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

13 WENBIAO LI,

14
15 Petitioner,

16 v.

17 TODD BLANCHE, in his official capacity as
18 Acting Attorney General of the United States;
19 MARK WAYNE MULLIN, in his official
20 capacity as Secretary of Homeland Security;
21 TODD M. LYONS, in his official capacity as
22 Acting Director of U.S. Immigration and
23 Customs Enforcement (ICE); GREGORY
24 ARCHAMBEAULT, in his official capacity as
25 Field Office Director, San Diego Field Office,
26 U.S. Immigration and Customs Enforcement
27 and JEREMY CASEY, in his official capacity
28 as Warden Of The Imperial Regional
Detention Facility,

Respondents.

Case No.: '26CV2859 JO B JW

**SECOND EMERGENCY PETITION FOR
WRIT OF HABEAS CORPUS PURSUANT
TO 28 U.S.C. § 2241**

IMMIGRATION HABEAS CASE

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INTRODUCTION

1. Petitioner Wenbiao Li (“Petitioner”), a native and citizen of the People’s Republic of China with no criminal record in the United States, is currently in the custody of U.S. Immigration and Customs Enforcement (“ICE”) at Imperial Regional Detention Facility in Calexico, California. He has been detained since March 2, 2026, solely for civil immigration purposes while he pursues asylum relief. Petitioner respectfully files this Second Emergency Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 to secure his immediate release or, in the alternative, a constitutionally adequate individualized bond hearing under 8 U.S.C. § 1226(a).
2. On April 1, 2026, this Court granted Petitioner’s prior habeas petition in part and expressly ordered Respondents to provide him with “an individualized bond hearing under 8 U.S.C. § 1226(a) within fourteen days.” (Case No. 3:26-cv-01933-TWR-JLB, ECF No. 4.) The Court further directed that Respondents “SHALL NOT deny Petitioner’s bond on the basis that 8 U.S.C. § 1225(b)(2) requires mandatory detention” and issued the Order “in accordance with this Court’s prior Orders” in substantially identical cases. *Id.* Consistent with this District’s uniform precedent, such a hearing requires the government to bear the burden of proving, by clear and convincing evidence, that continued detention is justified. See *Tao Zhang v. Blanche*, No. 3:26-cv-01986-RBM-BJW, ECF No. 6 at 4 (S.D. Cal. Apr. 8, 2026); *Sadeqi v. LaRose*, 809 F. Supp. 3d 1090, 1095 (S.D. Cal. 2025).
3. The Immigration Judge held the ordered hearing on April 8, 2026, but fundamentally violated this Court’s directive by expressly placing the burden of proof on Petitioner rather than on the government. The Immigration Judge denied bond solely on flight risk after concluding that Petitioner had “not met his burden.” (See *Bond Hearing Transcript*, attached as **Exhibit A**.) This procedural error rendered the hearing legally defective and non-compliant with this Court’s Order.
4. Petitioner has now exhausted his administrative remedies by filing a timely Notice of Appeal with the Board of Immigration Appeals (“BIA”) challenging the Immigration Judge’s April 8, 2026 bond decision. Any further delay occasioned by the BIA appeal process would cause

1 irreparable harm, including prolonged loss of liberty, inability to work, separation from his
2 sponsor, and prejudice to his pending asylum application. See *Leonardo v. Crawford*, 646
3 F.3d 1157, 1161 (9th Cir. 2011) (recognizing exceptions to exhaustion where delay causes
4 irreparable injury); see also cases in this District granting habeas relief where administrative
5 exhaustion would prolong unlawful detention in violation of a prior court order.

6 5. This Court retains jurisdiction under 28 U.S.C. § 2241 to enforce its own April 1, 2026 Order
7 and to prevent the ongoing violation of Petitioner's rights under the Immigration and
8 Nationality Act and the Due Process Clause of the Fifth Amendment. Absent immediate
9 intervention, Petitioner faces the prospect of continued unlawful detention despite this
10 Court's clear directive.

11 6. For the reasons set forth below, Petitioner respectfully requests that the Court issue a writ of
12 habeas corpus ordering his immediate release from custody or, in the alternative, directing
13 Respondents to provide him with a new de novo individualized bond hearing under 8 U.S.C.
14 § 1226(a) within 72 hours, at which Respondents shall bear the burden of proving by clear
15 and convincing evidence that Petitioner is a danger to the community or a flight risk, with
16 no weight given to the defective April 8, 2026 proceedings.

17 JURISDICTION AND VENUE

18 7. This Court has jurisdiction over the instant Petition for Writ of Habeas Corpus pursuant to
19 28 U.S.C. § 2241(a) and (c)(3), which authorize district courts to grant writs of habeas corpus
20 to persons who are "in custody in violation of the Constitution or laws or treaties of the
21 United States." See also 28 U.S.C. § 1331 (federal question jurisdiction) and Article I, § 9,
22 cl. 2 of the United States Constitution (Suspension Clause).

23 8. This Court further retains jurisdiction to enforce its own prior Order issued in this very matter
24 on April 1, 2026 (ECF No. 4), which granted Petitioner's first habeas petition in part and
25 expressly required Respondents to provide him with an individualized bond hearing under 8
26 U.S.C. § 1226(a) within fourteen days, with the government bearing the burden of proof by
27 clear and convincing evidence. District courts possess inherent authority to enforce their own
28 habeas orders in immigration detention cases. See *Nadarajah v. Gonzales*, 443 F.3d 1069,


1 1075–76 (9th Cir. 2006) (district courts retain jurisdiction under § 2241 to review the legality
2 of immigration detention).

3 9. Venue is proper in the Southern District of California pursuant to 28 U.S.C. § 2241(a)
4 because Petitioner is presently detained within this District at the Imperial Regional
5 Detention Facility in Calexico, California. *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004)
6 (“[F]or core habeas petitions challenging present physical confinement, jurisdiction lies in
7 only one district: the district of confinement.”). Venue is also proper under 28 U.S.C. §
8 1391(e)(1) because this is an action against officers of the United States acting in their
9 official capacities, and a substantial part of the events giving rise to the claims—Petitioner’s
10 arrest, detention, and the defective April 8, 2026 bond hearing—occurred in this District.

11 10. Petitioner has now exhausted his administrative remedies by filing a timely Notice of Appeal
12 with the Board of Immigration Appeals challenging the Immigration Judge’s April 8, 2026
13 bond decision. Any further delay caused by the BIA appeal process would result in
14 irreparable harm and continued violation of this Court’s April 1, 2026 Order.

15 11. This Court therefore has both statutory and inherent authority to grant the relief requested.

16 **PARTIES**

17 12. Petitioner WENBIAO LI (“Petitioner”) is a native and citizen of the People’s Republic of
18 China with Alien Registration Number  He is currently in the custody of the
19 United States Department of Homeland Security (“DHS”) and U.S. Immigration and
20 Customs Enforcement (“ICE”) and is detained at the Imperial Regional Detention Facility,
21 1572 Gateway Road, Calexico, California 92231. Petitioner entered the United States near
22 Tecate, California, on or about December 5, 2023, was briefly processed and released into
23 the interior of the United States, and has no criminal record or arrests in the United States.

24 13. Respondent TODD BLANCHE is the Acting Attorney General of the United States and is
25 sued in his official capacity.

26 14. Respondent MARKWAYNE MULLIN is the Secretary of the U.S. Department of
27 Homeland Security and is sued in his official capacity. As Secretary, he is responsible for
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1 the administration and enforcement of the immigration detention laws and policies at issue
2 in this case. 28 U.S.C. § 2242; 8 U.S.C. § 1103.

3 15. Respondent TODD M. LYONS is the Acting Director of U.S. Immigration and Customs
4 Enforcement and is sued in his official capacity. He is responsible for the overall
5 administration of ICE's detention operations.

6 16. Respondent PATRICK DIVVER is the San Diego ICE Field Office Director and is sued in
7 his official capacity. He exercises direct supervisory authority and control over Petitioner's
8 detention at the Imperial Regional Detention Facility.

9 17. Respondent SIXTO MARRERO is the Warden of the Imperial Regional Detention Facility
10 and is sued in his official capacity. He has immediate physical custody and day-to-day
11 control over Petitioner.

12 EXHAUSTION

13 18. This Court previously denied Petitioner's Emergency Motion to Enforce the April 1, 2026
14 Order without prejudice, noting that Petitioner had not yet exhausted his administrative
15 remedies by appealing the Immigration Judge's April 8, 2026 bond denial to the Board of
16 Immigration Appeals. (ECF No. 8, citing *Leonardo v. Crawford*, 646 F.3d 1157, 1161 (9th
17 Cir. 2011)).

18 19. Petitioner has now exhausted his administrative remedies. On May 5, 2026, Petitioner timely
19 filed a Notice of Appeal (Form EOIR-26) with the Board of Immigration Appeals
20 challenging the Immigration Judge's denial of bond. A true and correct copy of the Notice
21 of Appeal is attached hereto as **Exhibit B**.


22 20. In the alternative, to the extent any further exhaustion is deemed necessary, it should be
23 excused. Exhaustion of administrative remedies in habeas corpus proceedings under 28
24 U.S.C. § 2241 is a prudential, not jurisdictional, requirement. *Hernandez v. Sessions*, 872
25 F.3d 976, 988 (9th Cir. 2017); *Leonardo v. Crawford*, 646 F.3d 1157, 1160 (9th Cir. 2011).
26 The Ninth Circuit routinely excuses exhaustion where pursuit of administrative remedies
27 would cause irreparable injury or where the administrative process is inadequate to grant the
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1 relief sought. *Laing v. Ashcroft*, 370 F.3d 994, 1000 (9th Cir. 2004); *Singh v. Gonzales*, 499
2 F.3d 969, 974 (9th Cir. 2007).

3 21. Here, Petitioner has been detained since March 26, 2026, following a bond hearing that this
4 Court specifically ordered to be conducted under 8 U.S.C. § 1226(a), with Respondents
5 bearing the burden of proving by clear and convincing evidence that continued detention is
6 justified. Any further delay pending BIA review would cause irreparable harm to Petitioner,
7 including prolonged loss of liberty, inability to work and support himself, separation from
8 his sponsor, and prejudice to his pending asylum application. Moreover, the central issue
9 presented is not a routine bond appeal, but whether the Immigration Judge complied with
10 this Court's own April 1, 2026 Order. Requiring full exhaustion under these circumstances
11 would serve no legitimate purpose and would only prolong the violation of this Court's
12 directive.

13 22. Accordingly, this Court has jurisdiction to reach the merits of the instant Second Emergency
14 Petition for Writ of Habeas Corpus.

15 FACTUAL AND PROCEDURAL BACKGROUND

16 23. Petitioner Wenbiao Li is a native and citizen of the People's Republic of China with Alien
17 Registration Number  He entered the United States near Tecate, California,
18 on or about December 5, 2023. After brief processing, he was released into the interior of
19 the United States. (NTA, **Exhibit C.**) Petitioner has no criminal record or arrests in the
20 United States.

21 24. On December 5, 2023, the Department of Homeland Security served Petitioner with a Notice
22 to Appear (Form I-862), charging him as removable under INA § 212(a)(6)(A)(i). (**Exhibit**
23 **C.**) Petitioner filed a timely application for asylum (Form I-589) in December 2024, which
24 was forwarded to the Executive Office for Immigration Review for defensive adjudication.
25 He has complied with all immigration court proceedings since his initial release.

26 25. On or about March 2, 2026, ICE agents arrested Petitioner while he was working and
27 transferred him to the Imperial Regional Detention Facility in Calexico, California, where
28 he remains detained. On March 26, 2026, Petitioner filed his initial Petition for Writ of

1 Habeas Corpus pursuant to 28 U.S.C. § 2241 in this Court. (Case No. 3:26-cv-01933-TWR-
2 JLB, ECF No. 1.)

3 26. On April 1, 2026, this Court granted the petition in part and expressly ordered Respondents
4 to provide Petitioner with “an individualized bond hearing under 8 U.S.C. § 1226(a) within
5 fourteen days.” (ECF No. 4.) The Court further directed that “Respondent SHALL NOT
6 deny Petitioner’s bond on the basis that 8 U.S.C. § 1225(b)(2) requires mandatory detention”
7 and issued the Order “in accordance with this Court’s prior Orders” in substantially identical
8 cases. *Id.*

9 27. On April 8, 2026, the Immigration Judge conducted the ordered bond hearing. However, the
10 Immigration Judge violated this Court’s Order by expressly placing the burden of proof on
11 Petitioner rather than on the government. The Immigration Judge denied bond solely on the
12 ground of “Risk of Flight as stated on the record,” after concluding that Petitioner had “not
13 met his burden” to prove he was not a flight risk. (Order of the Immigration Judge dated
14 April 8, 2026; Relevant Part of Bond Hearing Transcript, **Exhibit A.**)

15 28. On April 16, 2026, Petitioner filed an Emergency Motion to Enforce this Court’s April 1,
16 2026 Order. (ECF No. 7.) On April 16, 2026, this Court denied the motion without prejudice,
17 finding that Petitioner had not yet exhausted administrative remedies by appealing the
18 Immigration Judge’s bond denial to the Board of Immigration Appeals. (ECF No. 8.)

19 29. Petitioner has now fully exhausted his administrative remedies. On May 5, 2026, Petitioner
20 timely filed a Notice of Appeal (Form EOIR-26) with the Board of Immigration Appeals
21 challenging the Immigration Judge’s April 8, 2026 bond decision. (**Exhibit B.**)

22 30. Despite the defective April 8, 2026 hearing and this Court’s prior Order, Petitioner remains
23 detained at Imperial Regional Detention Facility. He has no criminal history, has strong
24 community ties through his sponsor, and poses no danger to the community. Continued
25 detention violates both this Court’s April 1, 2026 Order and Petitioner’s rights under 8
26 U.S.C. § 1226(a) and the Due Process Clause of the Fifth Amendment.

27 **LEGAL FRAMEWORK**

28 **I. Statutory Authority for Habeas Corpus Review**

1 31. Under 28 U.S.C. § 2241, federal district courts have the broad authority to grant a writ of
2 habeas corpus to any person held "in custody in violation of the Constitution or laws or
3 treaties of the United States". The Supreme Court has long recognized that this federal
4 habeas review is the proper vehicle for noncitizens to challenge the lawfulness of their
5 physical confinement by immigration authorities. See *Zadvydas v. Davis*, 533 U.S. 678, 687
6 (2001).

7 32. This Court's jurisdiction is further grounded in the Suspension Clause of the United States
8 Constitution, which mandates that the privilege of the writ of habeas corpus shall not be
9 suspended except in extreme cases of rebellion or invasion. As an "immigration habeas
10 case," this action seeks a "swift and imperative remedy" for what Petitioner alleges is an
11 illegal restraint of his liberty. See *Fay v. Noia*, 372 U.S. 391, 400 (1963).

12 33. Petitioner meets the "in custody" requirement of § 2241 because he is currently detained by
13 Respondents at the Imperial Regional Detention Facility in Imperial County, California,
14 where he remains under the direct and exclusive control of the Department of Homeland
15 Security and its agents. Because the legality of his detention is at issue—and not the ultimate
16 discretionary decision of whether he should be removed—this Court maintains its "core"
17 habeas jurisdiction to ensure that the executive branch's detention of Petitioner comports
18 with the Immigration and Nationality Act and the Fifth Amendment.

19 **II. The Two Distinct Detention Regimes Under the INA**

20 34. The Immigration and Nationality Act ("INA") establishes two primary and mutually
21 exclusive detention frameworks for noncitizens in removal proceedings: 1) Mandatory
22 Detention under 8 U.S.C. § 1225(b)(2)(A): This provision applies strictly to "applicants for
23 admission" who are currently "seeking admission" at a port of entry. Detention under this
24 section is categorical and does not afford the noncitizen a bond hearing before an
25 Immigration Judge; and 2) Discretionary Detention under 8 U.S.C. § 1226(a): This provision
26 applies to noncitizens "already in the country" who are pending a decision on whether they
27 are to be removed. Under this regime, the Attorney General has the authority to release a
28 noncitizen on bond or conditional parole. Crucially, individuals detained under § 1226(a)

1 are entitled to an individualized bond hearing to determine if they pose a danger to the
2 community or a flight risk.

3 35. The distinction between these two regimes depends on whether the noncitizen has "effected
4 an entry" into the United States. While the Government may attempt to reclassify interior
5 residents as "applicants for admission" to bypass bond requirements—citing recent agency
6 shifts like *Matter of Yajure-Hurtado*—the Ninth Circuit has maintained that once an
7 individual has entered and established a life within the interior, their detention is governed
8 by the discretionary standards of § 1226(a).

9 **III. The "Effected Entry" Standard in the Southern District of California**

10 36. The Southern District of California, following well-settled Ninth Circuit authority,
11 recognizes a critical distinction between noncitizens apprehended at a port of entry and those
12 who have "effected an entry" by residing within the interior of the United States. While the
13 Government may attempt to categorize Petitioner as an "applicant for admission" under 8
14 U.S.C. § 1225(b), that classification applies only to those currently "taking active steps... to
15 seek lawful entry" at the border.

16 37. In this District, judges have recently and definitively rejected the Government's attempt to
17 reclassify established interior residents as border-style "applicants for admission" subject to
18 bond-less detention. For example, in *Huan et al v. Noem et al*, 3:26-cv-00512-JLS-DEB, this
19 Court held that the mandatory detention mandate of § 1225(b)(2)(A) is narrow and
20 inapplicable to individuals who have resided in the community for years. For such
21 individuals, detention is governed by 8 U.S.C. § 1226(a), which provides for discretionary
22 detention and authorizes release on bond or conditional parole.

23 **IV. The Burden of Proof in Bond Hearings**

24 38. Under binding Ninth Circuit precedent, Respondents must bear the burden of proof to justify
25 Mr. Li's continued detention without bond by clear and convincing evidence of flight risk
26 or danger to the community. In *Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011), the
27 Ninth Circuit determined that constitutional procedural due process required the government
28 to meet this high evidentiary standard in order to deprive a noncitizen of their liberty.

1 39. Because Mr. Li is in ongoing Section 240 removal proceedings and has established deep
2 roots in the United States since his arrival in December 2023, his detention is governed by 8
3 U.S.C. § 1226(a). As established in *Casas-Castrillon v. Dep't of Homeland Sec.*, 535 F.3d
4 942, 947–48 (9th Cir. 2008), the government must provide an individualized bond hearing
5 for individuals in this specific procedural posture. *Singh* imposes upon Respondents the
6 burden of proof both in a custody hearing ordered under § 1226(a) and in a custody hearing
7 ordered as a matter of due process.

8 40. Further, due process requires that the adjudicator consider alternatives to detention and
9 Petitioner's ability to pay bond. As the Ninth Circuit held in *Hernandez v. Sessions*, 872 F.3d
10 976, 991–92 (9th Cir. 2017), setting a bond amount without considering financial
11 circumstances or alternative conditions of release undermines the connection between the
12 bond and the legitimate purpose of ensuring the noncitizen's presence at future hearings.

13 41. Mr. Li, who has no criminal history, has maintained a stable life in the interior for more than
14 two years, is entitled to these fundamental procedural protections before any continued
15 detention.

16 **FIRST CLAIM FOR RELIEF**
17 **Violation of This Court's April 1, 2026 Order and 8 U.S.C. § 1226(a)**

18 42. The Immigration Judge's April 8, 2026 bond hearing directly violated this Court's April 1,
19 2026 Order (ECF No. 4), which expressly required Respondents to provide Petitioner with
20 "an individualized bond hearing under 8 U.S.C. § 1226(a) within fourteen days" and directed
21 that "Respondent SHALL NOT deny Petitioner's bond on the basis that 8 U.S.C. §
22 1225(b)(2) requires mandatory detention." The Order was issued "in accordance with this
23 Court's prior Orders" in substantially identical cases. *Id.*

24 43. At the April 8, 2026 hearing, the Immigration Judge expressly reversed the burden of proof,
25 stating on the record: "So in this case, it's the Respondent's burden to prove that they are
26 not a risk of flight or danger to the community." The Immigration Judge then denied bond
27 solely on flight risk after concluding that Petitioner had "not met his burden." This
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1 procedural error rendered the hearing legally defective and non-compliant with this Court's
2 Order.

3 44. 8 U.S.C. § 1226(a) grants the Attorney General discretionary authority to detain or release
4 an alien pending a decision on removal. In this District, when a § 1226(a) bond hearing is
5 ordered via habeas corpus, the government bears the burden of proving by clear and
6 convincing evidence that the petitioner is a danger to the community or a flight risk. *See*
7 *Sadeqi v. LaRose*, 809 F. Supp. 3d 1090, 1095 (S.D. Cal. 2025) (citing *Singh v. Holder*, 638
8 F.3d 1196 (9th Cir. 2011)).

9 **SECOND CLAIM FOR RELIEF**
10 **Violation of the Fifth Amendment Due Process Clause**

11 45. Petitioner incorporates by reference the allegations in the preceding paragraphs as if fully
12 set forth herein.

13 46. The Fifth Amendment's Due Process Clause prohibits the government from depriving any
14 person of their liberty without due process of law.

15 47. Freedom from imprisonment lies at the heart of the liberty that the Due Process Clause
16 protects.

17 48. Petitioner's continued detention without a constitutionally adequate bond hearing violates
18 the Due Process Clause of the Fifth Amendment. Immigration detention is civil, not punitive,
19 and prolonged detention without adequate procedural safeguards raises serious
20 constitutional concerns. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *Demore v. Kim*, 538
21 U.S. 510, 531 (2003) (emphasizing that detention under § 1226(a) must be accompanied by
22 adequate procedural protections).

23 49. This Court has repeatedly held that, in cases involving aliens who were initially released into
24 the interior and later rearrested, due process requires that the government bear the burden of
25 justifying continued detention by clear and convincing evidence. *See Tao Zhang v. Blanche*,
26 *supra*; *Sadeqi v. LaRose*, *supra*. The April 8, 2026 hearing failed to provide these protections.
27 Petitioner has no criminal record, has strong community ties, and has pursued asylum relief
28 in good faith. His continued detention is therefore unlawful.

THIRD CLAIM FOR RELIEF
Entitlement to Immediate Release or a New De Novo Bond Hearing

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50. Petitioner incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

51. Because the April 8, 2026 hearing did not comply with this Court’s April 1, 2026 Order, Petitioner has not yet received the relief to which he is entitled. This Court retains authority under 28 U.S.C. § 2241 to enforce its own orders and to remedy ongoing violations of law. See *Nadarajah v. Gonzales*, 443 F.3d 1069, 1075–76 (9th Cir. 2006) (district courts have broad authority under § 2241 to review the legality of immigration detention and grant appropriate relief).

52. Petitioner therefore requests that this Court order his immediate release from custody or, in the alternative, direct Respondents to provide him with a new de novo individualized bond hearing under 8 U.S.C. § 1226(a) within 72 hours, at which Respondents shall bear the burden of proving by clear and convincing evidence that Petitioner is a danger to the community or a flight risk, with no weight given to the defective April 8, 2026 proceedings.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court grant the following:

1) Issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241 directing Respondents to immediately release Petitioner from custody, with such reasonable conditions of supervision as this Court deems appropriate;

2) In the alternative, order Respondents to schedule and conduct a new de novo individualized bond hearing under 8 U.S.C. § 1226(a) within 72 hours of this Court’s order, at which Respondents shall bear the burden of proving by clear and convincing evidence that Petitioner is a danger to the community or a flight risk, consistent with this Court’s April 1, 2026 Order (ECF No.

4) and this District’s uniform precedent;

- 1 3) Order that the Immigration Judge assigned to the new bond hearing shall give no weight
- 2 whatsoever to the April 8, 2026 bond hearing transcript, to any testimony given by Petitioner at that
- 3 hearing, or to any findings made by the Immigration Judge on April 8, 2026;
- 4 4) Retain jurisdiction over this matter to ensure full compliance with this Court’s orders and
- 5 to promptly review any subsequent bond decision and grant such further relief as may be necessary,
- 6 including immediate release from custody;
- 7 5) Direct Respondents to file a status report with this Court within ten (10) days certifying
- 8 whether a bond hearing was held and the outcome of said hearing;
- 9 6) Enjoin Respondents from transferring Petitioner out of the District of Southern California
- 10 or from removing him from the United States while this Petition is pending;
- 11 7) Award Petitioner reasonable attorney's fees and costs pursuant to the Equal Access to
- 12 Justice Act (EAJA), 28 U.S.C. § 2412, and any other applicable law; and
- 13 8) Grant such other and further relief as this Court deems just and proper.
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17 Date: May 6, 2026

Respectfully Submitted,

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**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF
PURSUANT TO 28 U.S.C. § 2242**

I am submitting this verification on behalf of the Petitioner because I am the Petitioner's attorney. I have discussed with the Petitioner the events described in this Petition. Based on those discussions, I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Date: May 6, 2026

/s/ Guofeng Li
Guofeng Li, Esq.