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Attorney for Petitioner

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

[redacted],
Petitioner,

v.

SUPERINTENDENT, ABRAXAS ACADEMY;
WILLIAM JOYCE, Field Office Director, ICE;
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY;
DIRECTOR, MOSHANNON VALLEY PROCESSING CENTER,
Respondents.

Civil Action No. _____

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

INTRODUCTION

Petitioner, by counsel, respectfully petitions this Court and states as follows:

This is an emergency habeas action requiring immediate judicial intervention within a matter of days. *(See Exhibit A, Ice Documents)*

Petitioner is a seventeen-year-old minor suffering from a serious psychiatric disorder who is currently detained in this District under federal immigration authority. This Petition is being filed on April 7, 2026. Petitioner will turn eighteen on April 9, 2026—two days from the date of filing—and, upon doing so, it is the understanding of counsel that Respondents intend to transfer him immediately to Moshannon Valley Processing Center, an adult immigration detention facility and such transfer is the standard practice of the Respondents.

This imminent transfer is certain and imminent. The record confirms that Petitioner will be moved into ICE custody at that time, before receiving any meaningful psychiatric treatment.

Petitioner has been diagnosed with schizoaffective disorder, depressive type, and requires psychotropic medication. Despite this, Respondents have failed to conduct any meaningful individualized assessment of his needs and have placed him in a restrictive custodial setting without explanation. They now seek to transfer him into adult detention—the most restrictive setting available—within two days. **(See Exhibit B, Mental Health Diagnosis & Letter of Reconsideration of Placement)**

Absent immediate judicial intervention, Petitioner will be subjected to conditions that pose a grave and immediate risk to his mental health, safety, and stability. His continued detention violates the Fifth Amendment, controlling Third Circuit precedent, and the Flores Settlement Agreement.

JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in custody within this District and challenges the legality of that custody. Venue is proper because Petitioner is confined within this District.

Petitioner is presently in the custody of the Superintendent of Abraxas Academy, who is his immediate custodian for purposes of habeas jurisdiction. See *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004).

Jurisdiction attaches at the time of filing and is not defeated by a subsequent transfer. This Court therefore retains jurisdiction notwithstanding Respondents' intent to transfer Petitioner.

PARTIES

Petitioner is [redacted], A [redacted]

Respondent Superintendent of Abraxas Academy is Petitioner's immediate custodian.

Respondent William Joyce is the ICE Field Office Director responsible for Petitioner's detention.

Respondent Secretary of Homeland Security is responsible for the authority governing Petitioner's custody.

Respondent Director of Moshannon Valley Processing Center is named because Petitioner faces imminent transfer to that facility.

FACTUAL BACKGROUND

Petitioner is seventeen years old and has resided in the United States since early childhood. He has been diagnosed with schizoaffective disorder, depressive type, and has been prescribed psychotropic medication.

The record reflects that Petitioner was transferred to Abraxas Academy only days before his eighteenth birthday and, as of April 3, 2026, was scheduled to turn eighteen on April 9, 2026.

Thus, as of the filing of this Petition, Petitioner has only two days remaining as a minor before Respondents transfer him into adult ICE detention. The record further confirms that Petitioner will be transferred into ICE custody before receiving any meaningful psychiatric evaluation or treatment. The treatment plan provides for an initial psychiatric evaluation within two weeks of admission, ensuring that no meaningful care will occur prior to transfer.

Petitioner's placement in a restrictive facility was ordered without individualized analysis. A deportation officer classified him as "medium/high" without explanation or supporting findings. The record contains no explanation of why a less restrictive setting would be inadequate and no indication that his psychiatric condition was meaningfully considered.

Petitioner's underlying criminal case resulted in deferred adjudication and no custodial sentence. The record further reflects that he exhibited no behavioral issues, has no gang affiliation, and would have been released but for immigration detention. Accordingly, within two days, Petitioner will be transferred into adult detention despite being a vulnerable minor with a serious psychiatric condition who has not received appropriate care. **(See Exhibit C, Arrest Report) (See Exhibit D, Order of Deferred Adjudication)**

CLAIMS FOR RELIEF

COUNT I

Violation of the Fifth Amendment – Unlawful and Excessive Civil Detention

The Due Process Clause prohibits civil detention that is punitive or excessive in relation to its non-punitive purpose. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

The Third Circuit has emphasized that immigration detention must remain reasonably related to its purpose and may not become excessive. *Chavez-Alvarez v. Warden York County Prison*, 783 F.3d 469, 474–75 (3d Cir. 2015).

Petitioner's continued detention is excessive and lacks sufficient justification. He was not sentenced to incarceration, and the record reflects no evidence that he poses a danger to the community.

In light of his serious psychiatric condition and imminent transfer to adult detention, his continued detention is disproportionate and punitive in effect, in violation of the Fifth Amendment.

COUNT II

Violation of Due Process – Failure to Provide Individualized Determination

Due process requires that immigration detention be supported by an individualized determination. *Guerrero-Sanchez v. Warden York County Prison*, 905 F.3d 208, 224–26 (3d Cir. 2018).

The record demonstrates that no such individualized determination occurred. Petitioner was assigned a "medium/high" classification without explanation, and there is no indication that his psychiatric condition, age, or individualized needs were considered. This failure to conduct an individualized assessment renders his detention unconstitutional.

COUNT III

Violation of Due Process – Unconstitutional Conditions of Confinement

Civil detainees may not be subjected to conditions that amount to punishment. *E.D. v. Sharkey*, 928 F.3d 299, 306–07 (3d Cir. 2019).

Where detention conditions expose an individual to a substantial risk of serious harm, including harm arising from medical or mental health vulnerabilities, due process is violated. *Hope v. Warden York County Prison*, 972 F.3d 310, 329 (3d Cir. 2020).

Petitioner's continued detention, and especially his imminent transfer to adult detention within two days, place him at substantial risk of psychiatric deterioration and harm. His mental health needs have not been adequately addressed, and the planned transfer will exacerbate that risk.

COUNT IV

Exhaustion of Administrative Remedies Is Excused

Exhaustion is a prudential doctrine and may be excused where it would be futile, inadequate, or result in irreparable harm. *Gambino v. Morris*, 134 F.3d 156, 171 (3d Cir. 1998); *Lyons v. U.S. Marshals*, 840 F.2d 202, 205 (3d Cir. 1988).

Exhaustion is futile because Respondents have already made a definitive determination regarding Petitioner's detention and imminent transfer.

Exhaustion is inadequate because administrative remedies cannot provide relief within the required timeframe. Petitioner will be transferred within two days, rendering any administrative review ineffective.

Exhaustion must also be excused because Petitioner faces irreparable harm. His psychiatric condition, combined with the imminence of transfer, creates a substantial risk of immediate injury warranting judicial intervention.

COUNT V

Violation of the Flores Settlement Agreement

Petitioner is a minor entitled to the protections of the Flores Settlement Agreement, which requires that minors be placed in the least restrictive setting appropriate to their age and special needs and be released without unnecessary delay.

The record demonstrates that Respondents failed to comply with these obligations. Petitioner was placed in a restrictive facility without individualized justification and without meaningful consideration of his psychiatric condition.

The record further reflects that no explanation was provided as to why his needs could not be met in a less restrictive setting and that placement was based solely on criminal history rather than individualized assessment.

Respondents' intent to transfer Petitioner to adult detention within two days underscores their failure to comply with Flores while he remains a minor. Rather than ensuring appropriate placement and care, Respondents have allowed him to age into a more restrictive and dangerous environment. These actions violate the Flores Settlement Agreement and render Petitioner's detention unlawful.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. A. Issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241;
2. B. Declare that Petitioner's detention violates the Constitution and laws of the United States;
3. C. Order Respondents to release Petitioner immediately forthwith;
4. D. In the alternative, enjoin Respondents from transferring Petitioner to Moshannon Valley Processing Center or any adult immigration detention facility;
5. E. Grant Petitioner's Emergency Motion for Temporary Restraining Order;
6. F. Grant Petitioner's Emergency Motion to Expedite;
7. G. Award such other and further relief as this Court deems just and proper.

Respectfully submitted,

/S/Evan T.L. Hughes, Esquire

Hughes Firm, LLC
1315 Walnut Street
Suite 803
Philadelphia, PA 19107
Tel. 215.454.6680
evan.hughes@hughesfirm.pro
Attorney ID# 93214

EVIDENCE COVER PAGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT

IN THE MATTER OF:

[redacted]

A No. [redacted]

RESPONDENT
EVIDENCE INDEX

Exhibit Description

- **A.** Ice Documents
- **B.** Mental Health Diagnosis & Letter of Reconsideration of Placement
- **C.** Arrest Report
- D. Order of Deferred Adjudication

By:
/S/
EVAN T. L. HUGHES, ESQ.
The Hughes Firm, LLC
1315 Walnut Street, Suite 803
Philadelphia, PA 19107
(215) 454-6680 | evan.hughes@hughesfirm.pro

Date: 04/7/2026

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2026, I caused a copy of the foregoing habeas corpus petition to be served via CM/ECF and/or electronic mail upon the Office of the United States Attorney for the Eastern District of Pennsylvania.

/s/ Evan T.L. Hughes, Esquire

CERTIFICATION OF COMPLIANCE WITH L.R. 5.1.2

I certify that this filing complies with Local Rule 5.1.2 and contains no unredacted confidential personal identifiers.

/s/ Evan T.L. Hughes, Esquire Date: April 7, 2026

ATTORNEY VERIFICATION

I, Evan T.L. Hughes, counsel for Petitioner, certify pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge, information, and belief based on review of records, including those attached hereto, and investigation conducted in this matter.

This Petition is filed on an emergency basis due to Petitioner's imminent transfer to adult detention on April 9, 2026.

Date: April 7, 2026

/S/Evan T.L. Hughes, Esq.

Evan T. L. Hughes, Esquire
The Hughes Firm, LLC
1315 Walnut Street, Suite 803
Philadelphia, PA 19107

Attorney for Petitioner

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

[redacted],
Petitioner,

v.

SUPERINTENDENT, ABRAXAS ACADEMY;
WILLIAM JOYCE, Field Office Director, ICE;
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY;
DIRECTOR, MOSHANNON VALLEY PROCESSING CENTER,
Respondents.

Civil Action No. _____

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

EVIDENCE REDACTED

A

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [redacted]

Event No: [redacted]

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

Subject ID: [redacted] FINS: [redacted] File No: [redacted] 6 021

In the Matter of:

Respondent: [redacted] currently residing at:

[redacted], TEXAS [redacted]

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

☐ You are an arriving alien.

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

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

The Department of Homeland Security alleges that you:

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

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

3. You were admitted to the United States at Laredo, TX on or about June 21, 2010, as a nonimmigrant Visitor for Pleasure with authorization to remain in the United States for a temporary period not to exceed June 29, 2010.

4. You remained in the United States beyond June 29, 2010, without authorization from the Immigration and Naturalization Service or its successor the Department of Homeland Security.

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

[redacted]

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

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

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

See Continuation Page Made a Part Hereof

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

on April 13, 2026 *(Date)* at 8:30 am *(Time)* to show why you should not be removed from the United States based on the charge(s) set forth above.

C7236 LAZO - SDDO

(Signature and Title of Issuing Officer)

Date: March 30, 2026

DALLAS, TX

(City and State)

Notice to Respondent

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

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

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

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

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

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

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

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

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

Request for Prompt Hearing

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

Before: _____

(Signature of Respondent)

Date: _____

_____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on March 30, 2026, in the following manner and in compliance with section 239(a)(1) of the Act.

☒ in person ☐ by certified mail, returned receipt # _____ requested ☐ by regular mail

☒ Attached is a credible fear worksheet.

☐ Attached is a list of organization and attorneys which provide free legal services.

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

+ Refused to Sign

(Signature of Respondent if Personally Served)

B 8486 MITCHELL - Deportation Officer

(Signature and Title of officer)

Privacy Act Statement

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

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

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

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

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

U.S. Department of Homeland Security — **Continuation Page for Form I-213**

Alien's Name	File Number	Date
[redacted]	[redacted] Event [redacted]	03/30/2026

States on or about June 21, 2010, with a valid B2 Visa till June 29, 2010, at or near Laredo, TX. The subject did present himself for inspection or admission by an immigration officer at a prescribed port of entry. The subject does not currently possess any type of immigration document that would allow him to reside or work legally in the United States. The subject is removable under Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted, in violation of this Act or any other law of the United States.

The subject has been advised of his right to speak with a consular official from his country and afforded the opportunity. He was also provided a list of free legal services.

HEALTH:
Subject claims to be in good health.

MILITARY SERVICE:
Subject has never served in the United States Military.

OLDS RIGHTS:
Subject was informed of his OLDS Rights.

DACA:
Subject does not possess DACA.

FAMILY MEMBERS:
" Mother: [redacted]
" Father:
" Residenc
" Phone: 2 [redacted]

NATIONAL ID/IDENTITY DOCUMENT:
Subject was in possession of their country-of-origin identity document(s).

DNA COLLECTED: [redacted]
F#

MIGRATING FACTORS:
* School: [redacted] High School, [redacted] 11th Grade
* They are all overstays since 2010; None in proceedings.
* Juvenile has an uncle who can pick him up from DFO or Detention center.

Gang Affiliation / Behavior / Statements Made:
* The minor states he is in good health and is not taking medication.
* The minor did not claim any gang membership or affiliation.
* The minor has not displayed behavioral issues while in custody.
* Minor stated that he lives with his mother and father, he is attending Sunset High School in Dallas and is in the 11th grade.
* Minor's parents refused to pick up this minor from ICE ERO Dallas.

DISPOSITION:
The subject was processed and served an NTA. Subject was transported/escorted by assigned Juvenile Coordinator/Deportation Officer to the assigned placement by ORR for further immigration proceedings.

Signature	Title
B 8486 MITCHELL	Deportation Officer

U.S. Department of Homeland Security **Continuation Page for Form I-862**

Alien's Name	File Number	Date
[redacted]	[redacted] Even	03/30/2026

YOU ARE ORDERED TO APPEAR BEFORE AN IMMIGRATION JUDGE OF THE UNITED STATES DEPARTMENT OF JUSTICE AT:

16800 GREENSPOINT PRK DR, 2ND FL, HOUSTON, TEXAS 77060. HOUSTON GREENSPOINT PARK/PRAIRIELAND DETENTION CENTER

Signature	Title
C7236 LAZO	SDDO

4 of 4 Pages

Form I-831 Continuation Page (Rev. 08/01/07)

U.S. Department of Homeland Security — **Notice of Rights and Request for Disposition**

Alien's Name: [redacted] FINS #: [redacted] A Number (if any): A-[redacted] Event No: [redacted]

Your Rights.

You have been arrested because Immigration Officers believe that you are illegally in the United States. When you are arrested in the United States you have certain rights. No one can take these rights away from you. This paper explains your rights.

You have the right to use the telephone.

You may call your mother or father or any other adult relative. You may call your adult friend. If you do not know how to use a telephone, the immigration agent will help you.

You have the right to be represented by a lawyer.

Attached to this paper is a list of lawyers who can talk to you, and help you, for free. A lawyer can fully explain all your rights to you, and can represent you at a hearing.

You have the right to a hearing before a judge.

The judge will decide whether you must leave or whether you may stay in the United States. If for any reason you do Not want to go back to your country, or if you have any fears of returning, you should ask for a hearing before a judge. If you do not want to have a hearing before a judge, you may choose to go back to your country without a hearing.

Reading this Notice:

☒ I have read this notice.

☒ This notice has been read to me.

Right to Use Telephone:

☒ I have contacted my parent(s) or a legal guardian by telephone.

☐ I have contacted an adult friend or relative by telephone.

☐ I do not want to talk to anyone by telephone.

Completion of the following is optional:

The person contacted is: (Relationship)

Mother

The person contacted is: (Name)

[redacted]

Right to be Represented by a Lawyer:

☐ I have spoken with a lawyer.

☐ I do not want to speak with a lawyer.

Right to a Hearing:

☒ I understand my right to a hearing before a judge.

☒ **I request a hearing before a judge.**

Signature: I Refused to Sign Date: 3/30/2026

☐ **I do not want a hearing before a judge.**

I am in the United States illegally and ask that I be allowed to return to my country, which is named below.

Country: _____

Signature: _____ Date: _____

INSTRUCTIONS TO OFFICERS

This advisal is required to be given to all persons who are taken into custody and who appear, are known, or claim to be under the age of eighteen and who are not accompanied by one of their natural or lawful parents. No such person can be offered or permitted to depart voluntarily from the United States except after having been given this notice.

The required procedure distinguishes between two classes of minors.

1) The first class are those minors apprehended in the immediate vicinity of the border and who permanently reside in Canada or Mexico. These persons shall be informed that they have a right to make a telephone call to any of the persons mentioned in the notice. The purpose of this call is so that they can seek advice as to whether they should voluntarily depart or whether they should request a deportation hearing. We are required to make a record of any refusal to accept our offer of a telephone call.

2) As to all other minors, ***they must not only be given access to a telephone, they must establish communication, telephonic or otherwise, with one of the persons listed in the notice*** before they can be offered voluntary departure.

The DHS retains the right to decide when to allow telephone calls. The only prohibition is that the minor cannot be asked to voluntarily depart until after telephone access is provided. If the minor is not offered voluntary departure but is put into deportation proceedings by issuance of a Notice to Appear, this procedure is not necessary. It is our duty to make reasonable efforts to contact the person of the minor's choice, but after unsuccessful efforts to reach that person, we can facilitate contact with another such person. Whenever the minor elects to pursue a process, such as a call to a foreign country, which is operationally unacceptable, we can always proceed to issue a Notice to Appear.

The minor must tell the type of person that he/she talked to but need not give us that person's name or identifying information. If a minor, ***of his/her own volition,*** asks to contact a consular officer, this will satisfy the requirements of the notice.

The officer need not read the notice to the minor unless the minor is under 14 years of age, or unable to understand the notice. The officer must ask the minor whether he/she wanted to make a call, whether a communication was made and, if made, to whom. The officer must also verify whether the minor wanted voluntary departure or a hearing, and must sign and date the form to show this was done.

Officers are not to offer any advise to any minor as to what he/she should or should not do.

To be completed by the Officer:

I verify that: [redacted] A-[redacted]021

1.a. [x] The subject named was given this notice to read.
b. [x] I read this notice to the name subject in the following language: English

2. [x] I asked this subject whether he/she wanted to make a telephone call, and offered assistance in the use of the telephone.

3.a. [ ] The subject told me that he/she did not want to make a telephone call, or
b. [x] The subject told me that he/she established communication and the form was marked to indicate it;
c. [ ] The subject was unable to establish telephone communication with the desired individual. The following number of attempts were made: 2

4.a. [x] The subject requested a hearing.
b. [ ] The subject admitted deportability and requested to return to his/her country voluntarily, without a hearing.

5.a. [x] A Notice to Appear was issued because, the subject was unable to establish contact with any of the individuals specified after making the number of attempts indicated above (Item 3 c), and after assistance to establish contact was given or offered.

L. DO3631 GARZA [signature] March 30, 2026

Signature of Officer *Date*

U.S. Department of Homeland Security Subject ID : [redacted] **Record of Deportable/Inadmissible Alien**

Family Name (CAPS)	First	Middle
[redacted]		

Country of Citizenship	Passport Number and Country of Issue	File Number
MEXICO		[redacted]

U.S. Address:

Date, Place, Time, and Manner of Last Entry	Passenger Boarded at
06/21/2010 Unknown Time, LAR, B2-Visitor For Pleasure	

Number, Street, City, Province (State) and Country of Permanent Residence:

Date of Birth	Date of Action	Location Code
[redacted] Age: 17	03/30/2026	LBK/DAL

City, Province (State) and Country of Birth	AR ☒	Form : (Type and No.) Lifted ☐ Not Lifted ☐
MEXICO		

NIV Issuing Post and NIV Number	Social Security Account Name

Date Visa Issued	Social Security Number

Sex	Hair	Eyes	Cmplxn
M	BLK	BRO	FAR

Height	Weight	Occupation
64	109	UNEMPLOYED

Scars and Marks:

F.B.I. Number	☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated
[redacted]	

Method of Location/Apprehension: CA

At/Near	Date/Hour
See I-831	03/30/2026 11:08

By: B 8486 MITCHELL

Status at Entry	Status When Found

Length of Time Illegally in U.S.:

Immigration Record	Criminal Record
NEGATIVE	See Narrative

Name , Address, and Nationality of Spouse (Maiden Name, if Appropriate)	Number and Nationality of Minor Children
	None

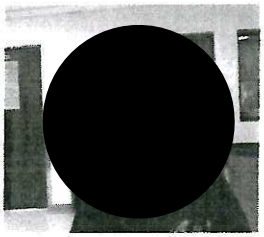
Father's Name, Nationality, and Address, if Known	Mother's Present and Maiden Names, Nationality, and Address, if Known
[redacted]	[redacted]

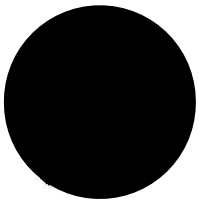
Monies Due/Property in U.S. Not in Immediate Possession	Fingerprinted? ☐ Yes ☒ No	Systems Checks	Charge Code Words(s)
None Claimed		See Narrative	See Narrative

Name and Address of (Last)(Current) U.S. Employer	Type of Employment	Salary	Employed from/to
	Unemployed or Retired	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



FAMILY INFORMATION

Father: [redacted]
Mother:
Spouse: Subject is not married.
Child: Subject does not have children or dependents.

SUBJECT HEALTH STATUS

The subject claims good health. ...(CONTINUED ON I-831)

Alien has been advised of communication privileges BM 3/30/2026 (Date/Initials)

B 8486 MITCHELL BM
Deportation Officer
(Signature and Title of Immigration Officer)

Distribution:

Received: (Subject and Documents) (Report of Interview)

Officer: B 8486 MITCHELL BM

on: March 30, 2026 (time)

Disposition: Warrant of Arrest/Notice to Appear

Examining Officer: LAZO, C7236 C. Lazo

Form I-213 (Rev. 08/01/07)

U.S. Department of Homeland Security — **Continuation Page for Form I-213**

Alien's Name	File Number / Event	Date
[redacted]	[redacted]	03/30/2026

CURRENT ADMINISTRATIVE CHARGES

03/30/2026 - 237a1B - NONIMMIGRANT OVERSTAY

RECORDS CHECKED

ABIS checked on 03/30/2026 with Negative result.AFIS checked on 03/30/2026 with Negative result.CIS checked on 03/30/2026 with Negative result.EARM checked on 03/30/2026 with Positive result.IAFIS checked on 03/30/2026 with Negative result.TECS checked on 03/30/2026 with Negative result.O checked on 03/30/2026 with Positive result.NCIC checked on 03/30/2026 with Negative result.

ARRESTED AT/NEAR

[redacted] UNITED STATES

RECORD OF DEPORTABLE/EXCLUDABLE ALIEN:

CRIMINAL HISTORY:
FBI# [redacted]

1. [redacted]

2.

IMMIGRATION HISTORY:
Subject entered the U.S. on June 21, 2010, minor was admitted at/near Laredo, TX with a non-immigrant visitor's visa that was valid till June 29, 2010.

ENCOUNTER:
The subject (minor) was transported by ATF as scheduled to Dallas ICE/ERO on March 30, 2026, for CAP processing. Upon processing, the subject was determined to be a citizen and national of Mexico who is illegally present in the United States. The subject stated that his parents are also citizens of Mexico. The subject was fingerprinted, photographed and entered into the EAGLE/IDENT and IAFIS systems. Checks were conducted in CIS, EARM, NCIC and TECS. These checks revealed the criminal and immigration histories above.

ADMISSIBILITY / REMOVABILITY:
Subject stated that he is a citizen and national of Mexico who last entered the United

Signature	Title
B 8486 MITCHELL	Deportation Officer

U.S. Department of Homeland Security **Continuation Page for Form I-213**

Alien's Name [redacted]	File Number [redacted] Event [redacted]	Date 03/30/2026

[redacted]

ERO conducted a record screening or agency databases which revealed the following information.
Subject claims he is a native and citizen of MEXICO
Subject admits he has no legal immigration status in the U.S. or pending applications.
No health concerns were addressed.
Subject claims that his both his parents were born in MEXICO but claims that he doesn't know their current immigration status
Subject claims that he did not currently reside with his parents
Subject claims that he was single with no kids
A review of agency databases revealed no applications or petitions for subject are pending or approved
Based on the evidence gathered enforcement action is warranted.
Subject is a juvenile
Jail staff stated that subject will remain in custody at the Grayson County Jail
Detainer was placed due to the severity of his current charges.

OTHER IDENTIFYING NUMBERS

ALIEN-[redacted]
State Criminal Number/State Bureau Number-[redacted] (UNITED STATES)

Signature	Title
B 8486 MITCHELL	Deportation Officer

4 of 4 Pages

Form I-831 Continuation Page (Rev. 08/01/07)

Subject ID: [redacted]

ORDER TO DETAIN OR RELEASE ALIEN

TO: (NAME and TITLE of Person in Charge of Facility)
OIC

(Name of Facility) Abraxas Academy 1000 Academy Dr, Morgan Town Pennsylvania

Please [x] Detain [ ] Release

Date: 03/30/2026 Time: 08:33 AM

Name of Alien: [redacted]

File Numb[redacted]
Event No: [redacted]

Age	Date of Birth (Mo.Day.Yr.)	Sex	Nationality	Foreign Address
17	[redacted]/2008	M	MEXICO	[redacted] ALVARADO, TEXAS, 76009

Nature of Proceedings: IMMIGRATION

Signature of Officer Receiving Alien:

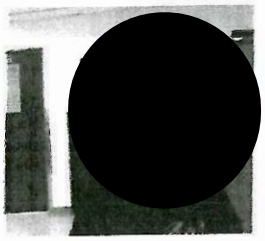
REMARKS:

MEDIUM/HIGH

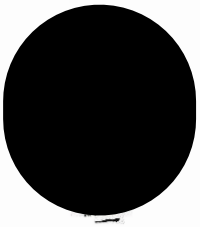
Signature of Officer Authorizing Action	Title	Office
MITCHELL, B 8486 BM	Deportation Officer	DAL/T

Form I-203 (Rev. 08/01/07)

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

1. FAMILY NAME (Capital Letters) [redacted]	First Name	Middle Name	2. Age 17	3. Country of Citizenship MEXICO
4. Alias			5. Date Apprehended March 30, 2026	6. Office DAL
7. Birth Date [redacted]2008	8. Birth Place MEXICO			
9. Sex ☒ Male ☐ Female	10. OSC/WA Served null ☐ Yes ☒ No (Explain)			
11. File Number [redacted]6 021	12. Bond $	Date Posted		
13. CINS ☐ Yes ☒ No	14 Medical Alert ☒ No ☐ Yes (Explain)		14A.	

15. TRANSFER DATE	FROM	TO
A		
B		
C		

16. ADMITTED BY:	19. RELEASED TO: ☐ V/R ☐ Deport	22. Rt. Index Print – In 	23. Rt. Index Print - Out
17. SEARCHED IN BY:	20. RELEASED BY:		
18. DATE ADMITTED:	21. DATE RELEASED:		
24. Remarks: null			

FORM I-385 (08/01/07) ALIEN BOOKING RECORD
UNITED STATES DEPARTMENT OF HOMELAND SECURITY

U.S. Department of Homeland Security Subject ID : [redacted] **Record of Deportable/Inadmissible Alien**

Family Name (CAPS)	First	Middle
[redacted]		

Sex	Hair	Eyes	Cmplxn
M	BLK	BRO	FAR

Country of Citizenship	Passport Number and Country of Issue	File Number
MEXICO		[redacted]

Height	Weight	Occupation
64	109	UNEMPLOYED

U.S. Address:

Scars and Marks:

Date, Place, Time, and Manner of Last Entry: 06/21/2010 Unknown Time, LAR, B2-Visitor For Pleasure

Passenger Boarded at:

F.B.I. Number: [redacted]

☐ Single ☐ Divorced ☒ Married ☐ Widower ☒ Separated

Number, Street, City, Province (State) and Country of Permanent Residence:

Method of Location/Apprehension: CA

Date of Birth	Date of Action	Location Code
[redacted]/2008 Age: 17	03/30/2026	LBK/DAL

At/Near	Date/Hour
See I-831	03/30/2026 11:08

City, Province (State) and Country of Birth: MEXICO

AR ☒ Form : (Type and No.) Lifted ☐ Not Lifted ☐

By: B 8486 MITCHELL

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: See Narrative

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: [redacted]

Mother's Present and Maiden Names, Nationality, and Address, if Known: [redacted]

Monies Due/Property in U.S. Not in Immediate Possession: None Claimed

Fingerprinted? ☐ Yes ☒ No

Systems Checks: See Narrative

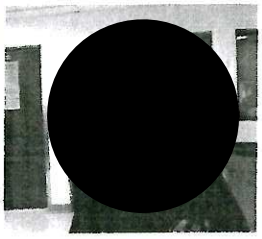
Charge Code Words(s): See Narrative

Name and Address of (Last)(Current) U.S. Employer:

Type of Employment	Salary	Employed from/to
Unemployed or Retired	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



[redacted]

Right Index fingerprint

[redacted]

FAMILY INFORMATION

Father: [redacted]
Mother:
Spouse:Subject is not married.
Child:Subject does not have children or dependents.

SUBJECT HEALTH STATUS

The subject claims good health. ...(CONTINUED ON I-831)

Alien has been advised of communication privileges BM 3/30/2026 (Date/Initials)

B 8486 MITCHELL BM
Deportation Officer
(Signature and Title of Immigration Officer)

Distribution:

Received: (Subject and Documents) (Report of Interview)

Officer: B 8486 MITCHELL BM

on: March 30, 2026 (time)

Disposition: Warrant of Arrest/Notice to Appear

Examining Officer: LAZO, C7236 CL

Form I-213 (Rev. 08/01/07)

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name	File Number	Date
[redacted]	Even[redacted]	03/30/2026

CURRENT ADMINISTRATIVE CHARGES

03/30/2026 - 237a1B - NONIMMIGRANT OVERSTAY

RECORDS CHECKED

ABIS checked on 03/30/2026 with Negative result.AFIS checked on 03/30/2026 with Negative result.CIS checked on 03/30/2026 with Negative result.EARM checked on 03/30/2026 with Positive result.IAFIS checked on 03/30/2026 with Negative result.TECS checked on 03/30/2026 with Negative result.O checked on 03/30/2026 with Positive result.NCIC checked on 03/30/2026 with Negative result.

ARRESTED AT/NEAR

8101 N STEMMONS FWY, DALLAS, TEXAS, 752474103, UNITED STATES

RECORD OF DEPORTABLE/EXCLUDABLE ALIEN:

CRIMINAL HISTORY:

FBI

1. [redacted]

2.

IMMIGRATION HISTORY:
Subject entered the U.S. on June 21, 2010, minor was admitted at/near Laredo, TX with a non-immigrant visitor's visa that was valid till June 29, 2010.

ENCOUNTER:
The subject (minor) was transported by ATF as scheduled to Dallas ICE/ERO on March 30, 2026, for CAP processing. Upon processing, the subject was determined to be a citizen and national of Mexico who is illegally present in the United States. The subject stated that his parents are also citizens of Mexico. The subject was fingerprinted, photographed and entered into the EAGLE/IDENT and IAFIS systems. Checks were conducted in CIS, EARM, NCIC and TECS. These checks revealed the criminal and immigration histories above.

ADMISSIBILITY / REMOVABILITY:
Subject stated that he is a citizen and national of Mexico who last entered the United

Signature	Title
B 8486 MITCHELL	Deportation Officer

U.S. Department of Homeland Security — Continuation Page for Form I-213

Alien's Name	File Number	Date
[redacted]	[redacted] Event [redacted]	03/30/2026

States on or about June 21, 2010, with a valid B2 Visa till June 29, 2010, at or near Laredo, TX. The subject did present himself for inspection or admission by an immigration officer at a prescribed port of entry. The subject does not currently possess any type of immigration document that would allow him to reside or work legally in the United States. The subject is removable under Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted, in violation of this Act or any other law of the United States.

The subject has been advised of his right to speak with a consular official from his country and afforded the opportunity. He was also provided a list of free legal services.

HEALTH:
Subject claims to be in good health.

MILITARY SERVICE:
Subject has never served in the United States Military.

OLDS RIGHTS:
Subject was informed of his OLDS Rights.

DACA:
Subject does not possess DACA.

FAMILY MEMBERS:
" Mother: [redacted]
" Father:
" Residenc
" Phone: 2

NATIONAL ID/IDENTITY DOCUMENT:
Subject was in possession of their country-of-origin identity document(s).

DNA COLLECTED: [redacted]
F#

MIGRATING FACTORS:
* School: [redacted] High School, [redacted] 11th Grade
* They are all overstays since 2010; None in proceedings.
* Juvenile has an uncle who can pick him up from DFO or Detention center.

Gang Affiliation / Behavior / Statements Made:
* The minor states he is in good health and is not taking medication.
* The minor did not claim any gang membership or affiliation.
* The minor has not displayed behavioral issues while in custody.
* Minor stated that he lives with his mother and father, he is attending Sunset High School in Dallas and is in the 11th grade.
* Minor's parents refused to pick up this minor from ICE ERO Dallas.

DISPOSITION:
The subject was processed and served an NTA. Subject was transported/escorted by assigned Juvenile Coordinator/Deportation Officer to the assigned placement by ORR for further immigration proceedings.

Signature	Title
B 8486 MITCHELL	Deportation Officer

U.S. Department of Homeland Security **Continuation Page for Form I-213**

Alien's Name	File Number	Date
[redacted]	[redacted] Event [redacted]	03/30/2026

Method of encounter/location: [redacted]

ERO conducted a record screening of agency databases which revealed the following information.
Subject claims he is a native and citizen of MEXICO
Subject admits he has no legal immigration status in the U.S. or pending applications.
No health concerns were addressed.
Subject claims that his both his parents were born in MEXICO but claims that he doesn't know their current immigration status
Subject claims that he did not currently reside with his parents
Subject claims that he was single with no kids
A review of agency databases revealed no applications or petitions for subject are pending or approved
Based on the evidence gathered enforcement action is warranted.
Subject is a juvenile
Jail staff stated that subject will remain in custody at the Grayson County Jail
Detainer was placed due to the severity of his current charges.

OTHER IDENTIFYING NUMBERS

ALIEN-[redacted]
State Criminal Number/State Bureau Number-[redacted] (UNITED STATES)

Signature	Title
B 8486 MITCHELL	Deportation Officer

4 of 4 Pages

Form I-831 Continuation Page (Rev. 08/01/07)