

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

B.A.M.A.,	:	
	:	
Petitioner,	:	
	:	Case No. 7:26-cv-95-LAG-ALS
v.	:	28 U.S.C. § 2241
	:	
WARDEN, IRWIN COUNTY DETENTION CENTER,	:	
	:	
Respondent.	:	

RESPONDENT'S RESPONSE

On December 18, 2024, Petitioner filed a petition for a writ of habeas corpus (“Petition”). ECF No. 1. Petitioner raises four claims: (1) his initial arrest was unlawful and violated the Fourth Amendment and the INA; (2) the revocation of his parole violated the Fifth Amendment’s Due Process Clause; (3) the procedures utilized in his re-detention violate the Administrative Procedure Act (“APA”) and the *Accardi* doctrine; and (4) his mandatory detention as an arriving alien without a bond hearing violates procedural and substantive due process. Pet. ¶¶ 70-105, ECF No. 1. For the reasons explained below, the Petition should be denied.

BACKGROUND

Petitioner is a native and citizen of Venezuela. Declaration of Deportation Officer Chase Puckett (“Pucket Decl.”) ¶ 5. On August 19, 2022, Petitioner was encountered by United States Customs and Border Protection (“CBP”) near Eagle Pass, Texas. *Id.* ¶ 5. CBP determined Petitioner was inadmissible under 8 U.S.C. § 1182(a)(7)(A)(i)(I), but paroled him into the United States pursuant to 8 U.S.C. § 1182(d)(5). *Id.* ¶ 5 & Ex. A.

On September 28, 2022, after Petitioner's scheduled check-in, ICE/ERO placed Petitioner in removal proceedings by issuing a Notice to Appear ("NTA") charging him with inadmissibility under 8 U.S.C. § 1182(a)(7)(A)(i)(I). Puckett Decl. ¶ 6 & Ex. B. On the same day, ICE/ERO issued Petitioner a Form I-286, Notice of Custody Determination. *Id.* ¶ 6 & Ex. C. On June 22, 2023, Petitioner filed an application for relief from removal, which remains pending. *Id.* ¶ 7.

On July 4, 2024, Petitioner filed a Form I-821, Application for Temporary Protected Status ("TPS"). *Id.* ¶ 8. On December 5, 2024, DHS granted that application with an expiration date of April 2, 2025. *Id.* ¶ 8 & Ex. D. On April 20, 2025, Petitioner filed a Form I-821 to re-register his TPS; however, DHS records reflect that the re-registration application was terminated on November 20, 2025. Puckett Decl. ¶ 9.

On January 20, 2026, Petitioner appeared before the immigration court, admitted to the factual allegations contained in the NTA, and conceded the charge of removability. *Id.* ¶ 10. On January 28, 2026, ICE/ERO encountered Petitioner in Gastonia, North Carolina, and took him into custody pending his removal case. *Id.* ¶ 11 & Ex. E. Petitioner was subsequently transferred to the Folkston D. Ray James ICE Processing Center, where he remains detained under the authority of 8 U.S.C. § 1225(b)(2) and 8 C.F.R. § 235.3(c)(1) as an arriving alien. *Id.* ¶¶ 2, 4.

On March 2, 2026, a Form I-130, Petition for Alien Relative, was filed on Petitioner's behalf and remains pending. *Id.* ¶ 12. Petitioner's removal case remains pending before the immigration court with no current hearing date set. Puckett Decl. ¶ 13.

LEGAL FRAMEWORK

Petitioner is detained pre-final order of removal as an arriving alien. 8 U.S.C. § 1225(a)(1) provides that "[a]n alien present in the United States who has not been admitted or who arrives in

the United States . . . shall be deemed . . . an applicant for admission.” 8 C.F.R. §§ 1.2 and 1001.1(q) define an “arriving alien” as a particular type of applicant for admission as

an applicant for admission coming or attempting to come into the United States at a port-of-entry, or an alien seeking transit through the United States at a port-of-entry, or an alien interdicted in international or United States waters and brought into the United States by any means, whether or not to a designated port-of-entry, and regardless of the means of transport.

If an immigration officer determines an arriving alien is inadmissible, the officer “shall order the [non-citizen] removed from the United States without further hearing or review.” 8 U.S.C. § 1225(b)(1)(A)(i). If the arriving alien “indicates either an intention to apply for asylum . . . or a fear of persecution,” 8 U.S.C. § 1225(b)(1)(A)(i), the “officer shall refer the alien for an interview by an asylum officer,” 8 U.S.C. § 1225(b)(1)(A)(ii). “If the officer determines at the time of the interview that an alien has a credible fear of persecution[,] . . . the alien shall be detained for further consideration of the application for asylum.” 8 U.S.C. § 1225(b)(1)(B)(ii).

Detention of all arriving aliens is mandatory. 8 U.S.C. § 1225(b)(1)(B)(ii) (“If the officer determines at the time of the interview that an alien has a credible fear of persecution[,] . . . the alien *shall be detained* for further consideration of the application for asylum.” (emphasis added)); 8 U.S.C. § 1225(b)(2)(A) (“[I]f the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien *shall be detained* for a proceeding under [8 U.S.C. §] 1229a” (emphasis added)). The only exception is that ICE/ERO may—in its discretion—release arriving aliens on parole. 8 U.S.C. § 1182(d)(5)(A); 8 C.F.R. §§ 212.5(b), 235.3(c).

ARGUMENT

Petitioner raises four claims: (1) his initial arrest was unlawful and violated the Fourth Amendment and the INA; (2) the revocation of his parole violated the Fifth Amendment’s Due

Process Clause; (3) the procedures utilized in his re-detention violate the APA and the *Accardi* doctrine; and (4) his mandatory detention as an arriving alien without a bond hearing violates procedural and substantive due process. Pet. ¶¶ 70-105, ECF No. 1. Petitioner's claims should be denied in their entirety for the following reasons.

First, Petitioner's Fourth Amendment, Due Process, APA, and *Accardi* claims (Counts One, Two, and Three) are not cognizable in habeas corpus, as this Court is stripped of jurisdiction to hear these claims by 8 U.S.C. § 1252(g).¹ Second, Petitioner's mandatory detention as an arriving alien complies with due process (Count Four) because his legal status was not altered by parole under the "entry fiction" doctrine and 8 U.S.C. § 1182(d)(5)(A).

I. Petitioner's Fourth Amendment, Due Process, APA, and *Accardi* claims are not cognizable in habeas corpus.

Petitioner's challenges to the validity of his arrest and the revocation of his parole must be dismissed. These claims are procedural attacks on past events—the initiation of custody and the termination of discretionary status—rather than a challenge to the Government's current statutory authority to hold him. These claims fail as a matter of law because: (1) they are not cognizable in habeas; (2) this Court is stripped of jurisdiction by statute; and (3) there is no recognized cause of action for such challenges in this Circuit.

First, the Fourth Amendment and Due Process claims are procedurally improper under § 2241. A challenge to the circumstances of an initial arrest or parole revocation does not implicate the legality of a Petitioner's current detention. Because the writ of habeas corpus is reserved for relief from unlawful custody, and not for litigating the "how" or "why" of the underlying arrest or

¹ Respondent addresses Petitioner's first three claims for relief together because they are procedural attacks on past events rather than a challenge to the Government's current statutory authority. Furthermore, this Court is stripped of jurisdiction to hear these claims by 8 U.S.C. § 1252(g). To the extent that the Court interprets Petitioner's claims for relief differently, Respondents respectfully request an opportunity to amend this Response

discretionary parole termination, these claims fall outside the scope of habeas review. *See Arnaiz v. Warden, Fed. Satellite Low*, 594 F.3d 1326, 1329 (11th Cir. 2010).

Furthermore, Petitioner's temporary release and subsequent re-detention did not alter his immigration status; he remains an arriving alien. Puckett Decl. ¶ 4. Under 8 U.S.C. § 1182(d)(5)(A), parole "shall not be regarded as an admission." *See also Jennings v. Rodriguez*, 583 U.S. 281, 288 (2018). The Eleventh Circuit recognizes that "[p]arole is not admission." *Sookhoo v. U.S. Att'y Gen.*, 596 F. App'x 771, 772-73 (11th Cir. 2015). Parole is simply a device to avoid needless confinement while administrative proceedings are conducted; it was never intended to affect a non-citizen's status. *Leng May Ma v. Barber*, 357 U.S. 185, 190 (1958).

Once parole is terminated, an arriving alien is again subject to mandatory detention, and his "case shall continue to be dealt with in the same manner as that of any other applicant for admission." 8 U.S.C. § 1182(d)(5)(A). Because a non-citizen's legal status is not altered by parole, Petitioner can "claim no greater rights or privileges... than any other group of aliens who have been stopped at the border." *Jean v. Nelson*, 727 F.2d 957, 969 (11th Cir. 1984). Thus, Petitioner's prior parole does not affect his status as an arriving alien or grant him heightened due process rights.

Second, 8 U.S.C. § 1252(g) explicitly strips this Court of jurisdiction. Congress has mandated that "no court shall have jurisdiction to hear any cause or claim... arising from the decision or action by the Attorney General to commence proceedings." 8 U.S.C. § 1252(g). The Eleventh Circuit has held that "securing an [alien] while awaiting a removal determination constitutes an action taken to commence proceedings." *Gupta v. McGahey*, 709 F.3d 1062, 1065 (11th Cir. 2013). Because Petitioner's claims arise directly from ICE's decision to secure him via arrest and terminate his parole to continue removal proceedings—proceedings where Petitioner

already conceded removability—the Court is statutorily barred from review. Puckett Decl. ¶¶ 10-11.

Third, Petitioner’s claims lack a legal basis. There is no recognized cause of action for damages or injunctive relief arising from a non-citizen’s arrest and detention in this context. The Eleventh Circuit has specifically declined to extend a *Bivens* remedy to these circumstances, reinforcing that the Executive Branch’s authority to enforce immigration law is not subject to judicial second-guessing. *See Alvarez v. U.S. Immigr. & Customs Enf’t*, 818 F.3d 1194, 1205–13 (11th Cir. 2016).

Finally, Petitioner’s APA and *Accardi* claims are not cognizable in habeas. This Court held in *Villafuerte v. Warden, Stewart Det. Ctr.* that APA claims are “not cognizable” in a habeas petition because they seek “collateral administrative relief” outside the purview of the writ. 2018 WL 6626640, at *1-2 (M.D. Ga. Nov. 27, 2018). Furthermore, it is “inappropriate” to permit a Petitioner to bootstrap civil claims onto a habeas petition to avoid the higher filing fees associated with civil complaints. *Id.* Petitioner’s attempt to challenge ICE guidance or the method of his parole termination (Pet. ¶¶ 87-92) seeks exactly the type of collateral relief *Villafuerte* prohibits. Because Petitioner’s legal status is that of an unadmitted arriving alien, his only cognizable challenge is to the statutory authority for detaining him under 8 U.S.C. § 1225(b), which, as discussed below, is mandatory.

II. The Petition should be denied because Petitioner’s mandatory detention as an arriving alien complies with due process.

Petitioner claims that his detention violates his due process rights because he has not received an individualized bond hearing. Pet. ¶¶ 101-105. Specifically, he argues that he is entitled to a bond hearing under the test set forth in *Mathews v. Eldridge*, 424 U.S. 319 (1976). *Id.* ¶ 101. Petitioner further asserts that his nearly four-year residence in the interior on humanitarian parole

created a liberty interest that entitles him to procedural protections and a pre-deprivation hearing. *Id.* ¶¶ 75, 80, 102.

Petitioner's claim should be denied for three reasons. First, Supreme Court and District precedent establish that as an arriving alien, Petitioner's due process rights are limited to those provided by statute, therefore, *Mathews* does not apply. Because 8 U.S.C. § 1225(b) mandates detention for arriving aliens, Petitioner has no due process right to a bond hearing. Second, even assuming *Mathews* applied—which it should not—Petitioner fails to show an entitlement to a bond hearing under that standard. Third, his detention remains finite and legally tethered to the Government's interest in effectuating removal, especially since Petitioner has already conceded removability. Puckett Decl. ¶ 10, 13.

A. As an arriving alien, Petitioner has no due process right to a bond hearing.

Petitioner claims the Court must review his detention under *Mathews* and find a due process right to a bond hearing. Pet. ¶ 101. However, Petitioner is an arriving alien. As this Court has recognized, Supreme Court precedent dictates that an arriving alien's due process rights are limited to those provided by statute, without resort to *Mathews*. Because 8 U.S.C. § 1225(b) does not permit bond hearings for arriving aliens, Petitioner has no independent due process right to such a hearing.

1. Arriving aliens' due process rights are limited to those provided by statute.

Petitioner erroneously argues that the Court must apply *Mathews* to determine if due process requires a bond hearing. Pet. ¶ 101. However, the Supreme Court has consistently held that arriving aliens seeking admission possess only those due process rights expressly provided by statute. *Thuraissigiam*, 591 U.S. at 138-40; *Landon*, 459 U.S. at 32. Because 8 U.S.C. § 1225(b)

mandates detention without providing for bond, Petitioner has no independent constitutional right to such a hearing. *D.A.V.V.*, 2020 WL 13240240, at *6 (M.D. Ga. Dec. 7, 2020).

Petitioner's legal status as an "arriving alien" is dispositive. Puckett Decl. ¶ 4. Under the "entry fiction" doctrine, he is treated as an individual stopped at the threshold of the border, where the government's plenary power is absolute. *See Mezei*, 345 U.S. at 212. Crucially, under 8 U.S.C. § 1182(d)(5)(A), Petitioner's humanitarian parole "shall not be regarded as an admission," and thus his nearly four-year residence in the interior did not grant him heightened due process rights. *See Leng May Ma*, 357 U.S. at 187; Puckett Decl. ¶ 5. Accordingly, the Court need not resort to *Mathews*. Whatever procedure Congress authorizes is, by definition, due process for an arriving alien. *D.A.V.V.*, at *6.

2. Neither *Mathews* nor the "reasonableness" framework defines the scope of Petitioner's due process rights.

Petitioner argues that the Court must turn to the *Mathews* balancing test to assess his claim for a bond hearing. Pet. ¶¶ 79, 101. This Court should reject that invitation and follow its decision in *D.A.V.V. v. Warden*, 2020 WL 13240240 (M.D. Ga. Dec. 7, 2020), which establishes that for an arriving alien, the procedures authorized by Congress *are* due process. *Id.* at *5.

First, Petitioner fails to distinguish Supreme Court precedent holding that arriving aliens' rights are limited to statutory procedures, even in the context of detention. Petitioner attempts to cabin *Thuraissigiam*, 591 U.S. 103 (2020), by arguing it did not weigh in on detention. Pet. ¶ 37. However, *Thuraissigiam*'s pronouncements are broad, and the Court specifically relied on *Mezei*, 345 U.S. 206 (1953), which held that an arriving alien's detention without a hearing complied with due process because it was the procedure authorized by Congress. *D.A.V.V.*, 2020 WL 13240240, at *5.

Second, the *Mathews* balancing test is inapplicable here. While *Mathews* is a general tool for evaluating administrative sufficiency, it cannot override the plenary power of the political branches to set the terms of admission for unadmitted aliens. *Thuraissigiam*, 591 U.S. at 138-40. In the specific context of an arriving alien's initial admission, the Supreme Court has already held that the statutory procedures *are* the process that is due. *Mezei*, 345 U.S. at 212. To apply *Mathews* to "read in" additional procedures would contradict over a century of precedent holding that an arriving alien's rights are strictly defined by the statutory scheme. Because 8 U.S.C. § 1225(b) mandates detention without a bond hearing, Petitioner's custody is constitutionally permissible.

3. Because the INA does not permit bond hearings for arriving aliens, Petitioner has no due process right to a bond hearing.

Because binding Supreme Court precedent limits the scope of Petitioner's due process rights to those provided by statute, the availability of a bond hearing depends entirely on the text of 8 U.S.C. § 1225(b). The Supreme Court has unequivocally held that section 1225(b) mandates that aliens falling within its scope "shall be detained." *Jennings*, 583 U.S. at 300. As the Court recognized, "neither [section] 1225(b)(1) nor [section] 1225(b)(2) says anything whatsoever about bond hearings." *Id.* at 297. Rather, the plain meaning of the statute is that "detention must continue until . . . removal proceedings have concluded." *Id.* at 299.

Because "[d]etained' does not mean 'released on bond,'" the Court concluded that the statute does not permit bond hearings for arriving aliens. *Id.* at 312. Sections 1225(b)(1) and (b)(2) mandate detention throughout the completion of applicable proceedings. *Id.* at 302. As this Court held in *D.A.V.V.*, because arriving aliens' due process rights are limited to statutory procedures, an arriving alien possesses no independent due process right to a bond hearing while mandatorily detained under section 1225(b). 2020 WL 13240240, at *6. Because Petitioner's removal

proceedings remain ongoing (Puckett Decl. ¶ 13), he has received all the process he is due under the law, and his claim should be denied.

B. In the alternative, Petitioner is not entitled to a bond hearing under *Sopo* or *Mathews*.

Even assuming the Court resorts to *Sopo* or *Mathews* in analyzing Petitioner's due process claims—which it should not—Petitioner fails to establish an entitlement to a bond hearing under either standard.

1. Petitioner is not entitled to a bond hearing under *Sopo*.

As Petitioner's claim fails under the *Sopo* framework—originally designed for admitted criminal non-citizens under 8 U.S.C. § 1226(c).² In *Sopo*, the Eleventh Circuit established a multi-factor test to determine if detention has become “unreasonable,” focusing on the length of detention and the reasons for delay. 825 F.3d at 1217–19.

The first *Sopo* factor favors Respondent. Petitioner has been detained for approximately three months since January 28, 2026. Puckett Decl. ¶ 11. The Eleventh Circuit noted that “there is little chance that a... alien's detention is unreasonable until at least the six-month mark” and “often become[s] unreasonable by the one-year mark.” 825 F.3d at 1217. Petitioner's brief period of custody falls significantly short of these thresholds, particularly for an arriving alien who possesses fewer due process protections than an individual who has effected a legal entry. *See Zadvydas*, 533 U.S. at 693.

The second *Sopo* factor—the reason for the delay—also favors Respondent. ICE/ERO is not responsible for any delays in the immigration proceedings. Rather, the timeline is driven by

² Petitioner does not explicitly invoke the “reasonableness” framework set forth in *Sopo v. U.S. Attorney General*, 825 F.3d 1199 (11th Cir. 2016), vacated sub nom., 890 F.3d 952 (11th Cir. 2018). However, to the extent Petitioner's reliance on “prolonged” detention and the *Mathews* balancing test (Pet. ¶¶ 40, 101) attempts to import a similar as-applied due process challenge, Respondents address and rebut such arguments herein.

the regular course of adjudication: Petitioner conceded removability on January 20, 2026, and his removal case remains active. Puckett Decl. ¶¶ 10, 13. Detention continues to serve the “underlying purpose” of reasonably facilitating his deportation. *S.C. v. Warden, Irwin Det. Ctr.*, 2024 WL 796541, at *6.

The third factor favors Respondent as removal is highly likely. Petitioner has already admitted the factual allegations of the NTA and conceded his removability. Puckett Decl. ¶ 10. Consequently, if his pending applications are denied, ICE/ERO will be able to effectuate his removal once the order is final. Finally, the “ratio between criminal and civil detention” factor is neutral or inapplicable, as Petitioner’s detention stems from his status as an unadmitted applicant for admission at the threshold of entry, not a criminal conviction. *See Zadvydas*, 533 U.S. at 693. Because Petitioner’s detention has been brief and serves the legitimate purpose of ensuring his presence for active removal proceedings, his claim for a bond hearing must be denied.

2. Petitioner is not entitled to a bond hearing under *Mathews*.

Petitioner alternatively argues that the *Mathews* balancing test entitles him to a bond hearing. Pet. ¶¶ 64-68. However, even if the Court were to apply this test—which it should not, as Petitioner is entitled only to the procedures prescribed by statute—the factors weigh decisively in the government’s favor. As to the private interest, Petitioner asserts a liberty interest in avoiding detention, but as an unadmitted arriving alien, this interest is “extremely limited.” *Demore v. Kim*, 538 U.S. 510, 522 (2003). Because detention is a “necessary part of the deportation process,” *Carlson v. Landon*, 342 U.S. 524, 538 (1952), Petitioner has no constitutional right to release while his removal case remains active.

The risk of erroneous deprivation also favors Respondent. Petitioner had the opportunity to be heard through multiple parole requests under 8 U.S.C. § 1182(d)(5)(A). Puckett Decl. ¶ 6.

The parole process satisfies due process for those seeking admission. *See Alexandre v. Decker*, 2018 WL 5619975, at *9. Critically, the risk of “erroneous” deprivation is negligible here because Petitioner appeared in court on January 20, 2026, and conceded the charge of removability. Puckett Decl. ¶ 10.

Finally, the government’s interest is at its peak. Control over immigration is a sovereign prerogative and includes the power to set admission procedures. *Landon v. Plasencia*, 459 U.S. 21, 32 (1982), *Thuraissigiam*, 591 U.S. at 139. The government has a compelling interest in ensuring that a noncitizen who has conceded removability remains in custody to effectuate that removal. *See Demore*, 538 U.S. at 523. In sum, Petitioner has received all the process he is due. He has not shown how the existing statutory scheme has erred or how upending decades of immigration practice outweighs the government’s interest in maintaining the system set out by Congress. His claim should be denied.

C. In the alternative, Petitioner is not entitled to a bond hearing applying procedures beyond those provided by the INA and applicable regulations.

If the Court remedies any due process violation by ordering a bond hearing—which it should not—that hearing should apply the existing procedures set forth in 8 U.S.C. § 1226(a), 8 C.F.R. § 236.1(d), and 8 C.F.R. § 1003.19. Under these regulations, the non-citizen has the burden to establish that he is not “a threat to national security, a danger to the community at large, likely to abscond, or otherwise a poor bail risk.” *In re Guerra*, 24 I. & N. Dec. 37, 40 (B.I.A. 2006). IJs possess “extremely broad discretion” and may base their determination on any available information. *Id.* at 39; 8 C.F.R. § 1003.19(d).

Petitioner argues that the Court should depart from these rules and shift the burden of proof to the government. Pet. ¶ 110. This Court has already rejected the argument that a bond hearing

requires ICE to bear the burden of proof.³ *O.D. v. Warden, Stewart Det. Ctr.*, 2021 WL 5413968, at *5 (M.D. Ga. Jan. 14, 2021). Other courts in the Eleventh Circuit have similarly declined to shift the burden to the Government. *See Stephens v. Ripa*, 2022 WL 1110104, at *8-9 (S.D. Fla. Feb. 18, 2022); *Aham v. Gartland*, 2020 WL 806929, at *3 n.3 (S.D. Ga. Jan. 29, 2020).

In reaching this outcome, these courts noted that even in *Sopo*, the Eleventh Circuit specified that the non-citizen “carries the burden of proof and must show that he is not a flight risk or danger to others.” 825 F.3d at 1220. Although *Sopo* was vacated, the Eleventh Circuit’s reliance on § 1226(a) procedures to remedy potential violations demonstrates that those procedures are themselves compliant with due process. Thus, to the extent the Court orders a bond hearing, it must be conducted under the established procedures of 8 U.S.C. § 1226(a). Petitioner’s additional request to enjoin electronic monitoring (Pet. ¶ 111) should likewise be denied as an improper infringement on the Executive’s discretionary authority to set conditions of release.

CONCLUSION

For the foregoing reasons, the Court should **deny** the Petition for Writ of Habeas Corpus in its entirety. Petitioner is an arriving alien whose legal status as an applicant for admission was not altered by his temporary residence in the interior on discretionary parole. Because 8 U.S.C. § 1225(b)(2)(A) mandates the detention of arriving aliens throughout their removal proceedings, his detention is both statutorily required and constitutionally permissible.

³ Respondent respectfully contends that *J.G.* was wrongfully decided and that the bond procedures set forth by the INA and applicable regulations comply with due process under the *Mathews* test even when applied to non-citizens detained pre-final order of removal. Other courts—including district courts in the Eleventh Circuit—have reached this same conclusion. *See, e.g., Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1203-14 (9th Cir. 2022); *Miranda v. Garland*, 34 F.4th 338, 358-66 (4th Cir. 2022); *Borbot v. Warden Hudson Cnty. Det. Ctr.*, 906 F.3d 274, 276-80 (3d Cir. 2018); *Stephens v. Ripa*, 2022 WL 1110104, at *8-9 (S.D. Fla. Feb. 18, 2022); *Aham v. Gartland*, 2020 WL 806929, at *3 n.3 (S.D. Ga. Jan. 29, 2020). However, given that this Court has found that a bond hearing applying the procedures set forth by the INA—not those set forth in *J.G.*—is the appropriate remedy for a due process violation under *Sopo*, the Court need not reach this issue. To the extent the Court considers *J.G.* anew in remedying any due process violation here, Respondent respectfully requests the opportunity to submit supplemental briefing on this issue.

Respectfully submitted, this 27th day of April, 2026.

WILLIAM R. KEYES
UNITED STATES ATTORNEY

BY. s/ Andressa Bryant
ANDRESSA BRYANT
Special Assistant United States Attorney*
Virginia Bar No. 92384
United States Attorney's Office
Middle District of Georgia
P.O. Box 1702
Macon, Georgia 31202
Telephone: (706) 577-2763
E-mail: Andressa.Bryant@usdoj.gov
*Acting Under Authority Conferred by 28 U.S.C. § 543