Vanessa Molina (SBN 325672)
The Law Office of Vanessa Molina
1530 Lancaster Point Way
San Diego, CA 92154
Phone: (619) 790-4300
Email: vanessa@vanessamolinalaw.com

Roger Tavira (SBN 24099325)
The Tavira Law Firm,PLLC
550 Westcott St.Suite 300
Houston, Texas 77007
Phone: (972) 261-4116
Email: roger@taviralaw.com

(Pro hac vice application forthcoming)

Counsel for Petitioner

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Ulises Monroy Martinez,

Petitioner,

v.

Todd M. Lyons, Acting Director, Immigration and Customs Enforcement; Patrick Divver, Director of Field Operations, San Diego Field Office, Immigration and Customs Enforcement; Kristi Noem, Secretary, U.S. Department of Homeland Security; Pamela Bondi, U.S. Attorney General; Christopher J. LaRose, Warden, Otay Mesa Detention Center

Respondents.

Case No.: '26CV2173 JLS AHG

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS 28 U.S.C. § 2241

INTRODUCTION

1. This case challenges the unlawful continued detention of Ulises Monroy Martinez, who entered the United States as a baby in 1999 without being admitted or paroled. He is the loving spouse of a U.S. Citizen and has been detained by Respondents since July 2025, for over eight months.

2. Following a criminal arrest in 2023—related to criminal charges which were all subsequently dismissed—Immigration and Customs Enforcement ("ICE") detained Mr. Monroy Martinez and initiated removal proceedings against him. An Immigration Judge ("IJ") granted Mr Monroy Martinez's release from custody on bond in the amount of $8,000 *See Ex. 1 Bond Grant from June 2023.* Mr. Monroy Martinez posted bond, and the Department of Homeland Security ("DHS") released him from detention.

3. On September 7, 2023, an Immigration Judge dismissed the removal proceedings against Mr Monroy Martinez, as he was not an enforcement priority at the time—constituting a second government decision that Mr. Monroy Martinez does not pose a danger to the community. *See Ex 2 Order on Motion to Dismiss*

4. On July 13, 2025, ICE re-arrested Mr. Monroy Martinez and held him in mandatory detention—despite no changed circumstances since the IJ's 2023 decision that Mr. Monroy Martinez was not a danger to the community or a flight risk and merited release on bond.

5. On November 25, 2025, Mr. Monroy Martinez requested a bond redetermination hearing before an IJ. The IJ denied his request finding that the immigration court lacked jurisdiction to consider his release pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). *See Ex 3 2025 Bond Denial*

6. On January 15, 2026, Mr. Monroy Martinez again requested a bond redetermination hearing before an IJ, this time as a class member of *Maldonado Bautista v Santacruz*, 5:25-CV-01873-

1 SSS-BFM (C.D. Cal., Dec. 18, 2025). This time, the IJ found jurisdiction over the bond hearing,
2 but ultimately denied Mr. Monroy Martinez's release on bond, finding that he is a danger to the
3 community *based on the criminal history that already existed* when a prior IJ (1) ordered Mr.
4 Monroy Martinez's release on bond in 2023 and (2) dismissed his removal proceedings as a
5 matter of discretion. *See Ex 4 2026 Bond Denial*.
6
7 7. Petitioner, Mr. Monroy Martinez, is in the physical custody of Respondents at the Otay Mesa
8 Detention Center in San Diego, California. He now faces his ninth month of unlawful detention
9 because the DHS and the Executive Office for Immigration Review ("EOIR") consider him to be
10 subject to mandatory detention and the IJ's decision to deny his request for release on bond was
11 arbitrary, capricious, and an abuse of discretion, as explained herein.
12
13 8. Accordingly, this Court should grant Mr. Monroy Martinez's petition for a writ of habeas corpus
14 and order his immediate release under the same conditions of his 2023 release on bond. *See Y-Z-*
15 *L-H- v. Bostock*, 792 F.Supp.3d 1123, 1146-47 (D. Or. 2025) (ordering immediate release after
16 finding the petitioner's re-detention to be arbitrary and capricious and a violation of the
17 Administrative Procedures Act). Additionally, if the Court declines to order release or conduct its
18 own hearing, it should order a bond hearing before an IJ with explicit procedural safeguards—
19 such as ordering Respondents to carry the burden of proving that changed circumstances exist, as
20 compared to the 2023 decision to release Petitioner on bond, that now show by clear and
21 convincing evidence that he is a danger to the community or a flight risk. Petitioner also asks this
22 Court to retain jurisdiction to review the custody redetermination to ensure compliance with due
23 process. Finally, Petitioner asks this Court to order Respondents to return Petitioner's property to
24 him upon release, including any government-issued property such as his employment
25 authorization card.
26
27
28

JURISDICTION

9. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Otay Mesa Detention Center in San Diego, California.

10. This Court has jurisdiction under 28 U.S C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

11. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and 28 U.S C. § 1261, the All Writs Act.

VENUE

12. Venue lies in the United States District Court for the Southern District of California, the judicial district in which Petitioner is currently detained. *See Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973). (finding proper venue lies in the judicial district in which Petitioner is currently detained).

13. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Southern District of California.

REQUIREMENTS OF 28 U.S.C. § 2243

14. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, Respondents must file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id*

15. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement." *Fay v*

Noia, 372 U.S. 391, 400 (1963) (emphasis added). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. Immigr Nationalities Svc.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

16. Petitioner, Mr. Monroy Martinez, is alleged to be a citizen of Mexico who has been in immigration detention since July 2025.

17. Respondent Pamela Jo Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which EOIR—and the immigration court system it operates—is a component agency.

18. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security. He is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Mr. Mullin has ultimate custodial authority over Petitioner and is sued in his official capacity.

19. Respondent Todd Lyons is the Acting Director of the ICE, which is the agency responsible for Petitioner's detention. Mr. Lyons has custodial authority over Petitioner and is sued in his official capacity.

20. Respondent Warden is the warden of the Otay Mesa Detention Center, a detention center owned and operated or contracted by ICE. The warden is the Petitioner's immediate physical custodian and is sued in their official capacity.

LEGAL FRAMEWORK

Immigration and Nationality Act and Lack of Meaningful Appeal Opportunity to the BIA

21. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

22. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. *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* § 1226(c).

23. 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).

24. 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).

25. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

26. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) of 1996., Pub. L. No. 104–208, Div. C. §§ 302–03, 110 Stat. 3009-546, 3009-582 to 3009-583, 3009-585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025).

27. Following the enactment of the IIRAIRA, 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 of Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg 10312, 10323 (Mar. 6, 1997).

28. 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 IJ 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)).

29. On May 15, 2025, the BIA issued *Matter of Q Li*, 29 I&N Dec. 66 (BIA 2025) finding that mandatory detention under § 1225(b)(2)(A) applies to individuals who are arrested upon entry, paroled from detention and charged as inadmissible to the United States as noncitizens present without being admitted or paroled and placed in § 1229a removal proceedings, and subsequently rearrested by ICE.

30. On July 8, 2025, ICE, "in coordination with" DOJ, announced a new policy that rejected this well-established understanding of the statutory framework and reversed decades of practice.

31. The new policy, entitled "Interim Guidance Regarding Detention Authority for Applicants for Admission,"[1] claims that all persons who entered the United States without inspection shall now be subject to mandatory detention pursuant to § 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.

32. On September 5, 2025, the BIA adopted this same position in a published decision, *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Therein, the BIA held that all noncitizens who

---

[1] *Available at https //www aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission*

entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for IJ bond hearings.

33. Since Respondents adopted their new policies, dozens of federal courts have rejected the new interpretation of the INA's detention authorities. Courts have likewise rejected *Matter of Yajure Hurtado* and *Matter of Q. Li*, which adopt the same reading of the statutes as ICE. *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 WL 2403827 (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-3051 (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 (E.D. 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 "[t]he 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).

34. Even before ICE or the BIA introduced these nationwide policies, IJs at the Tacoma, Washington Immigration Court stopped providing bond hearings for persons who entered the United States without inspection and who have since resided here. There, the U.S. District Court in the Western District of Washington found that such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not apprehended upon arrival to the United States. *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 1239 (W D. Wash. 2025).

35. Section 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." 8 U.S.C. § 1226(a). These removal hearings are held under § 1229a, to "decid[e] the inadmissibility or deportability of a[noncitizen]."

36. 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). *Id.* As the *Rodriguez Vazquez* court explained, "[w]hen Congress creates 'specific exceptions' to a statute's applicability, it 'proves' that absent those exceptions, the statute generally applies." *Rodriguez Vazquez*, 770 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs , P.A. V. Allstate Ins Co.*, 559 U.S. 393, 400 (2010)).

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

37. 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.

38. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who are otherwise actively seeking admission to the United States. 8 U.S.C. § 1225(b). 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).

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

40. On December 18, 2025, the District Court for the Central District of California entered final judgment in a class action for members of the national Bond Eligible Class and finding that Immigration Judges have jurisdiction to hear custody redetermination hearings for all class members. *See Maldonado Bautista v. Santacruz*, No. 5·25-CV-01873-SSS-BFM, 2025 WL 3713987, at *12 (C.D. Cal. Dec 18, 2025). The Bond Eligible Class includes "

> All noncitizens in the United States without lawful status who (1) have entered or will enter the United States without inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the Department of Homeland Security makes an initial custody determination."

Id. at *2. On February 18, 2026, the *Maldonado Bautista* court issued yet another decision explicitly vacating *Matter of Yajure Hurtado*. *See Maldonado Bautista v. Santacruz*, No. 5·25-CV-01873-SSS-

1 BFM, 2026 WL 468284, at *12 (C.D. Cal. Feb. 18, 2026) ("The Court hereby VACATES *Matter of*
2 *Yajure Hurtado* as contrary to law under the APA.").
3
4 41. On March 6, 2026, the Ninth Circuit Court of Appeals temporarily stayed the district court's
5 decision "pending a ruling on the government's emergency motion for a stay pending appeal,
6 insofar as the district court's judgment extends beyond the Central District of California."
7 *Maldonado Bautista v. U.S Dep't of Homeland Sec.*, No. 26-1044 (9th Cir. Mar. 6, 2026).
8
9 42. "As a prudential matter, courts require that habeas petitioners exhaust all available judicial and
10 administrative remedies before seeking relief under § 2241." *See Ward v Chavez*, 678 F.3d 1042,
11 1045 (9th Cir. 2012). However, "exhaustion can be waived if pursuing those administrative
12 remedies would be futile." *Id* (quoting *Fraley v U.S. Bureau of Prisons*, 1 .3d 924, 925 (9th Cir.
13 1993)).
14
15 43. Considering the Ninth Circuit's stay on *Maldonado Bautista*, and the fact that Petitioner is not
16 detained within the Central District of California, subagencies of EOIR take the position that
17 *Matter of Yajure Hurtado* still applies to Petitioner within any EOIR proceedings, including an
18 appeal to the BIA. As such, if Petitioner were to appeal the denial to the BIA, the BIA would
19 more likely than not deny the appeal, finding that the IJ had no jurisdiction to consider
20 Petitioner's release on bond. Accordingly, further administrative remedies "would be futile" and
21 the Court should not require prudential exhaustion in this matter. *See id.*
22
23
24 ***Due Process Principles***
25 44. Individuals released on forms of conditional release, including release on bond, have a liberty
26 interest in their "continued liberty." *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972).
27 45. Such liberty is protected by the Fifth Amendment because, "although indeterminate, [it] includes
28 many of the core values of unqualified liberty," such as the ability to be gainfully employed and

live with family, "and its termination inflicts a 'grievous loss' on the [released individual] and often on others." *Id*

46. To protect against arbitrary re-detention and to ensure the right to liberty, due process requires "adequate procedural protections" that test whether the government's asserted justification for a noncitizen's physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Zadvydas,* 533 U.S. at 690 (citation modified).

47. Due process thus guarantees notice and an individualized hearing before a neutral decisionmaker to assess danger or flight risk before the revocation of an individual's release. *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) ("The fundamental requisite of due process of law is the opportunity to be heard . . . at a meaningful time in a meaningful manner.") (citation modified); *see also e g*, *Morrissey*, 408 U.S. at 485 (requiring "preliminary hearing to determine whether there is probable cause or reasonable ground to believe that the arrested parolee has committed . . . a violation of parole conditions") (citation modified).

48. Additionally, due process requires that immigration detention "'bear[] a reasonable relation to the purpose for which the individual was committed '" *Demore v. Kim*, 538 U.S. 510, 527 (2003) (quoting *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001)). Specifically, immigration detention must be reasonably related to the government's goals of preventing flight and protecting the community from harm and be accompanied by adequate procedural protections to ensure that those goals are being served. *See Zadvydas*, 533 U.S. at 690-91. Chief among these procedural protections is "the guarantee of an impartial and disinterested tribunal," which the Due Process Clause requires "in both civil and criminal cases." *Marshall v Jerrico, Inc.*, 446 U.S. 238, 242 (1980).

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

49. Given that habeas corpus "is, at its core, an equitable remedy," this Court has authority to order a remedy that fully addresses the statutory and constitutional violations in this case. *Schlup v. Delo*, 513 U.S. 298, 319 (1995); *Carafas v. LaVallee*, 392 U.S. 234, 238 (1968) (the habeas statute "does not limit the relief that may be granted to discharge of the applicant from physical custody. Its mandate is broad with respect to the relief that may be granted").

50. Release is the customary remedy in habeas proceedings. *See* 28 U.S.C. § 2243 (the habeas shall "dispose of the matter as law and justice require"); *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973) (finding "that the traditional function of the writ is to secure release from illegal custody"). The most appropriate remedy in a case like this, where Petitioner was previously released to the community and has been re-detained in violation of both the INA and due process, is release on recognizance without further conditions of release.

51. "In recent months, courts across the country have ordered the release of detainees in similar situations." *See, e.g., Moctezuma v Henkey*, No. 1:25-cv-00741-BLW, 2026 WL 18809, at *5 (D. Idaho Jan. 2, 2026) (given that the government's repeated use of unlawful detention policies across the country, causing petitioners to "sit in jail waiting for a judicial decision," the court would order immediate release instead of causing additional delay through a bond hearing). (citing *Lepe v Andrews*, 801 F.Supp.3d 1104 (E.D. Cal. 2025); *J.U. v Maldonado*, 805 F.Supp.3d 482 (E.D N.Y. Sept. 29, 2025); *Rosado v. Figueroa*, No. 25-cv-2157, 2025 WL 2337099, at *19 (D. Ariz. Aug. 11, 2025); *Pinchi v Noem*, No. 25-cv-05632, 2025 WL 1853763, at *4 (N.D. Cal. July 4, 2025); *Santiago v Noem*, No. EP-25-CV-361-KC, 2025 WL 2792588, at *13-14 (W.D. Tex. Oct. 2, 2025); *Munoz Materano v Arteta*, 804 F. Supp.3d 395 (S.D.N.Y. Sept. 12, 2025); *Chipantiza-Sisalema v Francis*, No. 25 Civ. 5528 (AT), 2025 WL 1927931, at *4 (S.D.N.Y. July 13, 2025); *Gonzalez Centeno v. Lowe*, No. 3:25-CV-2518, 2026 WL 94642, at *4 (M.D. Pa. Jan.

13, 2026); *Feisal O. v. Noem*, No. 26-CV-81, 2026 WL 92857, at *3 (D. Minn. Jan. 13, 2026); *Garcia Covarrubias v. Holston*, No. 2:25-CV-02445-RFB-DJA, 2026 WL 25970, at *4 (D. Nev. Jan. 5, 2026); *Kenzhebaev v Noem*, No. 1:25-CV-1786, 2025 WL 3737975, at *9 (W.D. Mich. Dec. 29, 2025); *Kobilov v O'Neill*, No. 26-CV-0058, 2026 WL 73475, at *3 (E.D. Pa. Jan. 8, 2026 (finding a bond hearing unnecessary where there was no record indication petitioner was a danger or flight risk); *Orega-Aguirre v. Noem*, No. 4:25-CV-04332, 2025 WL 3684697, at *4 (S.D. Tex. Oct. 10, 2025); *Iza v. Arnott*, No. 6:25-CV-3392-MDH, 2026 WL 67152, at *5 (W.D. Mo. Jan. 8, 2026).

52. Multiple courts have even ordered that the government must provide notice to immigrants of their intent to re-detain them *and* hold a pre-deprivation bond hearing before a neutral arbiter. *See Lepe*, 801 F.Supp.3d at 1119-20; *Pinchi*, 2025 WL 1853763, at *4; *Kenzhebaev*, 2025 WL 3737975 at *9.

53. Additionally, dozens of habeas courts have ruled that the government's use of the "automatic stay" regulation, 8 C.F.R. § 1003.19(i)(2), violates due process and have had to order Respondents to allow a petitioner to post his bond. *See, e g., M P.L. v Arteta*, No. 25-CV-5307 (VSB), 2025 WL 3288354, at *7, n 6 (S.D.N.Y. Nov. 25, 2025) (noting that in November 2025, "at least 50 district court decisions across the United States in the last 6 months alone" have found that DHS's use of the automatic stay provision violates or likely violates due process); *Guasco v McShane*, No. 1:25-CV-1650, 2025 WL 3270201, at *2 (M.D. Pa. Nov. 24, 2025) (noting that other habeas courts have "assailed the Government's practice of acting both as the prosecution and the judge in making a unilateral and unreviewed decision as to detention") (internal citation omitted).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

54. In other cases, ICE has applied onerous electronic GPS ankle monitors or other unnecessary conditions of release that neither the habeas court nor the immigration court ordered, requiring additional litigation. *See Diahn v. Lowe*, No. 1:24-CV-1936, 2026 WL 84576, at *5 (M.D. Pa. Jan. 12, 2026) (ordering ICE to remove ankle monitor it had unilaterally imposed after IJ granted bond without further conditions); *Orellana Juarez v Moniz*, 788 F.Supp.3d 61, 69-70 (D. Mass. 2025) (same, finding this presented a "real constitutional risk" and defeated the purpose of neutral third-party review of custody); *Menjivar Sanchez v Wofford*, No. 1:25-CV-01187, 2025 WL 3089712, at *9 (E.D. Cal. Nov. 5, 2025) (same, in the context of a preliminary injunction); *N- N- v McShane*, No. 25-CV-5494, 2025 WL 3143594, at *4 (E.D. Pa. Nov. 10, 2025) (finding ICE's imposition of an ankle monitor, check-ins, and travel restrictions, which the IJ did not order in setting bond, violated due process and the *Acardi* doctrine).

55. Still other cases have left habeas courts unclear whether Respondents intend to comply with the court's orders to hold a bond hearing at all. *See, e.g*, *Gomez Rodriguez v. Noem*, No. 2:25-CV-01115-SPC-NPM, 2025 WL 3771268, at *2 (M.D. Fla. Dec. 31, 2025) (noting that "[i]n other cases before this Court, the respondents have claimed they cannot direct EOIR when to conduct a bond hearing," and ordering release if the government does not comply); *Vargas v Bondi*, No. 25-CV-1023, 2025 WL 3300446, at *5 (W.D. Tex. Nov. 12, 2025), *report and recommendation adopted*, No. 25-CV-1023, 2025 WL 3300141 (W.D. Tex. Nov. 26, 2025) (recommending immediate release, in part because respondents argued that "if this Court ordered a hearing, it would require the immigration judge to do that which, in light of BIA precedent, the judge would not believe he had any authority to do").

56. Finally, if the record establishes "that the immigration judge to whom [Petitioner's] case is to be referred will fail to apply the correct legal standards for bond hearings under § 1226," the proper

remedy is immediate release, not a bond hearing. *See Bautista Villanueva*, 2026 WL 100595, at *2 (quoting *M.K. v. Arteta*, No. 25-CV_9918 (LAK), 2025 WL 3720779, at *9 (S.D.N.Y. Dec. 23, 2025) ("Where respondents have offered no reason for why M.K.'s detention under Section 236 or any other statute would be lawful, the proper remedy is immediate release, not ordering a bond hearing.")).

Administrative Procedures Act

57. Under the Administrative Procedures Act, a court shall "hold unlawful and set aside agency action found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A). Agency action is

> arbitrary and capricious if the agency has relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise.

Motor Vehicle Mfrs. Ass'n of U.S , Inc. v State Far Mut. Auto. Ins. Co , 463 U.S. 29, 43 (1983); *see also Bangura v Hansen*, 434 F.3d 487, 502 (6th Cir. 2006) (finding an agency decision to be arbitrary and capricious if the agency fails to examine the relevant evidence or articulate a satisfactory explanation for the decision).

58. This standard of review is narrow and deferential, and courts "should accept the agency's factual findings if those findings are supported by substantial evidence on the record as a whole." *Arkansas v. Oklahoma*, 503 U.S. 91, 113 (1992).

59. As the Third Circuit explicitly recognized, "[t]he text of the APA allows challenges to agency action to be brought in habeas petitions." *Thieme v Warden Fort Dix FCI*, 154 F.4th 115, 123 (3d Cir. 2025) (citing 5 U.S.C. § 703) Section 703 clearly states that in the absence of any special statutory review proceeding relevant to the subject matter, APA review may be had in "any

applicable form of legal action, including actions for . . . writs of . . . habeas corpus, in a court of competent jurisdiction." 5 U.S.C. § 703; *see also LaSorsa v. Spears*, 2 F.Supp.2d 550, 556 n.5 (S.D N.Y. 1998); *Gardner v Grandolsky*, 585 F.3d 786, 788, 790-93 (3d Cir. 2009) (deciding an APA claim against a BOP regulation within a habeas petition). The Third Circuit further specified that "the writ of habeas corpus is a means of challenging 'unlawful executive detention' for which the 'typical remedy . . . is . . . release." *Thieme*, 154 F.4th at 123 (citing *Munaf v. Geren*, 553 U.S. 674, 693 (2008)). "Thus, for an APA claim to be brought in habeas, it must have some relationship to the prisoner's release" and must not be barred by any special statutory review proceeding. *Id.*

60. No special statutory review proceeding applies here. Petitioner's APA claim is directly related to his imprisonment and request for release. As explained herein, he argues that the IJ's denial of his release on bond is arbitrary and capricious; thus, the very decision whether to release Petitioner from custody is what he challenges under the APA.

61. To survive an APA claim, Respondents bear the burden to "provide [a] reasoned explanation for their action," which "exists where the agency considered the relevant factors and articulated a rational connection between the facts found and the choices made." *See Y-Z-L-H-*, 792 F.Supp.3d at 1146-47 (quoting *Arrington v Daniels*, 516 F.3d 1106, 1112 (9th Cir. 2008). "*Post hoc* explanations of agency action by . . . counsel cannot substitute for the agency's own articulation of the basis for its decision." *Id* (quoting *Arrington*, 516 F.3d at 1113).

FACTS

62. Petitioner was born in 1998 and entered the United States in 1999, as a baby. He lives in Houston, Texas with his U.S. citizen spouse, who has been suffering without the support of her husband.

1 63. On April 23, 2014, as a minor, Petitioner was adjudicated of "Prohibited Weapon/Weapons Free Zone" and sentenced to probation. On March 22, 2023, Petitioner was arrested and charged with aggravated assault with a deadly weapon, but on September 27, 2022, the charge was dismissed *See Ex 5* On April 19, 2023, he was arrested for possession of marijuana and unlawful carrying of a weapon, but on May 31, 2023, all charges were dismissed. *See Ex 5.*

64. Following the 2023 arrests, ICE detained Petitioner and initiated removal proceedings against him. On June 7, 2023, taking into full consideration Petitioner's criminal history, an IJ ordered Petitioner's release on $8,000. Petitioner posted the bond and ICE released him from custody. *See Ex 1.*

65. On September 7, 2023, an IJ dismissed the removal proceedings against Petitioner as he was not a priority for enforcement. *See Ex 2*

66. Since this dismissal, Petitioner has had no additional criminal issues or arrests—further confirming the IJ's original assessment that he is not a danger to society.

67. Nevertheless, on July 13, 2025, ICE re-detained Petitioner and denied his release on bond—despite no changed circumstances from the IJ's 2023 findings that he did not present a danger or a flight risk and without holding a pre-deprivation hearing explaining why Petitioner should now be subject to detention.

68. ICE re-initiated removal proceedings against Petitioner and Petitioner applied for Cancellation of Removal for Certain Nonpermanent Residents, based on the hardship his U.S. citizen spouse will face if he is deported. This application remains pending with the immigration court. Petitioner's merits hearing is currently scheduled for April 21, 2026.

69. On two separate occasions in the last eight months, Petitioner sought release on bond before an IJ. On November 25, 2025, the IJ found no jurisdiction to consider Petitioner's release pursuant

to *Yajure Hurtado*. On January 15, 2026, following the class certification in *Maldonado Bautista*, an IJ found jurisdiction to reconsider Petitioner's custody determination, but denied his release on bond finding that he is a danger to society.

70. Due to the lengthy waiting period for BIA appeals, as well as BIA precedent in *Yajure Hurtado* and the Ninth Circuit's stay of *Maldonado Bautista*, appellate review would not have provided meaningful review of Petitioner's case, as the BIA would have concluded the IJ had no jurisdiction to review his custody determination.

71. As a result, Petitioner has remained in detention for the last eight months. Without relief from this Court, he faces continued unlawful detention and separation from his family and community.

72. Petitioner further highlights that the immigration court system has seemingly been transformed into a body that is incapable of upholding Petitioner's statutory and constitutional rights

73. A bond hearing by an IJ is not the most appropriate or efficient use of this Court's equitable authority or this Court's limited resources, as outlined herein. Recent actions by ICE attorneys and IJs during and after habeas court-ordered bond hearings have necessitated enforcement proceedings across the country, creating significant extra work for the court and the parties, all while Petitioners' unlawful detention continues.

74. In the last year, ICE has frequently appealed the IJ's grant of bond to the BIA and invoked the "automatic stay" regulation, 8 C.F.R. § 1003.19(i)(2). This stay, which keeps the petitioner detained despite an IJ bond grant, was rarely invoked in prior years but has now become common.

75. Additionally, as of September 26, 2025, the current administration terminated 128 IJs.[2] Former New York IJ David K.S. Kim explained the targeting criteria: "I do not know the exact reason for

[2] Trump Administration Continues Firing Immigration Judges -- IFPTE responds, IFPTE (Sept. 26, 2025), https://www.ifpte.org/news/trump-administration-continues-firing-immigration-judges-ifpte-respondsnbsp

my termination, but most of those dismissed, including myself, were judges with high asylum approval rates."[3] The firings and pressure to deny cases have created a pervasive climate of fear designed to ensure compliance.[4] There is also a common theme involving the inevitable compromise of judicial independence when self-preservation requires favoring the government.[5]

76. To replace fired judges, the Department of Justice launched recruitment for what it explicitly marketed as "deportation judges." DHS—a party in immigration proceedings before EOIR—promoted these openings on social media with enforcement-focused language: "Bring the hammer down on criminal illegal aliens" and "Defend your communities, your culture, your very way of life."[6] The DOJ has authorized up to 600 military lawyers to serve as temporary IJ for a renewable term not to exceed six months, while simultaneously eliminating requirements to serve as a temporary IJ.[7] Corey Lewandowski, an adviser to the DHS Secretary, responded to the announcement by posting: "I see more deportations of illegal immigrants in the near future"[8]—

---

[3] Woo-Sun Lim, Former judge highlights legal failures in U S. worker detentions, The Dong-A Ilbo (Sept. 20, 2025), https://www donga com/en/article/all/20250920/5859412/1.

[4] Former IJ David C. Koelsch described it as "an atmosphere of paranoia and fear, which is exactly what they want." Marco Poggio, Judges See an Immigration Court Gutted from Inside, Law360 (Oct. 31, 2025), https://www.law360.com/articles/2381003/judges-see-an-immigration-court-gutted-from-inside. Former Annandale IJ Anam Petit observed. "There's a climate of fear . . . Judges feel like, if they step a toe out of line right now . . . or they're one [asylum] grant away from being fired because of the arbitrary nature of the firings." Eric Katz, 'Climate of Fear': Immigration Judges Say Functioning of Their Court System Is in Jeopardy Due to Trump's Firings, Gov't Executive (Nov. 14, 2025), https://www.govexec.com/management/2025/11/climate-fear-immigration-judges-say-functioning-their-court-system-jeopardy-due-trumps-firings/409544/. Former New York IJ Carmen Maria Rey Caldas similarly described judges working "under 'constant threat' of getting fired if they don't follow certain rules from leadership " Isabela Dias, "Fired for No Reason": Former Immigration Judges Speak Out Against Trump's Assault on the Courts, Mother Jones (Oct 9, 2025), https://www.motherjones com/politics/2025/10/immigration-court-judge-trump-assault-purge-dhs-ice/.

[5] Former San Francisco IJ Elizabeth Young explained· "I've talked to many of [the judges still serving], and they're like, 'When I go into court, I am concerned about applying the law, but I'm also concerned that I should deny more, because if I don't, then I'll get fired." Marco Poggio, Judges See an Immigration Court Gutted from Inside, Law360 (Oct 31, 2025), https://www.law360.com/articles/2381003/judges-see-an-immigration-court-gutted-from-inside Former Boston IJ Sarah Cade reached her breaking point "I felt I might have to compromise my ethics and might be put in a place where I felt like I was going to be asked to violate due process. So I left and I went to private practice." *Id.*

[6] dhsgov, Instagram (Nov 21, 2025), https //www instagram com/p/DRVT8DmCQKD/?hl=en.

[7] Designation of Temporary Immigration Judges, 90 Fed. Reg 41,883 (Aug 28, 2025).

[8] Corey R Lewandowski (@CLewandowski_), X (Sept 2, 2025, 1.47 PM), https //x com/clewandowski_/status/1962950546652070269

an explicit acknowledgement of the mass deportation policy objective underlying these appointments and the erosion of institutional boundaries between DOJ and DHS. In December, news outlets reported that a U.S. army lawyer who was detailed as an IJ was fired just one month into his new role, likely for granting more than half of the cases on which he ruled.[9] News outlets have reported that the IJs hired to fill the gaps from those fired in 2025 were explicitly trained to grant cases "only in rare circumstances," instead of being instructed in immigration law and encouraged to use their training and judicial discretion.[10]

77. These sentiments are echoed in the included affidavit from former IJ Lawrence O. Burman. *See Ex 6 (Affidavit of IJ Burman).*("Although immigration judges are expected to act as neutral adjudicators, I have noticed increasing concern among members of the bench about institutional intimidation and the perception that decisions unfavorable to the government could negatively affect judicial tenure. I am concerned that the notable rise in bond denials and adverse case outcomes undermines due process and erodes confidence in the Immigration Court system.").

78. Considering the current climate within the immigration courts, no adjudicator can remain impartial when faced with the choice between upholding due process and keeping their position. Any IJ assigned to Petitioner's bond hearing now operates under the understanding that granting bond may cost them their livelihood.

---

[9] Associated Press, *US Army Lawyer Fired as Immigration Judge After Defying Trump Deportation Agenda,* The Guardian, (Dec. 19, 2025, 1:58 PM), https://www.theguardian.com/us-news/2025/dec/19/army-lawyer-fired-immigration-trump-deportation.

[10] Celine Castronuovo, *Trump Immigration Judges Pushed to Deny Asylum in Swift Training,* U S L. Wk. (Feb 4, 2026, 9.45 AM), https://news.bloomberglaw.com/us-law-week/trump-immigration-judges-pushed-to-deny-asylum-in-swift-training

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CLAIMS FOR RELIEF

COUNT 1

Violation of the INA

79. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

80. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

81. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates the INA.

COUNT 2

Violation of Due Process

82. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

83. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraining—lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

84. Petitioner has a fundamental interest in liberty and being free from official restraint.

85. The government's detention of Petitioner without a fundamentally fair bond redetermination hearing to explain how he now constitutes a danger to society or a flight risk, compared to the 2023 explicit determination to the contrary, is a violation of his right to due process.

COUNT 3

Violation of the APA

86. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

87. The APA provides that a "reviewing court shall . . . hold unlawful and set aside agency action found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

88. Respondent's denial of Petitioner's custody redetermination request was arbitrary and capricious, and the explanation given for its decision runs counter to the evidence before the agency. Specifically, in 2023, weeks after Petitioner's arrest, Respondents released Petitioner on bond therein finding him to not be a danger to the community or a flight risk. Yet in 2025 and 2026, Respondents denied Petitioner's request for bond finding him to now be a danger due to that same exact criminal history, despite proof of rehabilitation and no subsequent offenses

89. Respondents' continued detention of Petitioner despite no change in circumstances from his 2023 release on bond is thus arbitrary, capricious, and an abuse of discretion and therefore violates the APA.

PRAYER FOR RELIEF

The "equitable and flexible nature of habeas relief" affords district courts significant discretion over the appropriate remedies for violations of law and the Constitution. *Velasco Lopez v. Decker*, 978 F.3d 842, 855 (2d Cir. 2020); *see also Schlup v. Delo*, 513 U.S. 298, 319 (1995) ("[H]abeas corpus is, at

its core, an equitable remedy."). This Court should order a remedy that fully addresses the statutory and constitutional violations in this case and is efficient to administer. *Carafas v LaVallee*, 391 U.S. 234, 238 (1968) ("[The habeas statute] does not limit the relief that may be granted to discharge of the applicant from physical custody. Its mandate is broad with respect to the relief that may be granted[.]"). Here, because ordering a 1226(a) bond hearing before EOIR—an adjudicatory body that is no longer unbiased—would not properly redress the statutory and constitutional violations present in this matter.

WHEREFORE, Petitioner prays that this court grant the following relief:

a. Assume jurisdiction over this matter;

b. Order that Petitioner shall not be transferred outside the Southern District of California while this habeas petition is pending;

c. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;

d. Declare that Petitioner's detention is unlawful;

e. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner under the same conditions of release to which he was subject prior to his recent re-detention;

f. In the alternative, Petitioner requests a custody hearing before this Court. The habeas court can hold its own custody hearing and determine whether the government can prove by clear and convincing evidence that Petitioner must remain in custody, or whether he may be released on recognizance.[11]

---

[11] *See e g L.G M v LaRocco*, 788 F Supp.3d 401, 405-07 (E D.N Y 2025) (ordering a bond hearing held by the habeas court, as this would be more efficient than delegating the task to the agency and ensure proper constitutional oversight); *Flores-Powell v Chadbourne*, 677 F Supp 2d 474-78 (D Mass 2010) (granting petition and discussing at length habeas court's equitable power, which includes power to hold its own bail hearing), *see also Santos v Lowe*, No. 1 18-CV-1553, 2020 WL 4530728, at *4 (M.D Pa Aug 6, 2020) (finding that habeas court-ordered bond hearing was not individualized and did not comport with due process, and granting motion to enforce to hold the court's own bond determination); *Ramirez v Watkins*, No. 10-cv-126, 2010 WL 6269226, at *19-20 (S D. Tex. Nov. 3, 2010), rep and rec not reached, (S D. Tex. Dec. 8, 2010) (dismissing case as moot) (recommending the habeas court conduct its own bail inquiry, as it would be more efficient, ensure supervision over any compliance issues, and avoid further proceedings).

g. At a minimum, the Court should order that Petitioner be provided a 1226(a) bond hearing, *but with additional safeguards*. Specifically, the Court should order:

a. A bond hearing where the government shall bear the burden of establishing by clear and convincing evidence that Petitioner's circumstances have changed since his 2023 release on bond, such that he now poses a danger or flight risk; this protection is necessary to "[reflect] the concern that '[b]ecause the alien's potential loss of liberty is so severe . . . he should not have to share the risk of error equally.'" *See Lopez-Arevelo v Ripa*, 801 F. Supp 3d 668, 688 (W.D. Tex. 2025).[12]

b. Provide that the habeas court shall retain jurisdiction to review the IJ bond decision to ensure compliance with the court's order and due process.

c. Prohibit ICE from invoking the automatic stay provisions under 8 C.F.R. § 1003.19(i)(2) because its application violates the procedural due process rights of noncitizens granted bond. *See Gutierrez v Thompson*, No. 4:25-cv-4695, 2025 WL 3187521, at *8 (S.D. Tex. Nov. 14, 2025); *see also Maldonado v Olson*, 2025 WL 2374411 (D. Minn. Aug. 15, 2025).

h. Order Respondents to return all of Petitioner's property to him upon release, including any government-issued identification cards like his Employment Authorization Card;

i. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

j. Grant any other and further relief that this Court deems just and proper.

---

[12] The *Lopez Arevelo* Court also noted that "as of 2020, the 'vast majority'—an 'overwhelming consensus'—of courts granting immigration detainees' habeas petitions have placed the burden on the Government to prove by clear and convincing evidence that the detainee poses a danger or flight risk; *Velasco Lopez*, 978 F.3d at 855 n.14 (citations omitted))

1 Respectfully submitted,
2
/s/ *Roger Tavira*
3 Roger Tavira
Lead Counsel for Petitioner
4 Tavira Law Firm, PLLC
5 550 Westcott St. Suite 300
Houston, Texas 77007
6 roger tavira@gmail.com
P: 972-261-4116
7
8
Dated. April 07, 2026
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Ulises Monroy Martinez, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 7th day of April, 2026.

s/*Roger Tavira*
Roger Tavira

Certificate of Service

I hereby certify that on April 7th, 2026, I filed the foregoing petition for Writ of Habeas Corpus electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

Dated this 7th day of April, 2026.

s/*Roger Tavira*
Roger Tavira

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT

Exhibit 1 Bond Grant from June 2023.

Exhibit 2 Order on Motion to Dismiss

Exhibit 3 2025 Bond Denial

Exhibit 4 2026 Bond Denial

Exhibit 5 Harris County Criminal Dismissals

Exhibit 6 Affidavit of IJ Burman