

1
2 **Law Offices of Carlos R. Barrios & Assoc. a P.C.**
3 Carlos R. Barrios 249654
4 510 West 6th Street Suite 1210
5 Los Angeles, CA 90014
6 Tel.: (213) 599-8414
7 Fax.: (888) 255-9710

8 Attorneys for Petitioner,
9 **ALAN RAFAEL RIOS MENDOZA**

10
11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 **ALAN RAFAEL RIOS MENDOZA**
14 Petitioner,

Case No. '26CV2825 JLS AHG

15 v.

**VERIFIED PETITION FOR WRIT
OF HABEAS CORPUS**

16 **MARKWAYNE MULLIN,**
17 **Secretary, United States Department of**
18 **Homeland Security; RODNEY S.**
19 **SCOTT, Commissioner, United States**
20 **Customs and Border Protection;**
21 **GREGORY J. ARCHAMBEAULT, in**
22 **his official capacity as Acting Field**
23 **Office Director for San Diego, U.S.**
24 **Immigration and Customs Enforcement;**
25 **DOUG GLEN, Special Agent in Charge**
for San Diego, Homeland Security
Investigations, U.S. Immigration and
Customs Enforcement; JEREMY
CASEY, in his official capacity as
Warden of Imperial Regional Detention
Facility


Respondents.

///

///

///

1
2
3 **INTRODUCTION**

4 1. ALAN RAFAEL RIOS MENDOZA is a 36-year-old male imprisoned
5 by the federal government under color of the immigration laws under Alien
6 Registration number A#  He is a resident of Highland, San
7 Bernardino who was arrested on February 21, 2026, while Mr. Rios Mendoza was
8 driving back from a delivery in Arizona, and was stopped along the 10 freeway.
9 Mr. Rios Mendoza owns his own trucking shipping and delivery company named
10 Legacy Industries. He has owned this company for the past 5 years. Mr. Rios
11 Mendoza is fully licensed and insured for this type of company. He is in lawful
12 possession of a commercial driver's license. Mr. Rios Mendoza is engaged to a
13 United States citizen who is five months pregnant with their child. He is also the
14 father of five-year-old United States citizen son. Mr. Rios Mendoza is a Deferred
15 Action for late Childhood Arrivals (DACA) and has filed for renewal. Mr. Rios
16 Mendoza was not detained for any other unlawful activity.

17 Through this petition he seeks immediate release from his incarceration. His
18 continued imprisonment is unlawful because of the confluence of three separate
19 unlawful government practices: First, Respondents have held Mr. Rios Mendoza
20 virtually incommunicado. He was denied contact with the outside world for the
21 first seven days of his incarceration, including from family and counsel, and since
22 then has permitted him only one fifteen-minute phone call with his attorney.

23 Second, although Respondents have ostensibly held Mr. Rios Mendoza
24 under color of the immigration laws, they have incarcerated him since on or about
25 February 21, 2026.

1 Third, Mr. Rios Mendoza has been denied a bond due to a claimed lack of
2 jurisdiction by the Immigration Court.

3 2. Petitioner Mr. Rios Mendoza has lived in the United States since 1998
4 and was arrested by ICE on February 21, 2026, and placed in custody first at an
5 ICE processing center in the state of New York. He was then transferred across the
6 country and is now held at the Imperial ICE Processing Center in Calexico,
7 California. The Immigration Judges have denied bond jurisdiction, holding that
8 DHS classified individuals like Mr. Rios Mendoza under 8 U.S.C. § 1225(b)(2)(A)
9 as an “arriving alien[s]” subject to mandatory detention. This application of §
10 1225(b)(2)(A) to individuals like Petitioner—who were long-term residents
11 already present in the United States—is a new policy resulting from recent DHS
12 guidance and the BIA’s precedential decision in *Matter of Jonathan Javier Yajure*
13 *Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). Prior to *Yajure Hurtado*, individuals in
14 Petitioner’s position were eligible for bond hearings under § 1226(a). This
15 misclassification deprives him of a bond hearing in violation of three decades of
16 settled law, the Immigration and Nationality Act’s text and structure, and the Fifth
17 Amendment’s Due Process Clause. Multiple federal courts have already rejected
18 the government’s new policy as unlawful and ultra vires. *See Guerrero Orellana v.*
19 *Moniz*, No. 25-12664-PBS (D. Mass. Sept. 22, 2025) and *Mendoza Gutierrez v.*
20 *Baltasar*, No. 25-2720-RMR (D. Colo. Oct. 17, 2025). This Court should do the
21 same and restore Respondent’s right to a bond hearing under § 236(a).

22 Federal courts and the Supreme Court have long recognized that § 235(b)
23 governs “applicants for admission at the border or port of entry,” while § 236
24 applies to those “already present in the United States.” *Jennings v. Rodriguez*, 583
25 U.S. 281, 288 (2018).

1 The Massachusetts class petition in *Guerrero-Orellana* held that DHS’s new
2 practice of applying § 235(b) to interior arrests is “contrary to almost 30 years of
3 settled law and practice.” Similarly, *Mendoza Gutierrez* found that DHS lacks
4 statutory authority to classify such individuals as “arriving aliens” and ordered
5 release pending a bond hearing.

6 Mr. Rios Mendoza was arrested in the Bethpage area of New York—several
7 miles from any port of entry—and is plainly detained under § 236(a).

8 The BIA’s decision in *Matter of Yajure Hurtado* (2025) abruptly overturned
9 decades of interpretation without reasoned analysis, violating the Administrative
10 Procedure Act and *Encino Motorcars v. Navarro*, 579 U.S. 211 (2016). Under
11 *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), courts owe no
12 Chevron deference to such agency redefinitions.

13 The 1997 interim rule explicitly stated that EWIs “will be eligible for bond
14 and bond redetermination.” 62 Fed. Reg. 10,323 (Mar. 6, 1997). The BIA’s attempt
15 to read this history out of existence is entitled to no weight.

16 2. Under these unique circumstances, the Constitution requires his
17 immediate release from further imprisonment.

18 3. Petitioner challenges his detention as unlawful because:

19 (a) The application of § 1225(b)(2)(A) to his is ultra vires, inconsistent with
20 statutory text and longstanding regulatory practice;

21 (b) His continued detention without bond violates the Immigration and
22 Nationality Act (INA) and the Fifth Amendment’s Due Process Clause; and

23 (c) The new policy violates the Administrative Procedure Act because it was
24 adopted without notice-and-comment and in excess of statutory authority.

25 Petitioner respectfully requests an order:

1 (1) Declaring that § 1226(a), not § 1225(b)(2)(A), governs his detention; and
2 (2) Requiring that he receive a prompt individualized bond hearing before an
3 Immigration Judge where the Government bears the burden of proving flight risk
4 or danger by clear and convincing evidence.

5
6 **JURISDICTION AND VENUE**

7 This Court has jurisdiction under 28 U.S.C. § 2241, § 1331, and § 1651,
8 because Petitioner is “in custody in violation of the Constitution or laws or treaties
9 of the United States.” Venue lies in the Southern District of California under 28
10 U.S.C. § 1391(e) because Petitioner is detained at Imperial and the responsible ICE
11 officials reside in this district. This petition challenges only the legality of custody,
12 not any final order of removal, and is therefore not barred by 8 U.S.C. § 1252(a)(5)
13 or § 1252(b)(9). *See Jennings v. Rodriguez*, 583 U.S. 281 (2018); *Nielsen v. Preap*,
14 586 U.S. 392 (2019); *Crespin De Paz v. Noem*, No. 2:25-cv-06649, slip op. at 5
15 (C.D. Cal. Oct. 10, 2025).
16
17
18

19 **PARTIES**

20 Petitioner Mr. Rios Mendoza is a noncitizen currently detained by the U.S.
21 Department of Homeland Security (“DHS”) through U.S. Immigration and
22 Customs Enforcement (“ICE”) at the Imperial ICE Processing Center in Imperial,
23 California. Petitioner has resided in the United States for many years and is
24 seeking release from custody pending resolution of his immigration proceedings.
25

1 Respondent MARKWAYNE MULLIN is the Secretary of the United States
2 Department of Homeland Security (“DHS”). As Secretary, Respondent NOEM
3 exercises ultimate authority over DHS and its component agencies, including U.S.
4 Customs and Border Protection (“CBP”) and U.S. Immigration and Customs
5 Enforcement (“ICE”), and is responsible for the administration and enforcement of
6 the Immigration and Nationality Act (“INA”). He is sued in his official capacity.
7

8
9 Respondent RODNEY S. SCOTT is the Commissioner of U.S. Customs and
10 Border Protection (“CBP”), a component agency of DHS. In this capacity,
11 Respondent SCOTT is responsible for the policies, practices, and operations of
12 CBP, including the apprehension and initial processing of individuals alleged to be
13 inadmissible under the INA. He is sued in his official capacity.
14

15 Respondent GREGORY J. ARCHAMBEAULT, is the Field Office Director
16 for the San Diego Field Office of U.S. Immigration and Customs Enforcement
17 (“ICE”), a component agency of DHS. In this role, Respondent Archambault
18 exercises direct supervisory authority over ICE Enforcement and Removal
19 Operations (“ERO”) officers responsible for the detention, transfer, and release of
20 individuals within this District, including those held at the Imperial ICE Processing
21 Center. He is the immediate custodian of Petitioner and is sued in his official
22 capacity.
23
24
25

1 Respondent Doug Glen is the Special Agent in Charge for the San Diego
2 office of Homeland Security Investigations (“HSI”), a component division of ICE
3 within DHS. In this capacity, Respondent Wang oversees investigations and
4 enforcement operations in the San Diego area that lead to the apprehension and
5 referral of individuals to ERO for detention. He is sued in his official capacity.
6

7 Respondent, JEREMY CASEY, in his official capacity as Warden of
8 Imperial Regional Detention Facility. In this capacity Respondent Casey oversees
9 the Imperial Regional Detention Facility where Petitioner is currently housed. He
10 is sued in his official capacity.
11

12 Each Respondent is an officer or employee or agent or subcontractor of the
13 United States acting under color of federal law and within the scope of their
14 respective official duties. Collectively, Respondents have legal custody over
15 Petitioner and are responsible for the policies, practices, acts, and omissions giving
16 rise to this Petition.
17
18

19 **FACTUAL BACKGROUND**

20 Petitioner is a resident of Highland, San Bernardino who was arrested on
21 February 21, 2026, while Mr. Rios Mendoza was driving back from a delivery in
22 Arizona, and was stopped along the 10 freeway. Mr. Rios Mendoza owns his own
23 trucking shipping and delivery company named Legacy Industries. He has owned
24 this company for the past 5 years. Mr. Rios Mendoza is fully licensed and insured
25

1 for this type of company. He is in lawful possession of a commercial driver’s
2 license. Mr. Rios Mendoza is engaged to a United States citizen who is five
3 months pregnant with their child. He is also the father of five-year-old United
4 States citizen son. Mr. Rios Mendoza is a Deferred Action for late Childhood
5 Arrivals (DACA) and has filed for renewal. Mr. Rios Mendoza was not detained
6 for any other unlawful activity. DHS has issued a Notice to Appear charging
7 inadmissibility under § 212(a)(7)(A)(i)(I) (“present without admission”).
8
9

10 The Imperial Immigration Court has ruled that the Court lacks bond
11 jurisdiction, citing *Matter of Yajure Hurtado* and the DHS memorandum extending
12 § 1225(b)(2)(A) to “arriving aliens” already present in the U.S. The Immigration
13 Court has further ruled that is lacks jurisdiction in light of *Matter of Maldonado*
14 *Bautista v. Santacruz*, Case No. 5:25-cv-01873-SSS-BFM. As a result, Petitioner
15 has remained in custody without any opportunity for a bond determination, despite
16 strong family and community ties and no danger to the community.
17
18

19 LEGAL CLAIMS

20 **A. This Court Has Jurisdiction**

21 As held in *Crespin De Paz and Doe v. Garland*, 109 F.4th 1188 (9th Cir.
22 2024), a habeas petition seeking a bond hearing lies “within the core of habeas”
23 jurisdiction under § 2241. The claim is collateral to removal and not barred by §
24 1252(g) or § 1252(b)(9).
25

1 **B. Petitioner’s Detention Is Governed by § 1226(a), Not § 1225(b)(2)(A)**

2 The statutory structure and decades of agency practice distinguish § 1225(b)
3 (for “arriving” or “recently encountered” aliens at the border) from § 1226(a) (for
4 arrests inside the country).
5

6 Until 2025, DHS consistently treated long-term residents arrested inside the
7 U.S. as § 1226(a) detainees eligible for bond hearings. See 62 Fed. Reg. 10312,
8 10323 (Mar. 6, 1997) (“aliens present without admission ... will be eligible for
9 bond”). The new DHS policy, endorsed in *Yajure Hurtado*, reverses nearly 30
10 years of practice without statutory amendment or rulemaking.
11

12 Courts addressing this precise issue in 2025 have overwhelmingly rejected
13 DHS’s position. See *Rodriguez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash.
14 2025); *Barrera v. Tindall*, 2025 WL 2690565 (W.D. Ky.); *Vazquez v. Feeley*, 2025
15 WL 2676082 (D. Nev.); *Crespin De Paz*, slip op. at 7–8. Each held that § 1226(a),
16 not § 1225(b), governs detention of long-term residents.
17
18

19 Because Petitioner’s arrest occurred well inside U.S. territory after many
20 years of residence, § 1225(b)(2)(A) cannot lawfully apply. His detention under that
21 provision is therefore *ultra vires*.
22

23 **C. Mandatory Detention Under § 1225(b)(2)(A) Violates Due Process**

24 Even if § 1225(b)(2)(A) were construed to apply, its application without
25 individualized review violates the Fifth Amendment’s Due Process Clause.

1 “Freedom from imprisonment—from government custody, detention, or
2 other forms of physical restraint—lies at the heart of the liberty the Due Process
3 Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
4

5 The government’s categorical denial of bond hearings to long-term
6 residents, based solely on its re-characterization of them as “arriving aliens,” is
7 arbitrary and disproportionate to any legitimate immigration purpose.
8

9 **D. The 2025 DHS Policy and Yajure Hurtado Decision Violate the APA**

10 The DHS policy expanding § 1225(b)(2)(A) detention to individuals long
11 present in the U.S. constitutes a substantive rule adopted without notice-and-
12 comment. It exceeds the statutory authority granted by Congress and is arbitrary
13 and capricious under 5 U.S.C. § 706(2). The BIA’s decision in *Matter of Yajure*
14 *Hurtado* (2025) abruptly overturned decades of interpretation without reasoned
15 analysis, violating the Administrative Procedure Act and *Encino Motorcars v.*
16 *Navarro*, 579 U.S. 211 (2016). Under *Loper Bright Enterprises v. Raimondo*, 603
17 U.S. 369 (2024), courts owe no Chevron deference to such agency redefinitions.
18
19

20 The 1997 interim rule explicitly stated that EWIs “will be eligible for bond
21 and bond redetermination.” 62 Fed. Reg. 10,323 (Mar. 6, 1997). The BIA’s attempt
22 to read this history out of existence is entitled to no weight.
23

24 No other court or administrative tribunal can provide Petitioner any relief.
25 Under ordinary circumstances, an individual detained under color of the

1 immigration laws could seek redress for unreasonable delay in the government's
2 pursuit of removal proceedings by filing a motion to terminate before an
3 Immigration Judge. *See, e.g., In re Qayyum*, 2004 WL 848576 (B.I.A. Feb. 25,
4 2004) (considering motion to terminate based on government delay and finding, on
5 the facts of that case, no unreasonable delay).
6

7 Respondents have further demonstrated their fundamental inability to
8 provide even rudimentarily safe or humane conditions of confinement at the
9 Imperial ICE Processing Center. Conditions within the facility—overcrowding,
10 inadequate medical care, and the heightened risk of harm to detainees—have
11 rendered continued detention not merely unlawful but dangerous.
12

13 Under these circumstances, any remedy short of immediate judicial
14 intervention would be insufficient. Petitioner's continued detention violates
15 statutory, constitutional, and humanitarian standards. Simply put, Mr. Rios
16 Mendoza cannot wait.
17

18
19 **PRAYER FOR RELIEF**

20 WHEREFORE, Petitioner respectfully requests that this Court:

- 21 1. Issue a Writ of Habeas Corpus declaring Petitioner's detention under 8
22 U.S.C. § 1225(b)(2)(A) unlawful;
23
24 2. Order Respondents to release Petitioner immediately in light of the
25 pending I-130; or

1 3. Order that Petitioner be provided a prompt individualized bond hearing
2 before a neutral Immigration Judge within 7 days, at which:


3 (a) The government bears the burden of proving flight risk or danger by
4 clear and convincing evidence; and

5 (b) The IJ must consider less restrictive alternatives to detention;

6 4. Award any further relief this Court deems just and proper.
7

8
9 Date: 5/4/2026

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



Carlos Barrios

1 **VERIFICATION BY PETITIONER PURSUANT TO 28 U.S.C. § 2242**

2

3 I, CARLOS BARRIOS am submitting this verification on behalf of ALAN

4 RAFAEL RIOS MENDOZA, who is currently detained by the U.S. Department of

5 Homeland Security at the Imperial Regional Detention center in Calexico,

6 California. Petitioner is being held under conditions that severely restrict or

7 prevent meaningful communication with the outside world. As a result, he is

8 unable to review or sign this petition personally or to prepare and file it on his own

9 behalf.

10

11

12 I have communicated with Petitioner to the extent possible and have

13 obtained the factual information contained in this Petition from my direct

14 knowledge, records, and reliable sources. I hereby verify that, to the best of my

15 knowledge and belief, the factual statements contained in the attached Petition for

16 Writ of Habeas Corpus are true and correct, and that I could testify to those facts if

17 called upon to do so.

18

19 Executed this 4th day of May, 2026, at Los Angeles, California.

20

21  _____

22 Carlos Barrios

23

24

25

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

**ALAN RAFAEL RIOS
MENDOZA**

(b) County of Residence of First Listed Plaintiff **SAN BERNARDINO**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**CARLOS BARRIOS
510 W 6TH ST 1210
LA CA 90014 213-599-8414**

DEFENDANTS

**MARKWAYNE MULLIN; RODNEY SCOTT; GREGORY J. ARCHAMBEAULT
DOUG GLEN; JEREMY CASEY**

County of Residence of First Listed Defendant **WASHINGTON DC**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability		<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
					<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 463 Alien Detainee		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence		<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General			<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 535 Death Penalty			<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 2241; SECTION 1331; SECTION 1651

Brief description of cause:

UNLAWFUL DETENTION

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

5/4/2026

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)

- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).

- V. **Origin.** Place an "X" in one of the seven boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 - Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 - Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

- VIII. **Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

- Date and Attorney Signature.** Date and sign the civil cover sheet.

1 **Law Offices of Carlos R. Barrios & Assoc. a P.C.**

2 Carlos R. Barrios 249654
3 510 West 6th Street Suite 1210
4 Los Angeles, CA 90014
5 Tel.: (213) 599-8414
6 Fax.: (888) 255-9710

7 Attorneys for Petitioner,
8 **ALAN RAFAEL RIOS MENDOZA**

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 **ALAN RAFAEL RIOS MENDOZA**)

12 Petitioner,)

13 v.)

14 **MARKWAYNE MULLIN,**
15 **Secretary, United States Department of**
16 **Homeland Security; RODNEY S.**
17 **SCOTT, Commissioner, United States**
18 **Customs and Border Protection;**
19 **GREGORY J. ARCHAMBEAULT, in**
20 **his official capacity as Acting Field**
21 **Office Director for San Diego, U.S.**
22 **Immigration and Customs Enforcement;**
23 **DOUG GLEN, Special Agent in Charge**
24 **for San Diego, Homeland Security**
25 **Investigations, U.S. Immigration and**
Customs Enforcement; JEREMY
CASEY, in his official capacity as
Warden of Imperial Regional Detention
Facility

Respondents.

Case No.

CERTIFICATE OF INTERESTED PARTIES

//

//

//

CERTIFICATE OF INTERESTED PARTIES

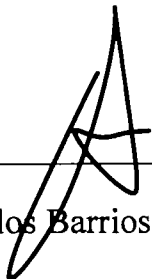
Pursuant to Local Rule 7.1-1, Petitioner certifies that the following persons and entities have an interest in the outcome of this action:

Respondents:

- The Department of Homeland Security (“DHS”)
- U.S. Immigration and Customs Enforcement (“ICE”)
- Secretary of the Department of Homeland Security, in official capacity
- Director of U.S. Immigration and Customs Enforcement, in official capacity
- Field Office Director, ICE Enforcement and Removal Operations, San Diego Field Office, in official capacity
- Warden or Facility Director or Facility Administrator of Petitioner’s detention facility, in official capacity-- IMPERIAL REGIONAL ADULT DET FAC

There are no publicly held corporations or other entities with a direct financial interest in the outcome of this litigation.

DATED: 5/4/2026



Carlos Barrios