

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

PEDRO JIMENEZ-CEDILLO,

Petitioner,

v.

MARKWAYNE MULLIN, *in his official*  
*capacity* as Secretary, U.S. Department of  
Homeland Security;

TODD BLANCHE, *in his official capacity*  
as Acting Attorney General of the United  
States;

TODD M. LYONS, *in his official capacity*  
as Acting Director, Immigration and  
Customs Enforcement, U.S. Department of  
Homeland Security; and

VERNON LIGGINS, *in his official*  
*capacity* as Field Office Director of the  
Baltimore Field Office of Enforcement and  
Removal Operations, U.S. Immigrations  
and Customs Enforcement, U.S.  
Department of Homeland Security;

Respondents.

Case No. 1:26-cv-1561

PETITION FOR WRIT OF HABEAS CORPUS

A # 

**INTRODUCTION**

1. Petitioner Pedro Jimenez-Cedillo is a citizen of Mexico who has continuously resided in the United States since about 1999, when he entered at about 8 years old. He has been married to his U.S. citizen wife since March 2014.
2. On April 20, 2026, at about 8:45 a.m., as Petitioner was at a 7-Eleven store on Airport

Road in Salisbury, Maryland, Immigration and Customs Enforcement (ICE) officers arrested and detained him.

3. Per undersigned counsel's conversation with Petitioner's spouse on April 21, 2026, at about 8:30 p.m., Petitioner is currently detained at the ICE holding center at 31 Hopkins Plaza, 6th Floor, Baltimore, Maryland 21201.
4. Petitioner initially entered the United States at the southern border without inspection in about 1999.
5. On February 11, 2015, Petitioner pleaded guilty to solicitation of a minor or a law enforcement officer posing as a minor under Md. Code Ann., Crim Law 3-324, to engage in activities that would be unlawful under Md. Code Ann., Crim. Law 3-307.
6. Due to his conviction resulting in the loss of his Deferred Action for Childhood Arrivals (DACA) status, on June 22, 2015, Petitioner was placed in immigration proceedings and custody. After an initial bond request denial, and removal proceedings before the Baltimore, Maryland Immigration Court, Petitioner filed timely appeals to the Board of Immigration Appeals (Board) and the U.S. Court of Appeals for the Fourth Circuit, which resulted in three published decisions, *see Jimenez v. Sessions*, 885 F.3d 292 (4th Cir. 2018); *Matter of Jimenez-Cedillo*, 27 I&N Dec. 1 (BIA 2017); *Matter of Jimenez-Cedillo*, 27 I&N Dec. 782 (BIA 2020) (*Jimenez-Cedillo II*), ultimately resulting in his release from ICE custody.
7. On June 15, 2018, the immigration judge at the Baltimore Immigration Court ordered Petitioner's release from custody under a bond of \$17,500.00. Exhibit 1, Bond Order. The immigration judge's order to release Petitioner on bond evinces that the immigration court made the following findings: that Petitioner was not subject to mandatory detention under

- 8 U.S.C. § 1226(c); that Petitioner was not a danger to the community; and that Petitioner's flight risk was mitigated by the amount of bond set by the judge. *See* Exhibit 2, Petitioner's May 14, 2018 Motion for Bond; *see also* 8 C.F.R. § 1236.1(c)(8); *Matter of Guerra*, 24 I&N Dec. 37, 40-41 (BIA 2006).
8. Although the Department of Homeland Security reserved appeal on the order granting bond, the government ultimately did not appeal. *See* Exhibit 1. Petitioner's family paid the bond set by the judge, and Petitioner was released from ICE custody. Petitioner has not had any criminal convictions since his release from custody in 2018.
  9. Petitioner's immigration case is currently pending with the Baltimore Immigration Court, with a scheduled hearing for June 17, 2026, following a remand from the Board. Exhibit 3, Executive Office for Immigration Review Case Status.
  10. The government has not provided justification, much less made Petitioner aware of any change in circumstances, for Petitioner's re-detention on April 20, 2026. As such, the government's re-detention of Petitioner violates 8 U.S.C. § 1226(a)-(b).
  11. The BIA has issued a precedential decision that unlawfully reinterprets the Immigration and Nationality Act ("INA"), Title 8 of the United States Code. *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Prior to this decision, noncitizens who had lived in the United States for years and were apprehended by ICE in the interior of the country were detained pursuant to 8 U.S.C. § 1226(a) and eligible to seek bond hearings before Immigration Judges. In *Yajure Hurtado*, the BIA held that every noncitizen who entered the country without admission – no matter how many years ago – is categorically ineligible for bond under 8 U.S.C. § 1225(b)(2)(A). The government likely deems Petitioner to be subject to mandatory detention under § 1225(b)(2)(A).

12. Petitioner's detention pursuant to § 1225(b)(2)(A) violates the plain language of Title 8 of the U.S. Code and its implementing regulations. Petitioner, who has resided in the U.S. since about 1999 and was apprehended in the interior of the United States, is not an "applicant for admission" who is "seeking admission" under § 1225(b)(2)(A). Rather, Petitioner's detention is pursuant § 1226(a) and its implementing regulations, which allow for release on bond.
13. Petitioner requests that this Court order Respondents to immediately release Petitioner from custody under the immigration judge's June 15, 2018 bond order.

#### **CUSTODY**

14. Petitioner is currently in ICE custody at the ICE Holding Center in Baltimore, Maryland. He is therefore in "'custody' of [the DHS] within the meaning of the habeas corpus statute." *Jones v. Cunningham*, 371 U.S. 236, 243 (1963).

#### **JURISDICTION**

15. This court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), § 1331 (federal question), Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause), and the Immigration and Nationality Act, 8 U.S.C. § 1101 *et. seq.*
16. 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.*, the All Writs Act, 28 U.S.C. § 1651, and the Immigration and Nationality Act, 8 U.S.C. § 1252(e)(2).
17. Federal district courts have jurisdiction to hear habeas claims by non-citizens challenging both the lawfulness and the constitutionality of their detention. *See Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

#### **REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243**

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

19. Petitioner is “in custody” for the purpose of 8 U.S.C. § 2241 because Petitioner was arrested and detained by Respondents.

#### **VENUE**

20. Venue is properly before this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees or officers of the United States acting in their official capacity and because a substantial part of the events or omissions giving rise to the claim occurred in the District of Maryland. Petitioner is under the jurisdiction of ICE’s Baltimore, Maryland Field Office, and he is currently detained in Baltimore, Maryland at the ICE Holding Center.

#### **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

21. Administrative exhaustion is unnecessary as it would be futile as the administrative body has predetermined the issue before it. *See McCarthy v. Madigan*, 503 U.S. 140, 148 (1992); *see also Aguilar v. Lewis*, 50 F. Supp. 2d 539, 542–43 (E.D. Va. 1999).

22. Petitioner already requested a custody redetermination hearing in May 2018, and the immigration judge ordered his release on bond on June 16, 2018. Exhibit 1. The circumstances of his release have not changed since that time.

23. It would be futile for Petitioner to seek a second custody redetermination hearing before an immigration judge because of the BIA decision holding that anyone who has entered the U.S. without inspection is now considered an “applicant for admission” who is “seeking

admission” and therefore subject to mandatory detention under § 1225(b)(2)(A). *See Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025); *see also Zaragoza Mosqueda v. Noem*, 2025 WL 2591530, at \*7 (C.D. Cal. Sept. 8, 2025) (noting that BIA’s decision in *Yajure Hurtado* renders exhaustion futile).

24. Additionally, the agency does not have jurisdiction to review Petitioner’s claim of unlawful custody in violation of his due process rights, and it would therefore be futile for him to pursue administrative remedies. *Reno v. Amer.-Arab Anti-Discrim. Comm.*, 525 U.S. 471, 119 S.Ct. 936, 142 L.Ed.2d 940 (1999) (finding exhaustion to be a “futile exercise because the agency does not have jurisdiction to review” constitutional claims).

#### **PARTIES**

25. Petitioner is from Mexico and has resided in the U.S. since about 1999. He is detained in the ICE Holding Center in Baltimore, MD.
26. Respondent Markwayne Mullin is sued in his official capacity as Secretary of Homeland Security. As the head of the U.S. Department of Homeland Security, the agency tasked with enforcing immigration laws, Secretary Mullin is Petitioner’s ultimate legal custodian.
27. Respondent Todd Blanche is sued in his official capacity as the Acting Attorney General of the United States. As Acting Attorney General, he has authority over the Department of Justice and is charged with faithfully administering the immigration laws of the United States.
28. Respondent Todd M. Lyons is sued in his official capacity as Acting Director of ICE. As the Acting Director of ICE, Respondent Lyons is a legal custodian of Petitioner.
29. Respondent Vernon Liggins is sued in his official capacity as Field Office Director, Baltimore Field Office, Enforcement and Removal Operations, ICE. In his official

capacity, Respondent Liggins is the legal and physical custodian of Petitioner.

**LEGAL BACKGROUND AND ARGUMENT**

30. Title 8 of the United States Code prescribes different forms of detention for noncitizens in removal proceedings.
31. Individuals detained pursuant to 8 U.S.C. § 1226(a) are generally entitled to a bond hearing, unless they have been arrested, charged with, or convicted of certain crimes and are subject to mandatory detention. *See* §§ 1226(a), 1226(c) (listing grounds for mandatory detention); *see also* 8 C.F.R. §§ 1003.19(a) (immigration judges may review custody determinations made by DHS), 1236.1(d) (same).
32. Although the government may grant a noncitizen bond, 8 U.S.C. § 1226(b) provides the government with the discretion to cancel the noncitizen's bond so long as it can justify the cancellation with changed circumstances. *See Matter of Sugay*, 17 I&N Dec. 637, 640 (BIA 1981) (“where a previous bond determination has been made by an immigration judge, no change should be made by a District Director absent a change of circumstance.”); *see Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017) (citing *Sugay* and noting government counsel's representation that “DHS has incorporated [*Sugay*'s] holding into its practice, requiring a showing of changed circumstances both where the prior bond determination was made by an immigration judge and where the previous release decision was made by a DHS officer”), *aff'd sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137 (9th Cir. 2018); *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019) (enjoining the government, on due process grounds, from rearresting noncitizen previously released on bond “unless and until a hearing, with adequate notice, is held in Immigration Court” to determine whether there has been a material change in circumstances).

33. Title 8 also provides for mandatory detention of noncitizens subject to expedited removal under § 1225(b)(1) as well as other recent arrivals deemed to be “seeking admission” under § 1225(b)(2).
34. Title 8 authorizes detention of noncitizens who have received a final order of removal, including those in withholding-only proceedings. *See* § 1231(a)–(b).
35. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No. 104-208, Div. C, §§ 302-03, 110 Stat. 3009-546, 300-582 to 3009-583, 3009-585. Section 1226 was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025).
36. Following the enactment of the IIRIRA, the U.S. Department of Justice’s Executive Office of Immigration Review (“EOIR”) drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *See Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures*, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) (“[A]liens who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination”).
37. Thus, in the decades that followed, individuals who entered without inspection and were thereafter detained and placed in standard removal proceedings under § 1229a, were considered for release on bond and received bond hearings before an Immigration Judge, unless their criminal history rendered them ineligible.
38. For many years, long-term residents of the U.S. who entered without inspection and were

subsequently apprehended by ICE in the interior of the country had been detained pursuant to § 1226 and entitled to bond hearings before an Immigration Judge, unless barred from doing so due to their criminal history.

39. In July 2025, DHS changed its interpretation of the mandatory detention provisions of § 1225(b)(2)(A) and began asserting that all individuals who entered without inspection should be considered “seeking admission” and therefore subject to mandatory detention under § 1225(b)(2)(A).

40. On September 5, 2025, the BIA issued a precedential decision adopting this interpretation, departing from the statutory text, federal precedent, and existing regulations. *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025).

41. Respondents’ new legal interpretation is contrary to the statutory framework and its implementing regulations. For decades, Respondents had applied § 1226(a) to individuals like Petitioner.

42. Federal district court judges throughout the country have rejected Respondents’ new legal interpretation and instead consistently have found that § 1226, not § 1225(b)(2), authorizes detention of noncitizens who entered without inspection and were later apprehended in the interior of the country.

43. The statutory context and structure make clear that § 1226 applies to individuals who have not been admitted and entered without inspection. In 2025, Congress added new mandatory detention grounds to § 1226(c) that apply only to noncitizens who have not been admitted and have been charged, arrested or convicted of certain criminal activity. *See* The Laken Riley Act, Pub. L. No. 119-1, § 2, 139 Stat. 3, 3 (2025) (§ 1226(c)(1)(E)).

44. By specifically referencing inadmissibility for entry without inspection under § 1182(6)(A)

in the Laken Riley Act, Congress made clear that such individuals who have not been charged, arrested or convicted of the indicated criminal activity are otherwise covered by § 1226(a). Thus, § 1226 applies to noncitizens charged as inadmissible, including those present without admission or parole.

45. The Supreme Court has explained that § 1225(b) is concerned “primarily [with those] seeking entry,” and is generally imposed “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, 297, 2987 (2018). In contrast, § 1226 “authorizes the Government to detain certain aliens *already in the country* pending the outcome of removal proceedings.” *Id.* at 289 (emphases added).
46. Further, § 1225(b)(2) specifically applies only to those “seeking admission.” Noncitizens apprehended in the interior of the United States are not “seeking admission.”
47. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to Petitioner, who entered the U.S. more than 16 years before ICE initially arrested and detained him.
48. The U.S. District Court for the Central District of California certified a nationwide class defined as “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.” *See* ECF 82, at 15, in *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. Nov. 25, 2025). Petitioner meets the class definition.
49. On December 18, 2025, the *Maldonado Bautista* court entered a final judgment declaring

that members of the class “are detained under 8 U.S.C. § 1226(a) and are not subject to mandatory detention under § 1225(b)(2)” and that they are “entitled to consideration for release on bond by immigration officers and, if not released, a custody redetermination hearing before an immigration judge.” ECF 94, at 2, in *Maldonado Bautista*. Since Petitioner is a class member, he is not subject to mandatory detention under § 1225(b)(2).

50. On January 13, 2026, Chief Immigration Judge Teresa L. Riley issued nationwide guidance instructing all immigration judges that “*Maldonado Bautista* is not a nationwide injunction and does not purport to vacate, stay or enjoin *Yajure Hurtado*.” Exhibit 4, Email from Teresa L. Riley, January 13, 2026. Immigration judges have been instructed to follow the BIA’s decision in *Matter of Yajure Hurtado* as binding precedent.

#### **STATEMENT OF FACTS**

51. Petitioner is a citizen of Mexico.
52. Petitioner has resided in the U.S. since about 1999.
53. Petitioner was initially placed in immigration custody and removal proceedings on June 22, 2015.
54. The Baltimore Immigration Court ordered Petitioner’s release from immigration custody on June 15, 2018.
55. The government did not appeal the Immigration Court’s June 15, 2018 order authorizing his release from ICE custody under bond in the amount of \$17,500.
56. Petitioner has not had a change in circumstances since his 2018 release from custody that warrants his re-arrest and re-detention by ICE.
57. Petitioner was arrested by immigration authorities on April 20, 2026, in Salisbury, Maryland.

58. The government has not provided justification for re-detaining Petitioner.
59. Upon information and belief, Petitioner is detained at the ICE Holding Center in Baltimore, Maryland at the time of the filing of this petition.
60. Without relief from this Court, Petitioner faces continued illegal detention in spite of an existing valid order from the immigration court authorizing his release.

**COUNT I**  
**Violation of 8 U.S.C. § 1226(b)**  
**Unlawful Revocation of Immigration Judge Bond Order**

1. Petitioner incorporates by reference all preceding paragraphs.
2. Under 8 U.S.C. § 1226(b), revocation of an immigration judge's bond order during proceedings may only be accomplished by the immigration judge and not arbitrarily by ICE. The supporting regulations make clear that where an immigration judge has jurisdiction over the custody determination, it is the province of the Immigration Court to make a redetermination of custody, and then only upon a showing of materially changed circumstances. 8 C.F.R. §§ 1003.19(e), 1236.1(d).
3. On June 15, 2018, following a bond redetermination hearing Petitioner was ordered released pursuant to an immigration judge's bond order in the amount of \$17,500. DHS chose not to appeal that decision.
4. Board precedent in *Matter of Sugay*, emphasized that a noncitizen released on bond gains a substantial liberty interest that cannot be withdrawn arbitrarily, but only upon new evidence and through proper process. 17 I& N Dec. at 640. Here, ICE arrested Petitioner first, without moving for reconsideration before the immigration judge as required by regulation, and in doing so acted arbitrarily, capriciously, and illegally.
5. The immigration court and ICE have already determined that Petitioner's detention is

governed by § 1226, an Immigration Judge has already set bond, Petitioner has already posted that bond, and there is no indication that Petitioner's bond has been revoked under 8 U.S.C. § 1226(b).

6. Petitioner's continuing detention is therefore unlawful.

**COUNT II**  
**Violation of 8 U.S.C. § 1226(a)**  
**Unlawful Denial of Release on Bond**

7. Petitioner incorporates by reference all preceding paragraphs.
8. Petitioner may be detained, if at all, pursuant to 8 U.S.C. § 1226(a).
9. Under § 1226(a) and its associated regulations, Petitioner is entitled to a bond hearing. *See* 8 C.F.R. 236.1(d) & 1003.19(a)-(f).
10. Moreover, Petitioner is a *Maldonado-Bautista* class member and is entitled to a bond hearing.
11. Petitioner has not been, and will not be, provided with a bond hearing as required by law.
12. Petitioner's continuing detention is therefore unlawful.

**COUNT III**  
**Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1 and 1003.19**  
**Unlawful Denial of Release on Bond**

13. Petitioner incorporates by reference all preceding paragraphs.
14. In 1997, after Congress amended Title 8 of the U.S. Code through IIRIRA, EOIR and the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of "Apprehension, Custody, and Detention of [Noncitizens]," the agencies explained that noncitizens "who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination." 62 Fed. Reg. at 10323. The agencies

made clear that individuals who had entered without inspection were eligible for consideration for bond and bond hearings before Immigration Judges under § 1226 and its implementing regulations.

15. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

#### **COUNT IV**

##### **Violation of Fifth Amendment Right to Due Process (Substantive and Procedural)**

16. Petitioner incorporates by reference all preceding paragraphs.
17. The Fifth Amendment's Due Process Clause prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V.
18. The Supreme Court has repeatedly emphasized that the Constitution generally requires a hearing before the government deprives a person of liberty or property. *Zinermon v. Burch*, 494 U.S. 113, 127 (1990).
19. Under the *Mathews v. Eldridge*, 424 U.S. 319 (1976) framework, the balance of interests strongly favors Petitioner's release.
20. Petitioner's private interest in freedom from detention is profound. The interest in being free from physical detention is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004); *see also Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) ("Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.").
21. The risk of erroneous deprivation is exceptionally high.

22. The government's interest in detaining Petitioner without due process is minimal. Immigration detention is civil, not punitive, and may only be used to prevent danger to the community or ensure appearance at immigration proceedings. *See Zadvydas*, 533 U.S. at 690.
23. Furthermore, the "fiscal and administrative burdens" of providing Petitioner with a bond hearing are minimal, particularly when weighed against the significant liberty interests at stake. *See Mathews*, 424 U.S. at 334–35.
24. Petitioner's arbitrary detention violates Petitioner's right to substantive due process. Governmental detention violates substantive due process "unless the detention is ordered in a criminal proceeding with adequate procedural protections or, in certain special and narrow nonpunitive circumstances where a special justification . . . outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Quispe-Ardiles v. Noem*, No. 1:25-cv-01382-MSN-WEF, 2025 WL 2783800, at \*8 (E.D. Va. Sept. 30, 2025) (quoting *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001)).
25. Petitioner's continued detention likewise violates his right to procedural due process. Petitioner has invoked "the most elemental of liberty interests: "[t]he interest in being free from physical detention." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004).
26. Because Petitioner's continued detention violates his right to due process, he is entitled to immediate release.

#### **PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that this Court:

- (1) Assume jurisdiction over this matter;

- (2) Set this matter for expedited consideration;
- (3) Issue an Order to Show Cause ordering Respondents to show cause why his Petition should not be granted;
- (4) Declare that the Respondents unlawfully revoked the immigration judge's bond order and reinstate his release pursuant to that June 15, 2018 order;
- (5) Declare that no statute or regulation prohibits an Immigration Judge from holding a bond hearing for Petitioner, and that Petitioner is properly detained, if at all, under 8 U.S.C. § 1226(a);
- (6) Issue a Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from custody or provide him with a bond hearing pursuant to 8 U.S.C. § 1226(a) or the Due Process Clause within seven days; and
- (7) Grant him any further relief this Court deems just and proper.

**Certification Pursuant to Local Standing Order 2025-01**

I certify pursuant to Fed. R. Civ. P. 11, as follows: (1) Upon information and belief, based on undersigned counsel's conversation with Petitioner's spouse on April 21, 2026 at about 8:30 p.m., the Petitioner is presently detained in Maryland. ICE arrested Petitioner in Salisbury, Maryland, on April 20, 2026 and he was at the ICE Holding Center in Baltimore, Maryland as of April 21, 2026 at about 8:30 p.m.; (2) Emergency relief is necessary because Respondents unlawfully deem Petitioner as subject to mandatory detention; and (3) This Court has subject matter jurisdiction over the Petitioner pursuant to 28 U.S.C. § 2241, and no jurisdiction-stripping statute applies to prevent habeas corpus review of detention.

Respectfully Submitted,

Dated: April 22, 2026

/s/ Himedes V. Chicas  
HIMEDES V. CHICAS

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Attorney for the Petitioner

**EXHIBIT LIST**

- 1) Copy of Order from the Baltimore Immigration Court, releasing Petitioner on bond on June 15, 2018;
- 2) Copy of the Motion for Bond submitted to the Baltimore Immigration Court on May 14, 2018;
- 3) Copy of Executive Office for Immigration Review online case search, evidencing Petitioner's pending case for June 17, 2026; and
- 4) Screenshot of E-mail message sent from Chief Immigration Judge Teresa L. Riley to Assistant Chief Immigration Judges (ACIJs) to instruct all Immigration Judges to follow the BIA's decision in *Matter of Yajure Hurtado* as binding precedent, dated January 13, 2026.

**VERIFICATION**

I represent the Petitioner and submit this verification on his behalf. I affirm under penalty of perjury that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

Dated this 22nd day of April 2026.

/s/ Himedes V. Chicas  
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