the alien of the charges against him; and (ii) a contemporaneously executed Form I-867A, Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act, during which the alien will be given the opportunity to respond to the charges in the Form I-860. 8 C.F.R. § 235.3(b)(2)(i).

Here, the CBP officer who initially processed Petitioner completed a Form I-860, Notice and Order of Expedited Removal and a Form I-867A, Record of Sworn Statement, as required by 8 C.F.R. § 235.3(b)(2)(i). *See* Exs. A-B. By completing a record of proceeding as required under 8 C.F.R. § 235.3(b)(2)(i), DHS properly initiated initial expedited removal processing.

Petitioner was not removed following this initial expedited removal processing because he expressed a fear of return to Venezuela during his interview. *See* Ex. B (“[s]ubject claims to have fear of being return to [his] native country”). The fact that

Petitioner is no longer in expedited removal proceedings does not preclude continued detention under § 1225(b)(1). To the contrary, when Petitioner claimed a fear of returning to Venezuela, he triggered the § 1225(b)(1)(B) process, which includes a referral to USCIS for a credible fear interview and further (full removal) proceedings under § 1229a to consider Petitioner’s application for asylum. 8 U.S.C. § 1225(b)(1)(B); Exs. A-B. Until his removal proceedings under § 1229a are complete, which includes adjudication of his application for asylum, or until he withdraws his application for admission pursuant to 8 U.S.C. § 1225(a)(4), Petitioner remains in this process. And Congress has mandated that anyone going through this process “shall be detained pending a final determination of credible fear and persecution and, if found not to have such a fear, until removed.” 8 U.S.C. § 1225(b)(1)(B)(ii); *see also id.*

§ 1225(b)(1)(B)(iii)(IV); *Jennings*, 538 U.S. at 297, 302 (explaining that § 1225(b) “mandate[s] detention of applicants for admission until proceedings have concluded.”).

B. Petitioner’s Release Does Not Preclude Detention Under 8 U.S.C. § 1225(b)(1)

Importantly, ICE’s release of Petitioner does not preclude detention under § 1225(b)(1)(B)(ii). Petitioner may try to argue that he is not subject to mandatory detention under § 1225(b)(1) because he was released from his initial detention. But that fact cannot bar his re-detention. Petitioner entered the United States without inspection and is charged as being present in the United States without admission or parole. *See* Exs. A-C. After this unlawful entry, Petitioner was released on his own recognizance. But Petitioner remains subject to the expedited removal provisions at § 1225(b)(1) and, in turn, mandatory detention. *See, e.g., Woodley v. Rokosky*, No. 26-cv-150 (D.N.J. Feb. 2, 2026) (denying habeas petition and finding detention lawful under § 1225(b)(1) for alien

initially processed for expedited removal, notwithstanding prior grant of parole under § 1182(d)(5); *Faqirzada v. Rokosky*, No. 25-cv-16639 (D.N.J. Jan. 8, 2026) (same). *But see Talabadze v. Rose*, No. 26-cv-360 (E.D. Pa. Jan. 30, 2026) (Perez, J.) (granting habeas petition and finding that termination of parole under § 1182(d)(5) forecloses mandatory detention under § 1225(b)).

That Petitioner is properly detained under § 1225(b)(1) receives further support from the Attorney General's decision in *Matter of M-S-*, 27 I&N Dec. 509 (A.G. 2019). In *M-S-*, the Attorney General overruled as wrongly decided an earlier Board of Immigration Appeals (BIA) case, *Matter of X-K-*, 23 I&N Dec. 731 (BIA 2005), in which the BIA held that aliens transferred to full proceedings after establishing a credible fear were eligible for bond. 27 I&N Dec. at 513-14. The Attorney General explained that, by its plain language, applicants for admission transferred to full removal proceedings after establishing a credible fear remain ineligible for bond. *Id.* at 515. Instead, an individual in this category of applicants for admission "must be detained until his removal proceedings conclude, unless he is granted parole." *Id.* at 509. Petitioner's prior release does not change the fact that he remains subject to detention pursuant to § 1225(b)(1)(B)(ii).

C. Petitioner Is Not Detained Under 8 U.S.C. § 1225(b)(2)

Petitioner claims that DHS is detaining him under § 1225(b)(2) pursuant to the BIA's decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), and DHS's new policy. *See* ECF No. 1 (Pet.) ¶¶ 1-4. This is incorrect and contrary to the facts and procedural history of Petitioner's case. As discussed above, Petitioner was processed for expedited removal upon entry into the United States and was subsequently found to have a credible fear of return to Venezuela, thus bringing him within the mandatory

detention authority of § 1225(b)(1). So Petitioner is detained under § 1225(b)(1), not § 1225(b)(2). Because Petitioner is properly detained under § 1225(b)(1) and not eligible for a bond hearing, the Court should deny his petition for a writ of habeas corpus.

II. Petitioner's Detention is Constitutional

Petitioner's arguments that his detention violates due process also lack merit. The Supreme Court has long recognized that "an alien seeking initial admission to the United States requests a privilege and has no constitutional rights regarding his application, for the power to admit or exclude aliens is a sovereign prerogative." *Landon v. Plasencia*, 459 U.S. 21, 32 (1982). Further, applicants for admission like Petitioner lack any constitutional due process rights with respect to admission aside from the rights provided by statute: "[w]hatever the procedure authorized by Congress is, it is due process as far as an alien denied entry is concerned," *Mezei*, 345 U.S. at 212, and, "it is not within the province of any court, unless expressly authorized by law, to review [that] determination." *United States ex. rel. Knauff v. Shaughnessy*, 338 U.S. 537, 543 (1950); *see also Thuraissigiam*, 591 U.S. at 140 ("[T]he Due Process Clause provides nothing more.").

The Supreme Court reaffirmed "[its] century-old rule regarding the due process rights of an alien seeking initial entry" in *Thuraissigiam*, explaining that an individual who illegally crosses the border—like Petitioner—is an applicant for admission and "has only those rights regarding admission that Congress has provided by statute." 591 U.S. at 139-40. The Court explained that "[w]hile aliens who have established connections in this country have due process rights in deportation proceedings, the Court held long ago that Congress is entitled to set the conditions for an alien's lawful entry into this country

and that, as a result, an alien at the threshold of initial entry cannot claim any greater rights under the Due Process Clause.” *Id.* at 107.

“When an alien arrives at a port of entry—for example, an international airport—the alien is on U.S. soil, but the alien is not considered to have entered the country.” *Id.* at 139. The same “threshold” rule applies to individuals who are apprehended after trying “to enter the country illegally” since by statute, such individuals are also defined as applicants for admission. *Id.* at 139-40. And all applicants for admission, “even those paroled elsewhere in the country for years pending removal,” “have no entitlement to procedural rights other than those afforded by statute.” *Id.* at 107, 139. And the statute provides no more procedural protections than allowing an applicant for admission to seek relief from removal if he fears return to his home country, and to seek parole from the agency. *Id.* During that process, however, applicants for admission may be detained without a bond hearing pending admission or removal without running afoul of the Constitution. *Demore*, 538 U.S. at 531.

Petitioner’s recent detention pending his removal proceedings thus does not violate Due Process. *See, e.g., Zadvydas v. Davis*, 533 U.S. 678, 701 (2001) (detention less than six months presumed constitutional). To be sure, the U.S. Court of Appeals for the Third Circuit has recognized that there may come a time when mandatory civil detention without a bond hearing becomes unreasonable. *See German Santos v. Warden Pike Cnty. Corr. Facility*, 965 F.3d 203, 211 (3d Cir. 2020) (analyzing detention under § 1226(c)). But Petitioner was detained on March 22, 2026 (Pet. ¶ 2)—less than two weeks ago—and his detention is thus nowhere near that point.

CONCLUSION

The Court should deny the petition for a writ of habeas corpus.

Dated: April 2, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on April 2, 2026, a true and correct copy of this Response in Opposition to Petition for Writ of Habeas Corpus was filed electronically via the Court's CM/ECF system and served via CM/ECF on all counsel of record.

/s/ Gregory B. in den Berken
GREGORY B. IN DEN BERKEN

EXHIBIT A

U.S. Department of Homeland Security

Notice and Order of Expedited Removal**DETERMINATION OF INADMISSIBILITY**Event No: File No: Date: December 28, 2023In the Matter of: RAMON ENRIQUE VILLARREAL-TORRES

Pursuant to section 235(b)(1) of the Immigration and Nationality Act (Act), (8 U.S.C. 1225(b)(1)), the Department of Homeland Security has determined that you are inadmissible to the United States under section(s) 212(a) ☐ (6)(C)(i); ☐ (6)(C)(ii); ☒ (7)(A)(i)(I); ☐ (7)(A)(i)(II); ☐ (7)(B)(i)(I); and/or ☐ (7)(B)(i)(II) of the Act, as amended, and therefore are subject to removal, in that:

1. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act; to wit, you illegally entered the United States by crossing the Rio Grande River near the Eagle Pass, Texas Port of Entry on December 28, 2023, with the intention of going to Chester, PA to reside and seek employment in the United States.

ORLANDO RIVERA

BORDER PATROL AGENT

Name and title of immigration officer (Print)

ORLANDO C RIVERA

Date: 2023.12.28 19:44:35 -06:00

0101309515.CBP

Signature of immigration officer

**ORDER OF REMOVAL
UNDER SECTION 235(b)(1) OF THE ACT**

Based upon the determination set forth above and evidence presented during inspection or examination pursuant to section 235 of the Act, and by the authority contained in section 235(b)(1) of the Act, you are found to be inadmissible as charged and ordered removed from the United States.

ORLANDO RIVERA

BORDER PATROL AGENT

Name and title of immigration officer (Print)

ORLANDO C RIVERA

Date: 2023.12.28 19:44:37 -06:00

0101309515.CBP

Signature of immigration officer

ACTING PATROL AGENT IN CHARGE

Name and title of supervisor (Print)

ALFRED FLORES

Date: 2023.12.28 20:15:24 -06:00

0214816399.CBP.1

Signature of supervisor, if available

☐ Check here if supervisory concurrence was obtained by telephone or other means (no supervisor on duty).

CERTIFICATE OF SERVICEI personally served the original of this notice upon the above-named person on 12/28/2023

ORLANDO C RIVERA

Date: 2023.12.28 19:44:40 -06:00

0101309515.CBP

Signature of immigration officer

(Date)

U.S. Department of Homeland Security

Notice and Order of Expedited Removal

ACKNOWLEDGEMENT

I acknowledge receipt of this notification



Signature of alien

EXHIBIT B

U.S. Department of Homeland Security

Subject ID :

Record of Deportable/Inadmissible Alien

Family Name (CAPS) VILLARREAL-TORRES, RAMON ENRIQUE		First	Middle	Sex M	Hair BLK	Eyes BRO	Cmplxn LBR
Country of Citizenship VENEZUELA	Passport Number and Country of Issue			Height 66	Weight 160	Occupation	
U.S. Address				Scars and Marks See Narrative			
Date, Place, Time, and Manner of Last Entry 12/28/2023 05:00, EGP, ewi			Passenger Boarded at	F.B.I. Number		☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated	
Number, Street, City, Province (State) and Country of Permanent Residence				Method of Location/Apprehension PB			
Age: 39		Date of Action 12/28/2023	Location Code EGT	At/Near		Date/Hour 12/28/2023 05:31	
City, Province (State) and Country of Birth MARACAIBO, VENEZUELA		AR ☒	Form : (Type and No.) Lifted ☐ Not Lifted ☐				
NIV Issuing Post and NIV Number		Social Security Account Name					
Date Visa Issued		Social Security Number					
Immigration Record NEGATIVE				Criminal Record			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)						Number and Nationality of Minor Children None	
Father's Name, Nationality, and Address, if Known LUZARDO, RAMON ENRIQUE NATIONALITY: VENEZUELA ADDRESS: MARACAIBO, STATE OF ZULIA, VENEZUELA			Mother's Present and Maiden Names, Nationality, and Address, if Known VILLARREAL-TORRES, GLADYS JOSEFINA NATIONALITY: VENEZUELA ADDRESS: MARACAIBO, STATE OF ZULIA, VENEZUELA				
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? ☒ Yes ☐ No	Systems Checks See Narrative		Charge Code Words(s) See Narrative		
Name and Address of (Last)(Current) U.S. Employer		Type of Employment	Salary	Employed from/to Hr			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements of administrative and/or criminal violation. Indicate means and route of travel to interior.) FIN: Left Index fingerprint Right Index fingerprint							
FAMILY INFORMATION ----- Father: LUZARDO, RAMON is a citizen of VENEZUELA. Mother: VILLARREAL-TORRES, GLADYS is a citizen of VENEZUELA. Spouse: Subject is not married. Child: Subject does not have children or dependents.							
SCARS MARKS AND TATTOOS ----- None Visible - None Visible ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges _____ (Date/Initials)				ORLANDO RIVERA BORDER PATROL AGENT _____ (Signature and Title of Immigration Officer)			
Distribution:				Received: (Subject and Documents) (Report of Interview) Officer: ORLANDO RIVERA on: December 28, 2023 (time) Disposition: Expedited Removal (I-860) Examining Officer: _____			

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name VILLARREAL-TORRES, RAMON ENRIQUE	File Number 	Date 12/28/2023
CURRENT CRIMINAL CHARGES ----- 12/28/2023 - 8 USC 1182 - ALIEN INADMISSIBILITY UNDER SECTION 212 CURRENT ADMINISTRATIVE CHARGES ----- 12/28/2023 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA RECORDS CHECKED ----- CIS checked on 12/29/2023 with Negative result.ABIS checked on 12/28/2023 with Negative result.EARM checked on 12/29/2023 with Negative result.NCIC checked on 12/29/2023 with Negative result.TECS checked on 12/29/2023 with Negative result.NGI checked on 12/28/2023 with Negative result. FUNDS IN POSSESSION ----- United States Dollar 65.00United States Dollar 10.00Mexican Peso 390.00Guatemalan Quetzal 35.00Mexican Peso 300.00United States Dollar 100.00United Arab Emirates Dirham 0.20 RECORD OF DEPORTABLE/EXCLUDABLE ALIEN: ----- ENCOUNTER: Subject was encountered by U.S. Border Patrol Agents, on the United States side of the United States/Mexico border, as indicated in the data portion of form I-213. After a brief interview, it was determined that this subject is not a citizen or resident of the United States. Subject was placed under arrest, transported to a U.S. Border Patrol Station for further processing, and advised of their rights. IMMIGRATION CHECKS: Negative CRIMINAL HISTORY: Negative CREDIBLE FEAR STATEMENT: Subject claims to have fear of being returned to their native country. See form I-867B CONSULATE NOTIFICATION: The subject was notified of the right to communicate with a consular officer. Subject waived their consular notification rights. HEALTH SCREEN: The subject appears to be in good health. Form CBP-2500 Medical and the Covid-19 Questionnaire have been completed. PROPERTY AND MONEY: See data portion of Form I-213 above The noncitizen will be subject to an expedited removal process and will receive a Notice and Order of Expedited Removal (Form I-860) as outlined in Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (INA). They will also undergo an asylum interview screening.DHS is requesting USCIS to specifically screen the Venezuelan national for fear to Mexico. During the asylum interview conducted by USCIS, if no fear of return is established, the noncitizen will be removed to Mexico. The individual has been notified that re-entry		
Signature ORLANDO RIVERA	Title BORDER PATROL AGENT	

EXHIBIT C

U.S. Department of Homeland Security

Subject ID :

Record of Deportable/Inadmissible Alien

Family Name (CAPS) VILLARREAL-TORRES, RAMON ENRIQUE		First	Middle	Sex M	Hair BLK	Eyes BRO	Cmplxn LBR
Country of Citizenship VENEZUELA	Passport Number and Country of Issue			Height 66	Weight 160	Occupation UNR	
U.S. Address FAILED TO PROVIDE ADDRESS CHESTER, PENNSYLVANIA, 19013, UNITED STATES				Scars and Marks			
Date, Place, Time, and Manner of Last Entry Unknown Date Unknown Time,			Passenger Boarded at	F.B.I. Number	☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated		
Number, Street, City, Province (State) and Country of Permanent Residence MARACAIBO, STATE OF ZULIA, VENEZUELA				Method of Location/Apprehension NCA			
Date of Birth	Age: 41	Date of Action 03/22/2026	Location Code PHI/PHI	At/Near See I-831	Date/Hour 03/22/2026 09:24		
City, Province (State) and Country of Birth MARACAIBO, VENEZUELA		AR ☒	Form : (Type and No.) Lifted ☐ Not Lifted ☐	By G 9668 MEROLLO			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry		Status When Found	
Date Visa Issued		Social Security Number		Length of Time Illegally in U.S.			
Immigration Record NEGATIVE			Criminal Record				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children None			
Father's Name, Nationality, and Address, if Known LUZARDO, RAMON ENRIQUE NATIONALITY: VENEZUELA ADDRESS: MARACAIBO, STATE OF ZULIA, VENEZUELA		Mother's Present and Maiden Names, Nationality, and Address, if Known VILLARREAL-TORRES, GLADYS JOSEFINA NATIONALITY: VENEZUELA ADDRESS: MARACAIBO, STATE OF ZULIA, VENEZUELA					
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? ☐ Yes ☒ No	Systems Checks	Charge Code Word(s) See Narrative			
Name and Address of (Last)(Current) U.S. Employer		Type of Employment Unemployed or Retired	Salary	Employed from/to Hr			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) Left Index fingerprint  Right Index fingerprint							
Body Worn Camera (BWC) Information ----- BWC footage was recorded for this enforcement activity. BWC footage was viewed prior to the completion of this report. ----- FAMILY INFORMATION ----- Father: LUZARDO, RAMON is a citizen of VENEZUELA. Mother: VILLARREAL-TORRES, GLADYS is a citizen of VENEZUELA. Spouse: Subject is not married. ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges _____ (Date/Initials)				G 9668 MEROLLO Deportation Officer _____ (Signature and Title of Immigration Officer)			
Distribution:				Received: (Subject and Documents) (Report of Interview) Officer: G 9668 MEROLLO on: March 22, 2026 (time) Disposition: Other Examining Officer: WALKER, S 7829			

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name VILLARREAL-TORRES, RAMON ENRIQUE		Date 03/22/2026
Child: Subject does not have children or dependents. SUBJECT HEALTH STATUS ----- The subject claims good health. CURRENT ADMINISTRATIVE CHARGES ----- 03/22/2026 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA ARRESTED AT/NEAR ----- 2510 W 10TH ST, CHESTER, PENNSYLVANIA, 190132003, UNITED STATES RECORD OF DEPORTABLE/EXCLUDABLE ALIEN: ----- Encounter: On March 22, 2026, ICE Officers conducted a surveillance operation  is a citizen of Venezuela. At approximately 8:00am, a male subject who matched the  of  as seen exiting the previously mentioned address and entering into  ICE Of  hortly after the veh  ed vehicle and identif  ICE Officers approached the  gration and Customs Enforcement, by way of badges and verbiage. ICE Officers requested that all occupants step out of the vehicle and provide identification. After a brief investigation, ICE Officers discovered that three of the  vehicle were illegal aliens from Venezuela. Ramon Villareal-Torres,  is currently in immigration proceedings, but failed to  Phi  d Office  iosk check-in. Jesus Medina-Castro.  and Edwar Medina-Graterol,  were both previously ordered removed  tion Judge, but failed to d  ed States. All three of the individuals were brought to the Philadelphia Field Office for processing without incident. ALIENAGE AND REMOVABILITY: On December 18, 2023, VILLARREAL-TORRES was arrested by United States Border Patrol near Eagle Pass, TX and was processed as an "Expedited Removal" with a fear claim. On February 22, 2024, VILLARREAL-TORRES was released from DHS custody and issued a Notice to Appear (NTA) by USCIS. On February 27, 2024, VILLARREAL-TORRES was enrolled in the CART program. On February 26, 2026, VILLARREAL-TORRES was deactivated from the CART program due to his failure to report and be compliant with the program. VILLARREAL-TORRES does not have any status in the United States. CRIMINAL HISTORY: None DISPOSITION: This charges are currently pending. TRAVEL DOCUMENT/FOREIGN IDENTIFICATION: Subject was not in possession of any documents.		
Signature G 9668 MEROLLO	Title Deportation Officer	

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name VILLARREAL-TORRES, RAMON ENRIQUE		Date 03/22/2026
INTEL: Subject claims to have never served in the Military. Subject does not claim fear of returning to his country of origin. DISPOSITION: *The subject will be advised of his right to counselor notification and requested not to contact his consulate. *The subject will be provided with a list of free & low-cost legal services. *The subject will be provided with one free phone call. *The Subject will be processed as a "Custody Redetermination". *The subject will be detained without bond. OTHER IDENTIFYING NUMBERS ----- ALIEN 		
Signature G 9668 MEROLLO	Title Deportation Officer	

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