

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA


<u>JULIO ARQUIMEDES MOLINA FLORES,</u>	)	
<i>Petitioner,</i>	)	Civ. No. <b><u>'26CV2392 LL JLB</u></b>
	)	
<i>-against-</i>	)	EMERGENCY PETITION
	)	FOR WRIT OF HABEAS
CHRISTOPHER J. LAROSE, Warden, Otay	)	CORPUS AND
Mesa Detention Center; TODD LYONS, Acting	)	DECLARATIVE AND
Director, U.S. Immigration and Customs	)	INJUNCTIVE RELIEF
Enforcement; MARK WAYNE MULLIN,	)	
Acting U.S. Secretary of Homeland Security;	)	
TODD BLANCHE, Acting U.S. Attorney General,	)	
<u><i>Respondents.</i></u>	)	

PETITION FOR A WRIT OF HABEAS CORPUS  
PURSUANT TO 28 U.S.C. § 2241

Petitioner respectfully petitions the Court for a writ of habeas corpus to remedy

Petitioner’s unlawful detention by Respondents, as follows:

INTRODUCTION

1. Petitioner JULIO ARQUIMEDES MOLINA FLORES (“Mr. Molina”), a citizen and national of El Salvador whose Department of Homeland Security (“DHS”) file number is A , challenges his unlawful detention by Respondents at Otay Mesa Detention Center, located at 7488 Calzada De La Fuente, San Diego, California. Mr. Molina has no criminal history. He is not a flight risk or a danger to society. Mr. Molina is the beneficiary of an approved Form I-130 Petition for Alien Relative submitted on his behalf by his U.S. citizen wife, and Form I-601A Application for Provisional Unlawful Presence Waiver has been pending at U.S. Citizenship and Immigration Services (“USCIS”) since September 5, 2025. He was ordered

removed from the United States on January 3, 2006 and his motion to reopen his removal proceedings has been pending before the New York, New York Immigration Court since October 10, 2025.

2. Mr. Molina has now been in DHS detention in excess of six months. He seeks immediate release and an order enjoining Respondents from redetaining him during the pendency of his proceedings and from transferring him outside the jurisdiction of this Court.

#### PARTIES

3. JULIO ARQUIMEDES MOLINA FLORES is a 55-year-old citizen and national of El Salvador who has lived in the United States since 2005, almost entirely in the New York City area. He is married to a U.S. citizen. At the time of his arrest by DHS, Mr. Molina had an approved marriage-based Petition for Alien Relative and a pending Application for Waiver of Inadmissibility. His motion to reopen his removal proceedings has been pending in the New York, New York Immigration Court since October 10, 2026. He has been detained by Respondents for more than six months.

4. CHRISTOPHER J. LAROSE is named in his official capacity as Warden of the Otay Mesa Detention Facility in San Diego, California. In this capacity, LaRose is Mr. Molina's immediate custodian.

5. TODD LYONS is named in his official capacity as Acting Director of ICE. In this capacity he is responsible for the administration and management of ICE ERO in California. As a result, he routinely conducts business in the Southern District of California. Lyons supervises respondent Christopher J. LaRose, and exercises control over Mr. Molina's custody. He is therefore a legal custodian of Mr. Molina.

6. MARKWAYNE MULLIN is named in his official capacity as U.S. Acting Secretary of Homeland Security. In this capacity, Mullin is responsible for the administration of federal immigration law pursuant to 8 U.S.C. § 1103(a). In this capacity he routinely conducts business in the Southern District of California. He is legally responsible for pursuing Mr. Molina's detention and removal. He is therefore a legal custodian of Mr. Molina.

7. TODD BLANCHE is named in his official capacity as U.S. Acting Attorney General. Blanche is the most senior official in the U.S. Department of Justice and as such has the authority to interpret the immigration laws and adjudicate removal cases. The Attorney General delegates this responsibility to the Executive Office for Immigration Review ("EOIR"), which administers the immigration courts and the Board of Immigration Appeals ("BIA"). In this capacity, he routinely conducts business in the Southern District of California. Blanche is legally responsible for pursuing Mr. Molina's detention and removal.

#### JURISDICTION AND VENUE

8. This action arises under the Fifth and Fourteenth Amendments to the United States Constitution.

9. This Court has subject matter jurisdiction under 28 U.S.C. § 2241, Art. I 9, cl. 2 of the United States Constitution, 28 U.S.C. § 1331, and 28 U.S.C. § 1361. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. 1651.

10. The United States has waived sovereign immunity for this action for declaratory and injunctive relief against its agencies' officers, who are sued in their official capacities. *See* 5 U.S.C. § 702.

11. Venue is proper in this District under 28 U.S.C. § 1391 because Mr. Molina is detained in this district.

#### EXHAUSTION OF ADMINISTRATIVE REMEDIES

12. There is no statutory requirement of exhaustion of administrative remedies where a noncitizen challenges the lawfulness of their detention. In any event, there is no administrative channel through which Mr. Molina may challenge the constitutionality of his detention.

#### STATEMENT OF FACTS

13. Mr. Molina entered the United States in 2005 and was ordered removed by a judge of the New York City Immigration Court on January 3, 2006. He has lived in the New York City area continuously since 2005.

14. On December 18, 2023 Mr. Molina married his longtime partner, Rosa Estela Claros Aparicio (“Ms. Claros”) in Hempstead, New York.

15. On March 26, 2024 Ms. Claros, a U.S. citizen, submitted a Petition for Alien Relative to USCIS on Mr. Molina’s behalf. USCIS approved the Petition on June 12, 2025.

16. On September 5, 2025 Mr. Molina submitted an Application for Provisional Waiver of Inadmissibility to USCIS, to facilitate his application for an immigrant visa based on Ms. Claros’s approved Petition.

17. On or about DHS Immigration and Customs Enforcement (“ICE”) arrested Mr. Molina on October 2, 2025 when he appeared for his scheduled biometrics appointment at the Hauppauge, New York office of USCIS. He was first detained at Delaney Hall Detention Facility in Newark, New Jersey and was transferred to Otay Mesa Detention Facility in San Diego,

California on or about October 6, 2025. Mr. Molina has been detained at Otay Mesa since that date.

18. On October 10, 2026 Mr. Molina, through his immigration attorney, filed a motion to reopen his removal proceedings in the New York City Immigration Court based on the approval of his marriage-based Petition for Alien Relative and the pendency of his waive application.

#### LEGAL FRAMEWORK

19. “The Due Process Clause applies to all persons within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). “Freedom from imprisonment — from government custody, detention, or other forms of physical restraint — lies at the heart of the liberty that Clause protects.” *Id.* at 690 (2001).

20. Due process requires “adequate procedural protections” to ensure that the government’s asserted justification for physical confinement “outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Id.* (internal quotation marks omitted). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention: to mitigate the risks of danger to the community and to prevent flight. *Id.*; *Demore v. Kim*, 538 U.S. 510, 528 (2003). Thus, to withstand constitutional scrutiny, the nature and duration of immigration detention must be reasonably related to those purposes. A restraint on liberty is only permissible if it serves a “legitimate nonpunitive objective.” *Kansas v. Hendricks*, 521 U.S. 346, 363 (1997). To determine whether immigration detention violates due process, courts apply the familiar *Mathews v. Eldridge* balancing test and weigh the private liberty interest at stake, the risk of erroneous deprivation, and the probable value of additional

safeguards, as well as the government's interest. 424 U.S. 319, 335 (1976). "The fundamental requirement of [procedural] due process is the opportunity to be heard at a meaningful time and in a meaningful manner." *Id.* At 333.

21. 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"). The 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").

22. Release is the customary remedy in habeas proceedings. See 28 U.S.C. § 2243 (the habeas court 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 such as this, where there is no administrative avenue for Mr. Molina to seek release from detention — and there is no administrative will to consider Mr. Molina's release — is release on recognizance without further conditions of release. *See Ambroladze v. Maldonado*, No. 26-CV-00474 (HG), 2026 WL 280182, at \*3 (E.D.N.Y. Feb. 3, 2026) (given that the typical remedy for unlawful detention is release, "the government's ongoing detention of Petitioner, in the face of yet another complete failure of process, entitles him to immediate release.")

22. Dozens of courts across the country have agreed. *See, e.g., Gil v. Warden, Otay Mesa Det. Ctr.*, No. 3:25-cv-03279, 2025 WL 3675153, at \*4 (S.D. Cal. Dec. 17, 2025) (ordering

immediate release); *Sekhon v. Warden of Golden State Annex Det. Facility*, No. 1:25-cv-1692, 2026 WL 74151, at \*4 (E.D. Cal. Jan. 9, 2026) (same); *Garcia Covarrubias v. Holston*, No. 2:25-cv-02445, 2026 WL 25970, at \*4 (D. Nev. Jan. 5, 2026) (same); *Munoz Materano v. Arteta*, 2025 WL 2630826, at \*20 (S.D.N.Y. Sept. 12, 2025) (same); *Chipantiza-Sisalema v. Francis*, 2025 WL 1927931, at \*4 (S.D.N.Y. July 13, 2025) (same); *Rueda Torres v. Francis*, No. 25-cv-8408, 2025 WL 3168759, at \*6 (S.D.N.Y. Nov. 13, 2025) (same); *Cifuentes v. Soto*, No. 25-cv-18029, 2025 WL 3771380, at \*4 (D.N.J. Dec. 31, 2025) (same); *Gonzalez Centeno v. Lowe*, No. 3:25-cv-2518, 2026 WL 94642, at \*4 (M.D. Pa. Jan. 13, 2026) (same); *Feisal O. v. Noem*, No. 26-cv-81, 2026 WL 92857, at \*3 (D. Minn. Jan. 13, 2026) (same); *Kenzhebaev v. Noem*, No. 1:25-cv-1786, 2025 WL 3737975, at \*9 (W.D. Mich. Dec. 29, 2025) (same); *Kobilov v. O'Neill*, No. 26-cv-0058, 2026 WL 73475, at \*3 (E.D. Pa. Jan. 8, 2026) (same, finding a bond hearing unnecessary where there was no indication petitioner was a danger or flight risk); *Ortega-Aguirre v. Noem*, No. 4:25-cv-04332, 2025 WL 3684697, at \*4; (S.D. Tex. Oct. 10, 2025) (same); *Bumbila Iza v. Arnott*, No. 6:25-cv-3392, 2026 WL 67152, at \*5 (W.D. Mo. Jan. 8, 2026) (same); see also *Mata Velasquez v. Kurzdorfer*, 794 F. Supp. 3d 128, 154 (W.D.N.Y. 2025) (ordering release and that petitioner could not be detained without a predeprivation hearing).

23. Release is the only appropriate remedy for the constitutional violations in this case, including the lack of pre-deprivation notice or individualized review before Mr. Molina's arrest, which cannot be remedied by a post-deprivation hearing. See *Alfaro Herrera v. Baltazar*, No. 1:25-cv-04014, 2026 WL 91470, at \*13 (D. Colo. Jan. 13, 2026) (given that petitioner had been previously released by ICE and holding a bond hearing would prolong his unlawful detention, "[r]espondents' violations of Petitioner's rights are best remedied by ordering

Petitioner's immediate release from immigration detention."); *Qasemi v. Francis*, No. 25-cv-10029, 2025 WL 3654098 at \*14, (S.D.N.Y. Dec. 17, 2025) (a bond hearing would not be an adequate remedy for the due process violations in petitioner's sudden arrest and detention); *Noyola v. Bondi*, --- F.Supp.3d ---, No. 1:26-CV-405-RP, 2026 WL 607266, at \*5 (W.D. Tex. Mar. 4, 2026) (same); *Crespo Tacuri v. Genalo*, No. 25-cv-06896, 2026 WL 35569, at \*7 (E.D.N.Y. Jan. 6, 2026) (finding that post-deprivation review cannot remedy the due process violation of detaining petitioner with no process or individualized assessment); *Moctezuma Macias 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); *see also Garrison G. v. Bondi*, No. 26-CV-172, 2026 WL 157677, at \*4 (D. Minn. Jan. 17, 2026) (finding that ICE's violation of the Fourth Amendment by entering petitioner's home without a warrant or consent alone also warranted immediate release).

24. A bond hearing by an immigration judge ("IJ") is not the most appropriate or efficient use of the Court's equitable authority. Recent actions by ICE attorneys and immigration judges 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 while petitioners' unlawful detention continues.

25. 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. Dozens of habeas courts have ruled that the automatic stay violates due

process and have ordered Respondents to allow a petitioner to post his bond. See, e.g., *Merchan-Pacheo v. Noem*, No. 1:25-cv-03860, 2026 WL 88526, at \*16 (D. Colo. Jan. 12, 2026) (finding automatic stay violates due process); *M.P.L. v. Arteta*, No. 25-cv-5307, 2025 WL 3288354, at \*7 (S.D.N.Y. Nov. 25, 2025) (same, noting that “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, and collecting cases at n.6); see also *Garvey v. Noem*, No. 6:26-CV-3109-MDH, 2026 WL 612302, at \*3 (W.D. Mo. Mar. 4, 2026) (granting TRO and ordering immediate release given the “blatant absence of procedural due process” in ICE’s use of automatic stay); *Otilio B.F. v. Andrews*, No. 1:25-cv-01398, 2025 WL 3152480, at \*11 (E.D. Cal. Nov. 11, 2025) (finding the automatic stay likely violates due process and granting preliminary injunction); *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).

26. 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 *Menjivar Sanchez v. Wofford*, No. 1:25-CV-01187, 2025 WL 3089712, at \*9 (E.D. Cal. Nov. 5, 2025) (same, (ordering ICE to remove ankle monitor it imposed after habeas court had ordered immediate release in preliminary injunction context); *Gonzalez Centeno v. Lowe*, No. 3:25-cv-2518, 2026 WL 196513, at \*2 (M.D. Pa. Jan. 26, 2026) (same, noting “the government continues to provide unsupported or even Kafkaesque arguments to justify DHS’s noncompliance with court orders”); *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); *Montes Aguillon v. Bondi*, No. EP-26-CV-71-KC, 2026 WL 531899, at \*2 (W.D. Tex. Feb. 25, 2026) (same, and collecting cases); *Batz Barreno v. Baltasar*, --- F.Supp.3d. ---, No. 25-CV-03017, 2026 WL 120253, at \*3 (D. Colo. Jan. 15, 2026) (same, noting that removal of the ankle monitor was required by “[f]undamental fairness and compliance with the rule of law” and the general notion of “fairness and fairplay”); *Orellana Juarez v. Moniz*, 788 F. Supp. 3d 61, 70 (D. Mass. 2025) (same, finding this presented a “real constitutional risk” and defeated the purpose of neutral third-party review of custody).

27. Hundreds of other cases have involved Respondents' outright refusal, inability, or failure to hold a timely bond hearing after being ordered to do so. *See Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2026 WL 468284, at \*4 (C.D. Cal. Feb. 18, 2026) (granting motion to enforce class-wide declaratory judgment that thousands of noncitizens are eligible for bond, noting that “Respondents' noncompliance with the Final Judgment has taken a toll on wrongfully detained noncitizens, courts, and government and Petitioners' attorneys,” and noting over 400 individual habeas petitions that were granted for individuals who should have benefited from class membership); *Rodriguez Vazquez v. Hermosillo*, No. 3:25-CV-05240-TMC, 2026 WL 102461, at \*1 (W.D. Wash. Jan. 14, 2026) (granting in part motion for further relief in similar class action concerning a single ICE facility and noting that “more than 100 unlawfully detained noncitizens—left with no other recourse due to Defendants' noncompliance”—had to file habeas petitions to access the bond hearings the court had already ordered for the class); *Juan T.R. v. Noem*, No. 26-CV-0107 (PJS/DLM), 2026 WL 555601, at \*1 (D. Minn. Feb. 26, 2026) (habeas court attaching appendices cataloging 210 court orders the Department of Justice had

violated in 143 habeas cases, which included over 15 instances of failing to provide a court ordered bond hearing); *Kumar v. Soto*, No. 26-cv-777, Dkt. No. 21. (D.N.J. Feb. 13, 2026) (filing from the New Jersey U.S. Attorney's Office admitting to violating 56 orders in habeas cases, including holding bond hearings in the required time period, and failing to file 16 required status updates); *Fernandez Alvarez v. Noem*, No. 2:26-CV-00313-SPC-DNF, 2026 WL 598614, at \*1 (M.D. Fla. Mar. 4, 2026) (ordering immediate release after immigration judge found petitioner was detained under 8 U.S.C. 1225(b)(2) and ineligible for bond even after habeas court had explicitly ordered otherwise); *Cartagena Hueso v. Soto*, No. 26-cv-1455 (ZNQ), 2026 WL 539271, at \*3 (D.N.J. Feb. 26, 2026) (granting immediate release after Respondents failed to comply with two court orders to hold a bond hearing within 10 days and to prevent petitioner's transfer out of state).

28. In some cases, IJs have failed to conduct a neutral, individualized bond hearing or to place the burden of proof as ordered by the habeas court. *See Ulloa Bueno v. Soto*, No. 26-CV-896, 2026 WL 509102, at \*2 (D.N.J. Feb. 24, 2026) (granting immediate release after immigration judges twice failed to conduct a neutral bond hearing with the burden on DHS: "Continued detention in the face of repeated noncompliance with explicit judicial directives constitutes an ongoing deprivation of liberty without constitutionally sufficient process."); *Pedroso de Oliveira v. Freden*, No. 6:25-CV-6663 2025 WL 3554686, at \*1 (W.D.N.Y. Dec. 11, 2025) (granting motion to enforce where "the IJ wholly failed to follow the Court's directions to require Respondents to bear the clear and convincing evidence burden of proof at the bond hearing, nor did the IJ even attempt to consider alternatives to detention"); *Mathon v. Searls*, 623 F. Supp. 3d 203, 208 (W.D.N.Y. 2022) (granting motion to enforce and ordering immediate release after the IJ did not hold DHS to his habeas court-ordered burden of proof or properly

consider alternatives to detention, and thus “failed to provide him with the bond hearing to which he was constitutionally entitled”); *Akhmedov v. Pittman*, No. CV 25-13734 (MCA), 2026 WL 323404, at \*4 (D.N.J. Feb. 6, 2026) (ordering second bond hearing because at the first court-ordered hearing, the IJ did not clearly put the burden of proof on DHS as the habeas court had required); *A.D. v. Oddo*, 3:25-cv-460-SLH-MPK, Dkt. No. 40 (W.D.P.A. Feb. 12, 2026) (granting motion to enforce and ordering immediate release where IJ did not provide correct interpreter, then incorrectly called the petitioner “evasive” in denying bond); *Said v. Noem*, 3:25-cv-938-MOC (W.D.N.C, Feb. 4, 2026) (granting TRO where immigration judge’s refusal to consider testimony and declarations, or let petitioner defend himself against unauthenticated assertion he had not complied with a prior condition of release, likely violated due process).

29. These failures include immigration judges denying bond in numerous cases without explanation or based on generic factors common to millions of people, such as merely being undocumented or having had any criminal contact, regardless of severity or proof of guilt. *See, e.g., Aguilon Fuentes v. Bondi*, No 1:26-cv-167-AJT-WEF (E.D.V.A. Feb. 24, 2026) (granting motion to enforce after immigration judge denied bond based on “flight risk” factors that were “so lacking in probative value” that they violated due process and would result in denying bond to most undocumented persons); *Lozhkina v. Noem*, 6:26-cv-3001-MDH (W.D.Mo. Feb. 10, 2026) (granting motion to enforce where immigration judge’s denial of bond based on flight risk lacked any record support and had “indications of predetermined outcome based on disagreement over [habeas court’s] previous order”); *Picado v. Hyde*, 26-cv-65-JJM-PAS (D.R.I. Feb. 9, 2026) (granting immediate release where Picado had “two bond hearings that two separate judges have found to be deficient,” including an immigration judge finding that an

uncorroborated police report that Picado was speeding constituted clear and convincing evidence he was a danger to the community); *Santos v. Lowe*, No. 1:18-cv-1553, No. 2020 WL 4530728, at \*3 (M.D. Pa. Aug. 6, 2020) (after court-ordered bond hearing for § 1226(c) prolonged detention claim, finding that “[m]echanistic reliance on factors that are common to all 1226(c) detainees will not suffice”); *Luciano-Jimenez v. Doll*, 543 F. Supp. 3d 69, 72 (M.D. Pa. 2021) (finding court-ordered bond hearing was not individualized and granting federal court hearing); *see also Chi Thom Ngo v. I.N.S.*, 192 F.3d 390, 398 (3d Cir. 1999) (“The fact that some aliens posed a risk of flight in the past does not mean that they will forever fall into that category. Similarly, presenting danger to the community at one point by committing crime does not place them forever beyond redemption. Measures must be taken to assess the risk of flight and danger to the community on a current basis”). To avoid a wasteful round of enforcement proceedings – or even two – while unlawful detention continues, this court should grant release or hold any bail hearing itself.

FIRST CLAIM FOR RELIEF  
Violation of Due Process

30. 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 restraint—lies at the heart of the liberty that the Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

31. Mr. Molina has been detained by Respondents for a period exceeding 180 days, the term after which civil immigration detention becomes presumptively unlawful. *Id.*

39. The three *Mathews* factors strongly favor Mr. Molina. At the time of his arrest in October 2025, Mr. Molina had been at liberty for 20 years. His private interest in remaining at liberty is therefore strong. The risk of erroneous deprivation is high, as Mr. Molina affirmatively applied to DHS for immigration benefits and was arrested when he presented himself to USCIS to give biometrics. These first two factors substantially outweigh the burden to the government posed by Mr. Molina's release, given that ICE was able to locate and apprehend Mr. Molina without incident in Long Island, New York where he has lived for the better part of the past 20 years.

PRAYER FOR RELIEF

WHEREFORE Mr. Molina requests that this Court:

- (1) Assume jurisdiction over this matter;
- (2) Enjoin his removal or transfer outside the jurisdiction of this Court and the United States pending adjudication of this Petition;
- (3) Declare his ongoing prolonged detention by Respondents to be a violation of due process;
- (4) Order his immediate release;
- (5) Award his costs and reasonable attorney fees; and
- (6) Order such other relief as this Court may deem just and proper.

Respectfully submitted,

Dated: Los Angeles, California  
April 9, 2026

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New York, New York  
April 9, 2026

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*Pro Hac Vice Admission Pending*

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

I submit this verification on behalf of Petitioner because I am Petitioner's attorney. I have discussed the events described in the Petition with Petitioner's spouse and with Petitioner's immigration counsel. On this basis, I hereby verify that the factual statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge and upon information and belief as set forth above.

Dated: New York, New York  
April 9, 2026

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