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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

MONDRAGON ANDINO, Daniel,

Petitioner,

v.

JASON STREEVAL, Warden of STEWART
DETENTION CENTER, *in his official capacity*

Respondent.

Case No.

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

Agency number: A



INTRODUCTION

1
2 1. Petitioner Daniel Mondragon Andino (“Petitioner”) is in the physical custody of
3 Respondent at the Stewart Detention Center. He now faces unlawful detention because the
4 Department of Homeland Security (“DHS”) and the Executive Office of Immigration Review
5 (“EOIR”) will conclude that Petitioner is subject to mandatory detention.

6 2. Petitioner is charged with, inter alia, having entered the United States (“U.S.”)
7 without admission or inspection. *See* 8 U.S.C. § 1182(a)(6)(A)(i).

8 3. Based on this allegation in Petitioner’s removal proceedings, DHS will certainly
9 deny Petitioner’s release from immigration custody, consistent with a new DHS policy issued on
10 July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider
11 anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the U.S. without
12 admission or inspection—to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and
13 therefore ineligible to be released on bond.

14 4. Similarly, on September 5, 2025, the Board of Immigration Appeals (“BIA or
15 Board”) issued a precedent decision, binding on all immigration judges (“IJs”), holding that an IJ
16 has no authority to consider bond requests for any person who entered the U.S. without
17 admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). The Board
18 determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and
19 therefore ineligible to be released on bond.

20 5. Petitioner’s detention on this basis violates the plain language of the Immigration
21 and Nationality Act (“INA”). Section 1225(b)(2)(A) does not apply to individuals like Petitioner
22 who previously entered and are now residing in the U.S. Instead, such individuals are subject to a
23 different statute, § 1226(a), that allows for release on conditional parole or bond. That statute
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1 expressly applies to people who, like Petitioner, are charged as inadmissible for having entered
2 the U.S. without inspection.

3 6. Respondent's new legal interpretation is plainly contrary to the statutory
4 framework and contrary to decades of agency practice applying § 1226(a) to people like
5 Petitioner.

6 7. Moreover, on November 20, 2025, the district court granted partial summary
7 judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide
8 class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*,
9 No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov.
10 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado*
11 *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at
12 *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond
13 Eligible Class, incorporating and extending declaratory judgment from Order Granting
14 Petitioners' Motion for Partial Summary Judgment).

15 8. The declaratory judgment held that the Bond Denial Class members are detained
16 under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on bond under §
17 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11. The court then issued a final
18 judgment in favor of the class on December 18, 2025.

19 9. Nonetheless, the EOIR and its subagency, the Immigration Court and the DHS,
20 have blatantly refused to abide by the declaratory relief and have unlawfully ordered that class
21 members be denied the opportunity to be released on bond.

22 10. IJs have informed class members in bond hearings that they have been instructed
23 by "leadership" that the declaratory judgment in *Maldonado Bautista* is not controlling, even
24

1 with respect to class members, and that instead IJs remain bound to follow the agency's prior
2 decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

3 11. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be released
4 unless Respondent provides a bond hearing under § 1226(a) within seven (7) days.

5 JURISDICTION

6 12. Petitioner is in the physical custody of Respondent. Petitioner is detained at the
7 Stewart Detention Center located in Georgia.

8 13. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28
9 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States
10 Constitution (the Suspension Clause), because Petitioner is in Custody under the authority of the
11 United States and challenges the legality of that detention.

12 14. This Court retains the jurisdiction to review the legality of immigration detention
13 through the writ of habeas corpus. See *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018).

14 15. Sections 8 U.S.C. §1252(b)(9) and 8 U.S.C. §1252 (g) do not strip this Court of
15 jurisdiction. Petitioner does not challenge any final order of removal, nor does Petitioner
16 challenge a decision to commence proceedings, adjudicate a removal case, or execute a removal
17 order. Instead, Petitioner challenges the legality and duration of continued immigration
18 detention.

19 16. The Supreme Court has explained that §1252(b)(9) does not channel all
20 immigration-related claims into a petition for review and does not bar habeas challenges to
21 detention. *Jennings v. Rodriguez*, 138 S. Ct. 839 (2018). Likewise, §1252 (g) is narrowly limited
22 to three discrete actions and does not apply to challenges to the legality of detention. *Reno v.*
23 *American Arab Anti-Discrimination Comm*, 525 U.S. 471 (1999).

PARTIES

22. Petitioner DANIEL MONDRAGON ANDINO is a citizen of Honduras who has been in immigration detention since on or about January 16, 2026. Petitioner was detained and subsequently turned over into ICE custody, who did not set bond, and Petitioner is unable to obtain review of his custody by an IJ, pursuant to the Board's decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

23. Respondent JASON STREEVAL is employed by the CoreCivic, as Warden of the Stewart Detention Center where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

LEGAL FRAMEWORK

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

25. 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* 8 U.S.C. § 1226(c).

26. 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).

27. 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).

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

1 29. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the
2 Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No.
3 104–208, Div. C, §§ 302–03, 110 Stat. 3009–546, 3009–582 to 3009–583, 3009–585. Section
4 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119–1,
5 139 Stat. 3 (2025).

6 30. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining
7 that, in general, people who entered the country without inspection were not considered detained
8 under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited
9 Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings;
10 Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

11 31. Thus, in the decades that followed, most people who entered without inspection
12 and were placed in standard removal proceedings received bond hearings, unless their criminal
13 history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent
14 with many more decades of prior practice, in which noncitizens who were not deemed “arriving”
15 were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a)
16 (1994); *see also* H.R. Rep. No. 104–469, pt. 1, at 229 (1996) (noting that § 1226(a) simply
17 “restates” the detention authority previously found at § 1252(a)).

18 32. On July 8, 2025, ICE, “in coordination with” DOJ, announced a new policy that
19 rejected well-established understanding of the statutory framework and reversed decades of
20 practice.

21 33. The new policy, entitled “Interim Guidance Regarding Detention Authority for
22 Applicants for Admission,”¹ claims that all persons who entered the U.S. without inspection shall

23 _____
24 ¹ Available at <https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission>.

1 now be subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies
2 regardless of when a person is apprehended and affects those who have resided in the U.S. for
3 months, years, and even decades.

4 34. On September 5, 2025, the BIA adopted this same position in a published
5 decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the
6 U.S. without admission or parole are subject to detention under § 1225(b)(2)(A) and are
7 ineligible for IJ bond hearings.

8 35. Moreover, *Matter of Yajure Hurtado* has been vacated by a federal district court
9 and no longer valid precedent. On February 18, 2026, the United States District Court for the
10 Central District of California vacated the BIA's decision in *Matter of Yajure Hurtado* in its
11 entirety. *See Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d --
12 --, 2025 WL 3289861 (C.D. Cal. Feb. 18, 2026). The court held that the BIA's interpretation —
13 stripping Immigration Judges of authority to conduct bond hearings for noncitizens who entered
14 the United States without inspection—was contrary to law and departed from decades of
15 established agency practice. *Id.* The court further certified a nationwide class of “Bond
16 Eligible” individuals, defined as noncitizens who entered without inspection and are not
17 otherwise subject to mandatory detention under other statutory provisions, and extended
18 declaratory relief to all class members. *Id.* Petitioner falls squarely within the certified class: he
19 surrendered at the United States Border on or about July 22, 2021, has resided here continuously,
20 and has no disqualifying criminal conviction that would subject him to mandatory detention
21 under §1226(c). The vacatur of *Matter of Yajure Hurtado* restores the longstanding framework
22 under which Immigration Judges routinely exercised jurisdiction over bond proceedings for
23 individuals in Petitioner's circumstances and confirms that this Court retain full authority under
24

1 INA §236(a) to conduct a bond hearing and set a reasonable bond in Petitioner's case.
2 Notwithstanding the vacatur, Respondents have refused to abide by the declaratory relief and
3 continue to deny bond hearings to class members, including Petitioner, in direct contravention of
4 the court's order.

5 36. Since Respondent adopted these new policies, dozens of federal courts have
6 rejected their new interpretation of the INA's detention authorities. Courts have likewise rejected
7 *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE.

8 37. Even before ICE or the BIA introduced these nationwide policies, IJs in the
9 Tacoma, Washington, immigration court stopped providing bond hearings for persons who
10 entered the U.S. without inspection and who have since resided here. There, the United States
11 District Court in the Western District of Washington found that such a reading of the INA is
12 likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not
13 apprehended upon arrival to the U.S. *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D.
14 Wash. 2025).

15 38. Subsequently, court after court has adopted the same reading of the INA's
16 detention authorities and rejected ICE and EOIR's new interpretation. *See, e.g., Gomes v. Hyde*,
17 No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*,
18 No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025);
19 *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11,
20 2025), *report and recommendation adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL
21 2349133 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025
22 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE,
23 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-

1 ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-
 2 BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH),
 3 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-
 4 BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-
 5 02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-
 6 JE-KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051
 7 (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v.*
 8 *Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025);
 9 *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3,
 10 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D.
 11 Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D.
 12 Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass.
 13 Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2
 14 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court tends to agree” that § 1226(a) and not §
 15 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL
 16 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-
 17 RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same).

18 39. Courts have uniformly rejected DHS’s and EOIR’s new interpretation because it
 19 defies the INA. As the *Rodriguez Vazquez* court and others have explained, the plain text of the
 20 statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.

21 40. Section 1226(a) applies by default to all persons “pending a decision on whether
 22 the [noncitizen] is to be removed from the United States.” These removal hearings are held under
 23 § 1229a, to “decid[e] the inadmissibility or deportability of a[] [noncitizen].”
 24

1 41. The text of § 1226 also explicitly applies to people charged as being inadmissible,
2 including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph
3 (E)’s reference to such people makes clear that, by default, such people are afforded a bond
4 hearing under subsection (a). As the *Rodriguez Vazquez* court explained, “[w]hen Congress
5 creates ‘specific exceptions’ to a statute’s applicability, it ‘proves’ that absent those exceptions,
6 the statute generally applies.” *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove*
7 *Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also* *Gomes*, 2025
8 WL 1869299, at *7.

9 42. Section 1226 therefore leaves no doubt that it applies to people who face charges
10 of being inadmissible to the U.S., including those who are present without admission or parole.

11 43. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who
12 recently entered the U.S. The statute’s entire framework is premised on inspections at the border
13 of people who are “seeking admission” to the U.S. 8 U.S.C. § 1225(b)(2)(A). Indeed, the
14 Supreme Court has explained that this mandatory detention scheme applies “at the Nation’s
15 borders and ports of entry, where the Government must determine whether a[] [noncitizen]
16 seeking to enter the country is admissible.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

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

20 45. Finally, as mentioned above, on November 20, 2025, the district court granted
21 partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified
22 a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista*
23 *v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11
24

1 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-
2 Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d --
3 --, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners'
4 proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment
5 from Order Granting Petitioners' Motion for Partial Summary Judgment).

6 46. Despite this declaratory judgment holding that the Bond Denial Class members
7 are detained under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on
8 bond under § 1225(b)(2)(A), class members are being blatantly refused bond hearings across the
9 country. *Maldonado Bautista*, 2025 WL 3289861, at *11.

10 **FACTS**

11 47. Petitioner Daniel Mondragon Andino is a twenty-nine (29) year old national of
12 Honduras who surrendered at the U.S. Border and has resided in the United States since his sole
13 entry on or about July 22, 2021.

14 48. Petitioner has a documented history of cooperation with U.S. Law Enforcement.
15 On or about June 22, 2021, Petitioner surrendered at the U.S. Border with the mother of his
16 children and their two children. Petitioner has attended several immigration hearings and has a
17 pending I-589 (Asylum) application received by USCIS on or about April 7, 2025, over a year
18 before his detention.

19 49. Since Petitioner's sole entry into the U.S. he has developed substantial family and
20 community ties; He has three children, a nine (9) year old daughter, a six (6) year old son, both
21 whom are Honduran nationals, and a three (3) year old daughter who is a U.S. Citizen ("USC");
22 all whom depend on Petitioner financially. Petitioner also has a several relatives with legal status
23
24

1 in the United States, his grandmother, aunt, and two (2) brothers are United States Citizens
2 (“USCs”) and his mother is a lawful permanent resident (LPR).

3 50. On or about January 16, 2026, Petitioner was detained in connection with an
4 alleged shoplifting offense, posted bond for \$2,100 but was never released and was
5 TRANSFERRED to ICE Custody at FCI Atlanta. ICE later transferred Petitioner to Stewart. The
6 criminal case was then dismissed. Therefore, as there is no pending criminal case, he is not
7 subjected to mandatory detention under 8 U.S.C. § 1226(c)(1)(E) (Laken Riley Act).

8 51. DHS initiated removal proceedings before the Stewart Immigration Court.

9 52. ICE has charged Petitioner with, inter alia, being inadmissible under 8 U.S.C. §
10 1182(a)(6)(A)(i) as someone who entered the U.S. without inspection.

11 53. Petitioner’s next immigration court date, a Master Calendar hearing, is scheduled
12 for May 12,, 2026, at 10:00 a.m., before Judge Jerrica A. Harness at the Stewart Immigration
13 Court.

14 54. Pursuant to *Matter of Yajure Hurtado*, the IJ is jurisdictionally barred from
15 granting Petitioner a bond during at the conclusion of a custody redetermination hearing.
16 Additionally, despite being a member of the certified nationwide class pursuant to *Maldonado*
17 *Bautista v. Santacruz*, the EOIR and its subagency the Immigration Court and the DHS have
18 blatantly refused to abide by the declaratory relief for class members similarly situated to this
19 petitioner before the Atlanta Immigration Court and other Immigration Courts across the
20 country.

21 55. As a result, Petitioner remains in detention. Without relief from this court, he
22 faces the prospect of months, or even years, in immigration custody, separated from his family
23 and community.

CLAIMS FOR RELIEF

COUNT I

Violation of the INA

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

57. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the U.S. 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 U.S. prior to being apprehended and placed in removal proceedings by Respondent. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

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

COUNT II

Violation of the Bond Regulations

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

60. In 1997, after Congress amended the INA 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 “[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. at 10323 (emphasis added). The agencies thus made clear that individuals who had entered without

1 inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. §
2 1226 and its implementing regulations.

3 61. Nonetheless, pursuant to *Matter of Yajure Hurtado*, EOIR has a policy and
4 practice of applying § 1225(b)(2) to individuals like Petitioner.

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

7
8 **COUNT III**
Violation of Due Process

9 63. Petitioner repeats, re-alleges, and incorporates by reference each and every
10 allegation in the preceding paragraphs as if fully set forth herein.

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

15 65. Petitioner has a fundamental interest in liberty and being free from official
16 restraint.

17 66. The government’s detention of Petitioner without a bond redetermination hearing
18 to determine whether he is a flight risk or danger to others violates his right to due process.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Petitioner prays that this Court grant the following relief:

- 21 a. Assume jurisdiction over this matter;
22 b. Order that Petitioner shall not be transferred outside the Southern District of
23 Georgia while this habeas petition is pending;
24

- c. Issue an Order to Show Cause ordering Respondent to show cause why this Petition should not be granted within three (3) days;
- d. Issue a Writ of Habeas Corpus requiring that Respondent release Petitioner or, in the alternative, provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) within seven (7) days;
- e. Declare that Petitioner's detention is unlawful;
- f. 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
- g. Grant any other and further relief that this Court deems just and proper.

Dated: April 23, 2026

Respectfully submitted,

/s/ Matthew O. Boles

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Counsel for Petitioner

Verification

I declare under penalty of perjury that the facts set forth in the foregoing Verified Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

/s/ Matthew O. Boles

Date: April 23, 2026