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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FREDDY RAUL ALVARADO QUEZADA,

Petitioner,

v.

**PAM BONDI,
in her official capacity as Attorney
General of the United States;**

**LADEON FRANCIS,
in his official capacity as Field
Office Director, New York Field
Office, U.S. Immigration &
Customs Enforcement;**

**TODD LYONS,
in his official capacity as Acting
Director, U.S. Immigration and
Customs Enforcement,**

**MARKWAYNE MULLIN,
in his official capacity as Secretary
of the Department of Homeland
Security,**

Respondents.

Case No. 1:26-cv-02013

**VERIFIED PETITION FOR
WRIT OF HABEAS CORPUS
AND INCORPORATED
MEMORANDUM OF LAW**

PRELIMINARY STATEMENT

Petitioner, by and through undersigned counsel, respectfully petitions this Court for a writ of habeas corpus and alleges as follows:

1. Petitioner, Freddy Raul Alvarado Quezada, is a citizen of Ecuador currently detained by Respondents at the Metropolitan Detention Center in Brooklyn, New York. His continued detention is unlawful because the Department of Homeland Security (“DHS”) has determined that he is subject to mandatory detention.
2. Petitioner is charged with having entered the United States without admission or inspection. He entered the United States on or about July 1, 2011, and has since resided and worked in this country.
3. On October 28, 2025, Petitioner was detained by Immigration and Customs Enforcement (“ICE”) during a vehicle stop near 378 Church Street, Poughkeepsie, New York. That same day, he was issued a Notice to Appear (“NTA”) and placed in removal proceedings pursuant to 8 U.S.C. § 1229a.
4. Prior to Petitioner’s arrest, on July 8, 2025, DHS announced a policy directing ICE officers to treat individuals deemed inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i)—those who entered without admission or inspection—as subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A), and therefore ineligible for bond.
5. On September 5, 2025, the Board of Immigration Appeals (“BIA”) issued a precedential decision holding that immigration judges lack authority to conduct bond hearings for such individuals, concluding that they are subject to detention under 8 U.S.C. § 1225(b)(2)(A). See *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).
6. Petitioner’s detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to a different statute, §1226(a), that allows for release on conditional parole or bond.

That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

7. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying §1226(a) to people like Petitioner. Additionally, this legal interpretation is contrary to the Due Process Clause of the United States.
8. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be released immediately, or, alternatively, that he be provided with a bond hearing under §1226(a) within seven days.

JURISDICTION AND VENUE

1. This action arises under the Constitution of the United States, and the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101 et seq., as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), Pub. L. No. 104 - 208, 110 Stat. 1570, and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701 et seq.
2. This Court has jurisdiction under 28 U.S.C. § 2241, Art. I, § 9, cl. 2 of the Constitution of the United States (the Suspension Clause) and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of the authority of the United States, and such custody is in violation of the Constitution, laws, or treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. § 2241, 5 U.S.C. § 702, the All Writs Act, 28 U.S.C. § 1651 and the Court's equitable habeas authority.
3. This Court has personal jurisdiction over Mr. Alvarado's immediate custodian (who is physically within the district). A substantial part of the events or omissions giving rise to

the claim occurred within the Eastern District of New York; as it remains the geographic location of Mr. Alvarado's civil immigration detention, along with the situs of all substantive decisions regarding his continuing custody continue to be made in Brooklyn, NY. 28 U.S.C. § 1391(e)(1)(B). All Respondents consequently have substantial contacts in this District.

4. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky* venue lies in the United States District Court for the Eastern District of New York, the judicial district in which Petitioner is being detained. 410 U.S. 484, 493-500 (1973). Petitioner is being detained at the Metropolitan Detention Center in Brooklyn, which is under the jurisdiction of the ICE Field Office of New York, New York, which encompasses the area where Petitioner is being detained, pursuant to 28 U.S.C. § 1391.

PARTIES

1. Petitioner is a native and citizen of Ecuador who entered the United States without inspection on July 1, 2011. He is detained in the custody of ICE. As of the filing of this petition, he is being held at the Metropolitan Detention Center in Brooklyn, New York.
2. Respondent Pam Bondi is Attorney General of the United States and is responsible for the administration of ICE and the implementation and enforcement of the Immigration and Naturalization Act ("INA"). As such, Acting Attorney General Bondi has ultimate custodial authority over Petitioner. Respondent Bondi's office is in the U.S. Department of Justice, 950 Pennsylvania Ave., NW Washington, DC 20530.
3. Respondent LaDeon Francis is the New York, NY Deputy Field Office Director for Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement.

Respondent Francis' office is at 26 Federal Plaza 9th Floor, Suite 9-110, New York, NY 10278. He may alternatively be considered to be Petitioner's immediate custodian.

4. Respondent Todd Lyons is Acting Director, U.S. Immigration and Customs Enforcement. Respondent Lyons oversees immigration enforcement and detention. Respondent Lyons' office is 500 12th St SW, Washington, District of Columbia, 20536.
5. Respondent Markwayne Mullin is Secretary of the U.S. Department of Homeland Security. This is the agency responsible for the administration of ICE and the implementation and enforcement of INA. As such, DHS is the legal custodian of Petitioner. Respondent Mullin's office is in the U.S. Department of Homeland Security, Washington, DC 20528.
6. Respondents are federal officials responsible for Petitioner's detention and custody.
7. Petitioner's custody within this judicial district and the governmental actions related to his potential removal from the district are likewise controlled by Respondents Francis, Lyons, and Mullin.

EXHAUSTION OF REMEDIES

1. No statutory exhaustion requirement applies to Petitioner's claims of unlawful detention. See *Araujo-Cortes v. Shanahan*, 35 F. Supp. 3d 533, 538 (S.D.N.Y. 2014); *Louisaire v. Muller*, 758 F. Supp. 2d 229, 234 (S.D.N.Y. 2010); *Garcia v. Shanahan*, 615 F. Supp. 2d 175, 180 (S.D.N.Y. 2009).
2. While Congress requires exhaustion for certain types of habeas petitions, it does not for those, like Petitioner's, brought under 28 U.S.C. § 2241. See *James v. Walsh*, 308 F.3d 162, 167 (2d Cir. 2002) ("Section 2254(b)(1) requires state prisoners to exhaust all available

state court remedies before filing a Section 2254 petition, whereas Section 2241 contains no such exhaustion requirement."). "Where Congress has not clearly required exhaustion, sound judicial discretion governs." *McCarthy v. Madigan*, 503 U.S. 140, 144 (1992). In exercising that discretion, courts must balance the individual and institutional interests involved, taking into account "the nature of the claim presented and the characteristics of the particular administrative procedure provided." *Id.* at 146.

3. Courts have held that individual interests demand that exhaustion be excused when (1) requiring exhaustion of administrative remedies causes prejudice, due to unreasonable delay or an indefinite timeframe for administrative action; (2) the agency lacks the ability or competence to resolve the issue or grant the relief requested; (3) appealing through the administrative process would be futile because the agency is biased or has predetermined the issue; or (4) substantial constitutional questions are raised. See *Dir v. I.N.S.*, 301 F.3d 492, 498 (7th Cir. 2002); *Fuller v. Rich*, 11 F.3d 61, 62 (5th Cir. 1994) (*per curiam*); *Elwood v. Joel*, 386 F.3d 842, 844, n.1 (8th Cir. 2004).
4. Requiring Petitioner to exhaust administrative remedies would be prejudicial for one simple reason: the agency purports to be unable to release him, as per its recent determination that Petitioner is subject to mandatory detention per 8 U.S.C. § 1225 rather than eligible for release under 8 U.S.C. § 1226(a). In addition, Petitioner brings constitutional claims in his petition, thus meeting an exception to the prudential exhaustion doctrine. See *Beharry v. Ashcroft*, 329 F.3d 51, 62 (2d Cir. 2003); *United States v. Gonzalez-Roque*, 301 F. 3d 39, 48 (2d Cir. 2002) (the BIA "does not have jurisdiction to adjudicate constitutional issues.")

FACTUAL BACKGROUND

1. Petitioner entered the United States on or about July 1, 2011. The Petitioner has lived and worked in the United States since.
2. On October 28, 2025, Petitioner was detained by Immigration and Customs Enforcement (ICE) during a vehicle stop near 378 Church Street, Poughkeepsie, New York.
3. Petitioner presented a valid New York driver's license and fully cooperated with officers.
4. ICE alleged that Petitioner lacked lawful immigration status and arrested him without a warrant, citing a perceived risk of flight. That same day, Petitioner was issued a Notice to Appear ("NTA") and placed in removal proceedings pursuant to 8 U.S.C. § 1229a. **(Exhibit, A, copy of the NTA issued to petitioner).**
5. Thereafter, Petitioner filed an EOIR Form 42B, Application for Cancellation of Removal for Non-Permanent Residents, based on his marriage to Laura Rojas Auquilla, a Lawful Permanent Resident (DOB: [REDACTED]). The couple married on [REDACTED] and held a relationship for over 13 years. Petitioner and his wife are joint owners and reside at [REDACTED] since January 2018. Petitioner is the owner and operator of Building Dreams Construction Corp. since June 2025. Laura suffers from multiple ongoing medical conditions, [REDACTED]
[REDACTED]
[REDACTED]
and any disruption in her medical care would pose serious health risks. Laura faces severe economic hardship due to limited education (completion of 6th grade) and restricted earning capacity despite holding a CNA certificate, compounded by her medical

conditions. She is emotionally, physically, and financially dependent on Petitioner. She has no immediate family in the United States capable of providing comparable support.

6. On January 28, 2026, an Immigration Judge ordered Petitioner removed after denying his application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents. **(Exhibit B, copy of the Immigration Judge's decision denying the Petitioner's EOIR Form 42B).**
7. Petitioner timely filed an appeal on February 19, 2026, which remains pending before the Board of Immigration Appeals (BIA). **(Exhibit C and D, copy of the Filing Receipt for the Appeal, and printout case status of the appeal).**
8. On March 23, 2026, Petitioner filed a motion for a bond hearing. **(Exhibit E, copy of the Petitioner's Motion for Bond Determination).**
9. The Immigration Judge denied the motion, finding that Petitioner was subject to mandatory detention under INA § 235(b)(2)(A) and therefore ineligible for bond.
10. The Immigration Judge further concluded that the court lacked jurisdiction to conduct a bond hearing. **(Exhibit F, copy of the Immigration Judge's decision on the Motion for Bond Determination).**

LEGAL FRAMEWORK

1. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.
2. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an Immigration Judge. See 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, see 8

C.F.R. 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, see 8 U.S.C. §1226(c).

3. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under §1225(b)(2),
4. Last, the INA also provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings, see 8 U.S.C. §1231(a)(b).
5. This case concerns the detention provisions at §1226(a) and 1225(b)(2).
6. The detention provisions at §1226(a) and 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Div. C of Pub. L. 104-208, 110 Stat. 3009. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).
7. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under §1225 and that they were instead detained under §1226(a). See Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).
8. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearings, unless their criminal history rendered them ineligible pursuant to 8 U.S.C. §1226(c). That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed “arriving” were entitled to a custody hearing before an Immigration Judge or other hearing officer. See 8 U.S.C. § 1252(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at

229 (1996) (noting that § 1226(a) simply restates the detention authority previously found at § 1252(a))

9. On July 8, 2025, ICE, in coordination with DOJ, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice.
10. The new policy, entitled Interim Guidance Regarding Detention Authority for Applicants for Admission, claims that all persons who entered the United States without inspection shall now be subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended, and affects those who have resided in the United States for months, years, and even decades.
11. On September 5, 2025, the BIA adopted this same position in a published decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for Immigration Judge bond hearings.
12. Since Respondents adopted their new policies, dozens of federal courts have rejected their new interpretation of the INA detention authorities. Courts have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE.
13. Subsequently, court after court adopted the same reading of the INA detention authorities and rejected ICE and EOIR's new interpretation. See, e.g., *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*, No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), report and recommendation adopted, No. CV-25-02157-PHX-DLR (CDB), 2025

WL 2349133 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No.25-11631- BEM, 2025 WL2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248- BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-305 I (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v. Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D. Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (ED. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass. Sept. 9, 2025); see also, e.g., *Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025) (noting that the Court tends to agree that § 1226(a) and not § 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same).

14. Courts have uniformly rejected DHS's and EOIR's new interpretation because it defies the INA. The plain text of the statutory provisions demonstrates that § 1226(a), not §1225(b), applies to people like Petitioner.
15. Section 1226(a) applies by default to all persons pending a decision on whether the [noncitizen] is to be removed from the United States. These removal hearings are held under §1229a, to decide the inadmissibility or deportability of a noncitizen.
16. The text of §1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. See 8 U.S.C. §1226(c)(1)(E). Subparagraph (E)'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, when Congress creates specific exceptions to a statute's applicability, it proves that absent those exceptions, the statute generally applies. *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); see also *Gomes*, 2025 WL 1869299, at *7.
17. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.
18. By contrast, §1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. §1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies at the Nation's borders and ports of entry, where the Government must

determine whether a noncitizen seeking to enter the country is admissible. *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

19. Accordingly, the mandatory detention provision of §1225(b)(2)(A) does not apply to people like Petitioner, who have already entered and were residing in the United States at the time they were apprehended.

CLAIMS FOR RELIEF

COUNT I: UNLAWFUL DETENTION BASED ON ERRONEOUS STATUTORY CLASSIFICATION

1. Petitioner re-alleges and incorporates all prior paragraphs.
2. Petitioner entered the United States in 2011 without inspection and has resided here for over a decade.
3. He was apprehended within the interior of the United States, not at or near the border and not as an arriving noncitizen.
4. Respondents have improperly subjected Petitioner to mandatory detention under 8 U.S.C. § 1225(b)(2)(A).
5. As courts in this District have recognized, noncitizens apprehended within the United States are detained, if at all, under 8 U.S.C. § 1226(a), which provides for a bond hearing.
6. This erroneous classification has resulted in the denial of any bond hearing.
7. Petitioner's detention is therefore unlawful under the Immigration and Nationality Act and the Due Process Clause of the Fifth Amendment.

COUNT II: VIOLATION OF DUE PROCESS – DENIAL OF BOND HEARING

1. Petitioner re-alleges and incorporates all prior paragraphs.

2. Petitioner has been detained without an individualized bond hearing.
3. The Immigration Judge declined jurisdiction based on a categorical application of 8 U.S.C. § 1225(b).
4. The Fifth Amendment requires that civil detention be reasonably related to its purpose and include adequate procedural safeguards.
5. The denial of a bond hearing violates due process.

COUNT III: PROLONGED DETENTION WITHOUT REVIEW

1. Petitioner re-alleges and incorporates all prior paragraphs.
2. Petitioner's detention has become unreasonably prolonged, particularly while his appeal remains pending before the Board of Immigration Appeals.
3. There is no definite end to his detention.
4. Prolonged detention without an individualized bond hearing violates due process.

COUNT IV: LEGAL ERROR IN DENIAL OF BOND JURISDICTION

1. Petitioner re-alleges and incorporates all prior paragraphs.
2. The Immigration Judge denied jurisdiction based on an erroneous interpretation of 8 U.S.C. § 1225(b) and reliance on a stay order in *Maldonado Bautista*, which does not resolve the merits and has no precedential effect.
3. The denial of jurisdiction has deprived Petitioner of any opportunity to seek release on bond.

PRAYER FOR RELIEF

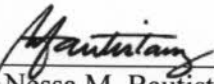
WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this matter;

2. Pending this Court's determination, enjoin Respondents from transferring Petitioner outside the jurisdiction of this Court without the court's approval;
3. Issue a writ of habeas corpus finding that Petitioner's detention under 8 U.S.C. § 1225(b) is unlawful;
4. Order Respondents to immediately release Petitioner from custody; or, in the alternative,
5. Order Respondents to provide Petitioner with an individualized bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226(a) within seven (7) days of the Court's order, at which the Government bears the burden of justifying continued detention by clear and convincing evidence, and with a written decision on the record;
6. Award Petitioner reasonable attorneys' fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, and any other applicable provision of law; and
7. Grant such other and further relief as this Court deems just and proper.

Dated: April 7, 2026

Respectfully submitted,
LAW OFFICES ANDREW L. FRIEDMAN

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

I am submitting this verification on behalf of the Petitioner because I am the Petitioner's attorney. I have discussed with the Petitioner the events described in this Petition. On the basis of those discussions, I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: April 7, 2026



Ms. Nessa M. Bautista-Munoz, Esq.
164 West 25th St. Suite 7F
New York, New York 10001

Exhibit A

Exhibit E

Zoila A. Terrones, Esq.
Law Office of Andrew L. Friedman
164 West 25TH Street, Suite 7F
New York, New York 10001
Attorney for Respondent

DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
NEW YORK – VARICK STREET
NEW YORK, NEW YORK**

IN THE MATTER OF:)

ALVARADO QUEZADA, Freddy Raul)

Respondent)

In Bond Determination Proceedings)

FILE No.: 

RESPONDENT'S MOTION FOR BOND DETERMINATION.

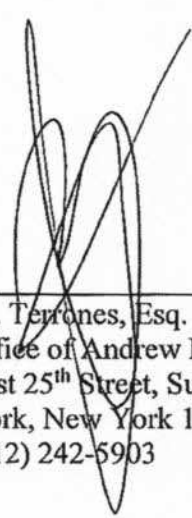
**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
NEW YORK – VARICK STREET
NEW YORK, NEW YORK**

IN THE MATTER OF:)
)
ALVARADO QUEZADA, Freddy Raul)
)
Respondent)
In Bond Determination Proceedings)
)

FILE No.: 

PLEASE TAKE NOTICE that upon the annexed affirmation of Zoila A. Terrones, Esq., attorney for the Respondent, Freddy Raul Alvarado Quezada, and upon all of the proceedings had heretofore and the papers filed therein, the Respondent will move this Court for a Bond Determination Hearing and for such other and different relief as this Court may deem just, equitable and proper.

Dated: New York, New York
March 13, 2026



Zoila A. Terrones, Esq.
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**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
NEW YORK – VARICK STREET
NEW YORK, NEW YORK**

IN THE MATTER OF:)

ALVARADO QUEZADA, Freddy Raul)

Respondent)

In Bond Determination Proceedings)

FILE No.: 

I, Zoila A. Terrones, Esq., an attorney duly admitted to practice law before the Immigration Courts of the United States, subject to the penalty of perjury, hereby deposes and says:

1. I am the attorney of record for the Respondent, Mr. Freddy Raul (hereafter Respondent), and as such, I am fully familiar with the facts and circumstances relating to the instant motion.

2. I am hereby submitting this affirmation in further support of Respondent's Motion for Bond Determination, and for such other and different relief as this Court may deem just, equitable and proper.

3. I make this affirmation upon information and belief, except as to those matters wherein I indicate actual knowledge. I base such knowledge on my review of the official court papers, the case file maintained at the Law Office of Andrew L. Friedman, conferences with my client and all of the proceedings had heretofore.

4. Respondent is a native and citizen of Ecuador who entered the United States without being inspected or admitted on July 1, 2011. He is currently detained at the Metropolitan Detention Center in Brooklyn, New York.

5. On January 28, 2026, Respondent was ordered removed by the Immigration Court after applying for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents. An appeal was filed on February 19, 2026 and currently remains pending before the BIA.

6. Respondent, through counsel, files the instant motion for a bond determination hearing so that he can rejoin his family in the United States. His spouse, Ms. Laura Rojas Auquilla, is a Lawful Permanent Resident in the US and is able and willing to post bond if the Court orders it. Respondent is also the beneficiary of an I-130, Petition for Alien Relative, which currently remains pending before USCIS.

7. Respondent does not fall into any of the categories requiring mandatory detention and thus is eligible for release under INA § 236(a). Additionally, Respondent is a class member of the *Maldonado Bautista* class action lawsuit. He is an individual who entered the United States without inspection, who was not apprehended upon arrival, and is not subject to detention under 8 U.S.C §1226(c), §1225(b)(1) or §1231 at the time custody was determined. A final order was issued on February 18, 2026, and certified the claims pursuant to the Federal Rules of Civil Procedure Rule 54(b) which gives the judge jurisdiction to hear and make determination on bond cases. A decision regarding the amount of bond to be imposed should be based on an objective evaluation of the factors presented.

8. Since arriving in the United States, the Respondent has been continuously employed. In June 2025, he launched his own construction business, "Building the Dreams Construction Corp.," located in Rhinebeck, New York. The respondent has one biological child who currently resides in  and receives financial support from him. Additionally, he has served as a father figure to his spouse's children, including one who still lives with them at home.

9. On November 14, 2018, the East Fishkill Police arrived at a gas station where Respondent had purchased a beer after an individual caused a scene trying to involve Mr. Alvarado. He was charged with VTL 1192 01(001) – Driving While Ability Impaired. Respondent was fined \$300. As this was his first and only offense, it is classified as a traffic infraction rather than a misdemeanor. The violation resulted solely in a monetary fine and a temporary suspension of his driving privileges. Respondent attended classes and got his license back. Since this incident, Mr. Alvarado has not been involved in any other issues with law enforcement.

10. Since his arrival in the United States, Respondent has demonstrated good moral character by living a responsible, law-abiding life, paying his taxes, and maintaining a clean record. Aside from a minor encounter with law enforcement in 2018, he has not committed any other violations or offenses. Respondent is a responsible individual who provides both emotional and financial support to his family.

11. Respondent's presence in the home is essential. Since his detention, his family has continued to suffer from the separation, which has deeply affected both his spouse and stepson. As the head of the household, he plays a vital role in supporting and guiding his family. In his absence, they continue to face daily hardships. Ms. Rojas Auquilla unfortunately suffers from an array of medical issues, which have only worsened since Respondent was detained. Unfortunately, besides Respondent and her son, she does not have any other family members that can support her during these difficult times. Respondent also supports his son abroad by paying for university and providing him with a monthly allowance.

12. Moreover, Respondent has no criminal record in the United States or in any other country. He is not a danger to U.S. society at large and has instead become a part of it. He has a job, owns a home, takes care of his family, pays taxes, and he has family and friends here in the

United States. Additionally, Respondent is not a flight risk. Respondent jointly owns his current home in [REDACTED] since January 2018 with his wife, has employment, a sponsor, as well as attorneys who represent him in his immigration proceedings, and friends who live in the area.

Given the above, we respectfully submit that the Respondent is eligible for an Immigration bond and we are therefore respectfully requesting a Bond Determination hearing before this Court.

Respectfully submitted,

Zoila A. Terrones, Esq.

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
NEW YORK – VARICK STREET
NEW YORK, NEW YORK**

IN THE MATTER OF:)
)
ALVARADO QUEZADA, Freddy Raul)
)
Respondent)
In Bond Determination Proceedings)
)

FILE No.: 

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Respondent's Motion for Bond Determination Hearing it is
HEREBY ORDERED that the motion be **GRANTED / DENIED** because:

- ☐ DHS does not oppose the motion.
- ☐ The respondent does not oppose the motion.
- ☐ A response to the motion has not been filed with the court.
- ☐ Good cause has been established for the motion.
- ☐ The court agrees with the reasons stated in the opposition to the motion.
- ☐ The motion is untimely per _____.
- ☐ Other: _____.

Date: _____

Immigration Judge: _____

Certificate of Service

This document was served by: ☐ Mail ☐ Personal Service

To: ☐ Alien ☐ Alien c/o Custodial Officer ☐ Alien's Atty/Rep ☐ DHS

Date: _____

By: _____
Court Staff

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
NEW YORK – VARICK STREET
NEW YORK, NEW YORK**

IN THE MATTER OF:)

ALVARADO QUEZADA, Freddy Raul)

Respondent)

In Bond Determination Proceedings)

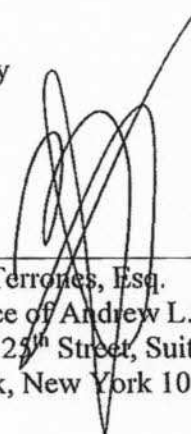
FILE No.:



AFFIDAVIT OF SERVICE

I, Zoila A. Terrones, Esq., hereby certify that on March 23, 2026, I served a copy of the enclosed Respondent's Motion for Bond Determination Hearing to the following address:

United States Department of Homeland Security
Office of the Principal Legal Advisor, Boston
201 Varick Street, Room 738
New York, NY 10014



Zoila A. Terrones, Esq.
Law Office of Andrew L. Friedman
164 West 25th Street, Suite 7F
New York, New York 10001

EXHIBIT G

The Reverend Taylor W. Holbrook



February 24, 2026

To Whom It May Concern:

I write this letter in support of Freddy Raul Alvarado Quezada. Freddy has worked in our home and been a blessing to us in many ways. He is reliable, responsible and respectful. I trust him in our house and appreciated his dependability and punctuality.

I hope you will consider his case as one who is a valuable member of this community and has invested his time, money and life in this country and making things better.

Please feel free to call if you have more questions or concerns that I can help with.

Sincerely,

Taylor W. Holbrook



December 29, 2025

To Whom It May Concern,

I am writing this letter in support of Freddy Raul Alvarado Quezada whom I know personally and pastorally. As a pastor, I have had the opportunity to walk alongside individuals and families during both seasons of joy and seasons of deep trial, and it is from this place of care and discernment that I offer my support for Freddy.

I first became acquainted with Freddy when he was doing work for my parents. During that time, we spent many hours in conversation, often discussing matters of faith and life. Through these interactions, it became clear to me that Freddy is a God-fearing man who genuinely desires to grow in his faith and understanding of God. He asked thoughtful questions, listened with humility, and demonstrated a sincere openness to learning more about the Lord.

I remain in regular contact with his wife, Laura Rojas, with whom I pray consistently. This has been an incredibly traumatic and painful experience for their entire family. Despite these hardships, Laura has shared with me that Freddy has been praying more intentionally during this time of detention and is earnestly seeking God's direction for his life. Rather than turning away from faith in the midst of suffering, he appears to be leaning into it.

Laura is actively involved in a local church community and has expressed a strong commitment to continuing to worship and grow in faith together as a family when Freddy is released. Their shared desire is to remain grounded in their faith and to grow together within a supportive Christian community.

In addition to his spiritual life, I can speak confidently to Freddy's personal character. He is trustworthy, honest, and hardworking. My parents felt completely comfortable leaving him alone in their home while he worked, which speaks volumes about the level of trust he inspired. They were so pleased with his work ethic and integrity that they have recommended his services to many others. He consistently demonstrated reliability, respect, and professionalism in every interaction.

I believe Freddy is a devoted husband and family man who desires to live a life of faith, responsibility, and service. I respectfully ask that his character, faith journey, and commitment to his family be taken into careful consideration.

It is my prayer that God would grant wisdom, compassion, and clarity to all those involved in this process, and that He would surround Freddy and his family with strength, peace, and hope during this difficult time. I trust that the Lord, who sees every circumstance fully and justly, will continue to guide and sustain them.

Thank you for taking the time to consider this letter.

Sincerely,

Sanjay Jacob

Sanjay Jacob

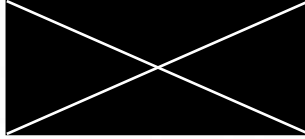
Young Adults Pastor

The Gathering at Faith Assembly

25 Golf Club Lane, Poughkeepsie, NY



Thomas and Mariamma Idiculla



December 29th, 2025

RE: Letter of Support for Freddy Raul Alvarado Quezada

To Whom It May Concern,

We are writing this letter in support of Freddy Raul Alvarado Quezada. We have known Freddy and his wife, Laura, for approximately five years, and we were very saddened to learn that Freddy is currently being detained.

Over the years, Freddy has done work for us at our home, and we have always known him to be a kind, trustworthy, and hardworking man. One experience that stands out to us happened last year when the lock on our front door became loose, and we were unable to secure our home. We were not able to fix it ourselves and were concerned about the safety of our house. We are 87 years old, and it is not easy for us to do home repairs on our own.

We called Freddy, and without hesitation, he came over on a Saturday morning and fixed the lock for us right away. He did not ask for any payment and was simply happy to help. This is the kind of person Freddy is—reliable and caring toward others.

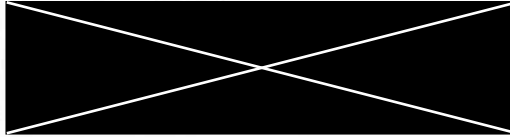
We have always felt comfortable having Freddy in our home and have great respect for his character. We care deeply about Freddy and Laura and want to express our full support for him during this difficult time.

We pray that God will grant Freddy strength, protection, and peace, and that He will guide all those involved with wisdom, compassion, and justice. May God watch over Freddy and his family and bring comfort and hope in this season.

Sincerely,

Thomas and Mariamma Idiculla

M. Sara Jacob



December 1st, 2025

RE: Letter of Support and Employment Verification for Freddy Raul Alvarado Quezada

To Whom It May Concern,

I am writing this letter in support of Freddy Raul Alvarado Quezada, whom I have known for the past five years. I was introduced to Freddy through his wife/domestic partner, Laura Rojas, who cleans my home and office space. Through this connection, I have come to know Freddy personally through the work he has completed for my family.

Freddy has done various small and large-scale renovation jobs in my home over time. In every interaction, he has been respectful, dependable, and hardworking. He completes his work carefully and takes pride in doing things well. I have found him to be honest and trustworthy, and I have never had any concerns about his character.

Freddy has always conducted himself professionally and with integrity. He is reliable, follows through on his commitments, and treats others with respect. Based on my direct experience with him, I can confidently say that he is someone I trust in my home and would recommend without hesitation. Should he be released on bond, Freddy has my full support and will be welcome to complete future projects in my home.

I believe Freddy is a person of good moral character who contributes positively through his work and relationships. It is clear that he takes responsibility seriously and strives to provide for his family through honest, hard work.

Thank you for taking the time to consider this letter of support. Please feel free to contact me if additional information would be helpful.

Sincerely,

M. Sara Jacob
M. Sara Jacob



msarajacob@gmail.com



State of New York County of Orange
Subscribed and sworn to (or affirmed) before me on this 1 day
of Dec, 2025 by M. Sara Jacob
K. Powles
Notary Public Signature

U.S. Immigration and Customs Enforcement

Re: Alvarado Quezada, Freddy Raul 

November 20, 2025

I am writing to express my strongest support for Freddy Raul Alvarado Quezada. I have known Freddy since 2019, first in his capacity as a business owner and later as a friend whose presence and character have come to mean a great deal to me.

As a skilled contractor, Freddy has demonstrated an exceptional level of professionalism and attention to detail on all of the projects I have worked with him on. His skills are not only valuable, but he always exhibits the ever rarer qualities of care, precision, and a commitment to doing things the right way. The very first time he took on a project for me (refinishing the intricate stone work of my home's chimney) I made an aesthetic choice in the hopes of lowering the budget. Freddy knew that his work, and the project overall, would be served by spending just a touch more on a better solution and without asking me to extend my budget installed the much better solution. It was immediately clear the pride that he takes in his work and the care he has for his clients. From that moment on, when Freddy has made a suggestion, I always follow it knowing it is for best.

Many projects later, a moment that deepened my trust and appreciation of Freddy occurred. My wife and I had just finished installing a new wood burning stove and after the first major rain storm discovered that the hole in the roof for the exhaust was letting in water freely. I called Freddy the next day and he came right over understanding the desperate nature of the problem. Without any hesitation he jumped on a ladder, identified and solved the issue. To be able to rely on someone in such a vulnerable moment extends beyond just a business partnership.

Beyond his work, Freddy's thoughtfulness and generosity are constants in the way he moves through the world. He is someone who shows up for others without hesitation and follows through on his word every time. His trustworthiness is unwavering; I have come to rely on him not only for his workmanship but for his honesty, integrity, and steady character.

It has been a deep pleasure to get to know, and work with, Freddy over the years. I'm so proud know him as a friend and to be able to lean on him in times of need.

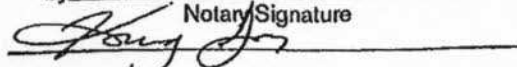
Freddy enriches the lives of everyone around him through his workmanship, his kindness, and his dependable nature. His presence is a benefit not only to those who know him personally but also to the broader community that relies on people of his unique character and skill. Losing Freddy would be a profound loss to me, to my family, to our community, and to our country.

I offer my full and wholehearted support for Freddy Raul Alvarado Quezada and his continued presence in the United States.

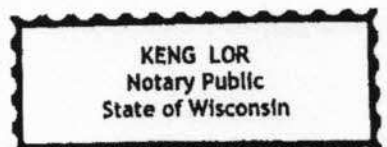
Dustin Drankoski



State of Wisconsin
County of Dane
This signature was acknowledged before me on 11/21/25
by Dustin Drankoski
Notary Signature



46



My Commission Expires
June 14, 2027



U.S. Immigration and Customs Enforcement

November 20, 2025

Re: Alvarado Quezada, Freddy Raul 

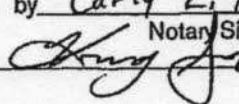
Your Honor:

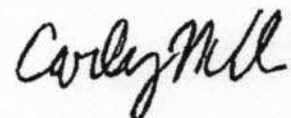
This is a letter of wholehearted support for Freddy Raul Alvarado Quezada. I have known him since 2019, first in his capacity as a small business owner, and later as a trusted and deeply valued friend. From the very beginning of our acquaintance, Freddy distinguished himself as a pinnacle of hard work, reliability, and good character. Over the years, I have witnessed him consistently go above and beyond for the people in his life. Freddy is a man of faith, integrity, and sincere generosity, all very needed qualities in our community. He embodies what it means to be honorable.

His dedication to his family is particularly admirable, embracing the father role to his fiancée's two sons, raising them as his own and providing them with a strong role model. He is equally committed to his community. Freddy has improved our own home through his meticulous work and has dedicated significant time and effort to restoring and enhancing properties in the Poughkeepsie where he purchased his home, contributing to the economic wellbeing and vitality of the area.

Freddy's presence enriches the lives of those around him. His character, work ethic, and contributions are of profound value not only to those who know him personally but also to the community at large. I overwhelmingly support his request to remain in the United States with his fiancée (soon to be his wife) and their children. Losing Freddy would be a tremendous loss to me, our community, and our country. He is precisely the kind of committed, compassionate, and hardworking individual who strengthens and uplifts the fabric of this nation.

I offer my strongest support for Freddy Raul Alvarado Quezada and his continued presence in the United States.

State of Wisconsin
County of Dane
This signature was acknowledged before me on 11/21/25
by Carly K. McCollow
Notary Signature

KENG LOR
Notary Public
State of Wisconsin
My Commission Expires
June 14, 2027



Carly K. McCollow

EXHIBIT H

Exhibit F



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
NEW YORK - VARICK IMMIGRATION COURT**

Respondent Name:

ALVARADO QUEZADA, FREDDY RAUL

To:

ALVARADO QUEZADA, FREDDY RAUL
BROOKLYN MDC
80 29th Street
Brooklyn, NY 11232

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

03/23/2026

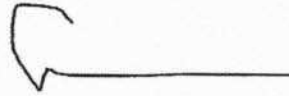
ORDER OF THE IMMIGRATION JUDGE

☒ Respondent ☐ The Department of Homeland Security has filed the following motion in these proceedings:

MOTION FOR BOND DETERMINATION

After considering the facts and circumstances, the motion is ☐ granted ☒ denied for the following reason(s):

The respondent is subject to mandatory detention under INA section 235(b)(2)(A). See Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025). Please note that on March 6, 2026, the U.S. Court of Appeals for the Ninth Circuit issued an administrative stay with respect to the December 18, 2025, and February 18, 2026, district court orders in Bautista-Maldonado. Thus, this court has no jurisdiction.



Immigration Judge: CONROY, CHARLES 03/23/2026

Appeal: Department of Homeland Security: ☐ waived ☐ reserved
Respondent: ☐ waived ☐ reserved

Appeal Due:

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : ALVARADO QUEZADA, FREDDY RAUL | A-Number : 

Riders:

Date: 03/23/2026 By: CONROY, CHARLES, Immigration Judge