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Attorney for Petitioner

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

Omar Santos Baltadano)

Petitioner,)

v.)

Case No. '26 CV2895 TWR DDL

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

CHRISTOPHER J. LAROSE, Warden /)
Facility Administrator, Otay Mesa Detention)
Center; GREGORY J. ARCHAMBEAULT,)
ICE ERO Field Office Director, San Diego Field)
Office; TODD LYONS, Acting Director,)
U.S. Immigration and Customs Enforcement;)
MARKWAYNE MULLIN, Secretary,)
U.S. Department of Homeland Security;)
TODD BLANCHE, Attorney General of)
the United States, in their official capacities,)
Respondents.)

) [Filed Concurrently with Exhibits A-B]

I. INTRODUCTION

Petitioner, Omar Santos Baltadano , Native and Citizen of Mexico is currently detained at Otay Mesa Detention Center pursuant to INA § 235(b). He has been detained since approximately February 20, 2026 . The Immigration Judge denied bond on jurisdictional grounds, finding Petitioner subject to mandatory detention as an applicant for admission under Matter of

Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025). Petitioner is in ongoing removal proceedings. DHS has filed a motion to pretermite his asylum application, and the Immigration Judge will issue a ruling on May 13, 2026. As a result, Petitioner's detention continues without a definite endpoint and without any mechanism for release.

II. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody in violation of the Constitution and laws of the United States. Venue is proper in this District because Petitioner is detained within the Southern District of California at Otay Mesa, San Diego CA detention center. Venue is proper in this District because Respondents are officers, employees, or agencies of the United States and a substantial part of the events or omissions giving rise to his claims occurred in this District.

III. REQUIREMENTS OF 28 U.S.C. § 2243

The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause 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.* Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as "perhaps the most important writ known to the constitutional law of England, affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963)

IV. PARTIES

1. Petitioner Omar Santos Baltadano is detained at Otay Mesa Detention Center in San Diego, California. He is in the custody, and under the direct control, of Respondents and their agents.
2. Respondent CHRISTOPHER J. LAROSE is the Warden of Otay Mesa Dention Center, and he has immediate physical custody of Petitioner pursuant to the facility's contract with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner. Respondent LAROSE is a legal custodian of Petitioner and has authority to release him.
3. Respondent GREGORY J. ARCHAMBEAULT is sued in his official capacity as the Acting Director of ICE ERO Field Office Director, San Diego Field Office. Respondent ARCHAMBEAULT is a legal custodian of Petitioner and has authority to release him.
4. Respondent TODD LYONS, is sued in his official capacity as the Acting Director, U.S. Immigration and Customs Enforcement. Respondent LYONS is a legal custodian of Petitioner and has authority to release him.
5. Respondent MARKWAYNE MULLIN is sued in his official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent MULLIN is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement / U.S. Customs and Border Protection, the component agency responsible for Petitioner's detention / custody. Respondent MULLIN is a legal custodian of Petitioner.

6. Respondent TODD BLANCHE is sued in his official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, he has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent BLANCHE is a legal custodian of Petitioner

V. FACTUAL BACKGROUND

Petitioner Omar Santos Baltadano is a native and citizen of Mexico. The Notice to Appear alleges that he entered the United States without inspection in or about November 7, 2009 near Otay Mesa, California. He has lived in the United States for most of his life and has no criminal history. Exhibit A contains his Notice to appear and record of deportable inadmissible alien. Petitioner remains detained at Otay Mesa Detention Center without any individualized custody determination. His asylum application is pending, but DHS has moved to pretermite the claim, and that motion remains under submission before the Immigration Judge.

VI. LEGAL STANDARD AND ARGUMENT

The Fifth Amendment prohibits prolonged civil detention without due process. *Zadvydas v. Davis*, 533 U.S. 678 (2001). While Congress may authorize immigration detention, such detention must remain constitutionally reasonable. *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018). Petitioner's detention is unconstitutional because he has been held for months under INA § 235(b) without any bond hearing, custody review, or meaningful opportunity to seek release. The absence of any procedural mechanism renders his detention indefinite in practice,

particularly because his immigration proceedings remain ongoing and subject to further litigation and appeal. The government's reliance on Matter of Yajure-Hurtado addresses statutory detention authority but does not eliminate constitutional limits on prolonged detention. Federal courts retain habeas jurisdiction to remedy unconstitutional custody under 28 U.S.C. § 2241. On 3/13/2026 the immigration judge denied petitioner bond request. Attached in exhibit B is the order of the immigration judge.

VII. REQUEST FOR RELIEF

Wherefore, Petitioner respectfully request this court to grant the following;

1. Assume jurisdiction over this matter;
2. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.
3. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, 8 U.S.C. § 2241, and 5 U.S.C. § 706(2)(A)
4. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;
5. Grant any further relief this Court deems just and proper.

Respectfully submitted,



Andrew Trautman

Attorney for petitioner

Dated: 05/07/2026

EXHIBIT A

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

FINS #: [REDACTED]

DOB: [REDACTED]

File No: [REDACTED]

Event No: [REDACTED]

In the Matter of:

Respondent: OMAR SANTOS BALTADANO currently residing at:

7488 CALZADA DE LA FUENTE SAN DIEGO, CALIFORNIA, 92154-2717

+1 (619) 671-8700

(Number, street, city, state and ZIP code)

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of MEXICO and a citizen of MEXICO ;
3. You arrived in the United States at or near Otay Mesa, California on or about November 7, 2009 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a) (6) (A) (i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an Immigration Judge of the United States Department of Justice at:

7488 CALZADA DE LA FUENTE SAN DIEGO CA US 92154

(Complete Address of Immigration Court, including Room Number, if any)

on March 05, 2026 at 08:00 AM to show why you should not be removed from the United States based on the

(Date)

(Time)

charge(s) set forth above.

DERRICK SPANOL

WATCH COMMANDER

(Signature and Title of Issuing Officer)

Date: February 20, 2026

Murrieta, California

(City and State)

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Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at http://www.ice.dhs.gov/contactero, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 446-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Upon information and belief, the language that the alien understands is SPANISH

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

OMar Santos
(Signature of Respondent)

CLAUDIA DE LA TORRE Border Patrol Agent
(Signature and Title of Immigration Officer)

Date: 02/21/2026

Certificate of Service

This Notice To Appear was served on the respondent by me on February 21, 2026, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

OMar Santos
(Signature of Respondent if Personally Served)

CLAUDIA DE LA TORRE Border Patrol Agent
(Signature and Title of officer)

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Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 280 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/ock/ol-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

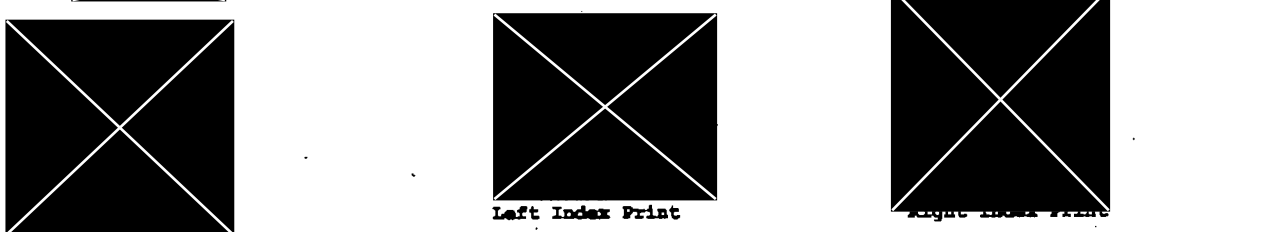


Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

U.S. Department of Homeland Security

Subject ID: 401582886

Record of Deportable/Inadmissible Alien


Family Name (CAPI) SANTOS BALTADANO, OMAR		First	Middle	Sex M	Hair <input checked="" type="checkbox"/> Black <input type="checkbox"/> Brown <input type="checkbox"/> Red <input type="checkbox"/> Blond <input type="checkbox"/> Other	Eyes <input checked="" type="checkbox"/> Brown <input type="checkbox"/> Blue <input type="checkbox"/> Green <input type="checkbox"/> Grey <input type="checkbox"/> Other	Complexion <input checked="" type="checkbox"/> Fair <input type="checkbox"/> Olive <input type="checkbox"/> Dark
Country of Citizenship MEXICO	Passport Number and Country of Issue	USA Number		Height <input checked="" type="checkbox"/> 5'0" <input type="checkbox"/> 5'1" <input type="checkbox"/> 5'2" <input type="checkbox"/> 5'3" <input type="checkbox"/> 5'4" <input type="checkbox"/> 5'5" <input type="checkbox"/> 5'6" <input type="checkbox"/> 5'7" <input type="checkbox"/> 5'8" <input type="checkbox"/> 5'9" <input type="checkbox"/> 5'10" <input type="checkbox"/> 5'11" <input type="checkbox"/> 6'0"	Weight <input checked="" type="checkbox"/> 150 <input type="checkbox"/> 160 <input type="checkbox"/> 170 <input type="checkbox"/> 180 <input type="checkbox"/> 190 <input type="checkbox"/> 200 <input type="checkbox"/> 210 <input type="checkbox"/> 220 <input type="checkbox"/> 230 <input type="checkbox"/> 240 <input type="checkbox"/> 250 <input type="checkbox"/> 260 <input type="checkbox"/> 270 <input type="checkbox"/> 280 <input type="checkbox"/> 290 <input type="checkbox"/> 300	Occupation LABORER	
U.S. Address 7488 CALEADA DE LA FUENTE, SAN DIEGO, CALIFORNIA, 92154-2717				Scars and Marks See Narrative			
Date, Place, Time, and Manner of Last Entry 11/07/2009, 1900, 4 mile(s) E of OTM, PWA(Afoot)		Passenger Boarded at		FBI Number <input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Number, Street, City, Province (State) and Country of Permanent Residence 12365 VALDEFLORES, OAXACA, MEXICO				Method of Location/Apprehension PI			
Date of Birth <input checked="" type="checkbox"/>	Age: 41	Date of Action 02/20/2026	Location Code SDC/NAE	As/From TEHUACULA, CA	Date/How 02/20/2026 0553		
City, Province (State) and Country of Birth VALDEFLORES, OAXACA, MEXICO		AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lined <input type="checkbox"/> Not Lined <input type="checkbox"/>	By RODOLFO SOLIS ROBERT MURO			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry PWA Mexico		Status When Found IN TRAVEL	
Date Visa Issued		Social Security Number		Length of Time (Defalty) in U.S. OVER 1 YEAR			
Immigration Record POSITIVE - See Narrative				Criminal Record None Known			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)						Number and Nationality of Minor Children	
Father's Name, Nationality, and Address, if Known See Narrative				Mother's Present and Maiden Names, Nationality, and Address, if Known See Narrative			
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks See Narrative	Charge Code Word(s) IGA			
Name and Address of (Last)(Current) U.S. Employer		Type of Employment	Salary	Employed from/to Hr			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish inadmissibility and/or criminal violation. Indicate means and mode of travel to interior.) FIRE <input checked="" type="checkbox"/> DNA Envelope <input checked="" type="checkbox"/>							
							
<p>ARREST COORDINATES:</p> <p>Latitude: 33.51884</p> <p>Longitude: -117.16385</p> <p>CONSEQUENCE DELIVERY SYSTEM:</p> <p>Classification: PERA</p>							
Alien has been advised of communication privileges		02/20/2026		ROBERT A MURO Date: 2026.02.20 08:15:00 0863768382.CBP  Border Patrol Agent (Signature and Title of Immigration Officer)			
Distribution: A File SDC NAE				Received: (Subject and Documents) (Report of Interview) Officer: ROBERT MURO on: February 20, 2026 at 0636 (time) Disposition: Notice to Appear Detained (I-862) Examining Officer:  (A) Supervisory Border Patrol Agent			

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U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name SANTOS BALTADANO, OMAR	File Number 	Date 02/20/2026
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SCARS, MARKS, AND TATTOOS:

TATTOO ARM, LEFT, NONSPECIFIC
TATTOO FOREARM, RIGHT

ADDRESS USED ON I-862:

Address Type: VALIDATED MANUALLY
Address: 7488 CALZADA DE LA FUENTE, SAN DIEGO, CALIFORNIA, 92154-2717

FATHER NAME AND ADDRESS:

Nationality: MEXICO SANTOS, MARTIN

MOTHER NAME AND ADDRESS:

Nationality: MEXICO BALTADANO, BERTA



FUNDS IN POSSESSION:

United States Dollar 15.00

RECORDS CHECKED:


CIS Negative
ABIS Negative
EARM Positive
NCIC Negative
NGI Negative
TECS Negative

Other Family/Associates Not in Event:

Father, 
Mother, 

CONSULATE NOTIFICATION:

THE SUBJECT WAS NOTIFIED OF THEIR RIGHT TO COMMUNICATE WITH A CONSULAR OFFICER FROM THEIR COUNTRY AS PER ARTICLE 36(1) (b) OF THE VIENNA CONVENTION ON CONSULAR RELATIONS. THE SUBJECT INDICATED THAT THEY UNDERSTOOD THIS RIGHT BUT DECLINED TO SPEAK WITH SOMEONE AT

Signature ROBERTA MURO Date: 2026.02.20 08:15:19 -0 0863768382.CBP		Title Border Patrol Agent
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U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name SANTOS BALTADANO, OMAR	File Number [REDACTED]	Date 02/20/2026
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THIS TIME.

Additional Documents

FBI - FBI
[REDACTED]

DRIVE - Driver's License (State and Country)
[REDACTED]

NARRATIVE:

On February 20, 2026, Omar SANTOS-Baltadano was encountered by Border Patrol Agent Robert Muro. Agent Muro is assigned to the Newton-Azrak Border Patrol Station's Abatement Team (NSAT). NSAT agents were assigned unmarked vehicles and were working in plain clothes.

On January 10, 2026, NSAT agents utilized various law enforcement and public information databases, and identified Omar SANTOS-Baltadano as a Mexican national, who is illegally residing in the United States.

On February 20, 2026, at approximately 5:30 a.m., NSAT agents conducted surveillance at [REDACTED] in Temecula, California. This location is where SANTOS-Baltadano was confirmed to be working. Upon arriving at the location, agents observed SANTOS-Baltadano exiting his vehicle bearing CA plate: [REDACTED]. This vehicle was previously identified as SANTOS-Baltadano's primary transportation to [REDACTED].

At approximately 05:52 a.m., the vehicle arrived at the location and agents observed SANTOS-Baltadano exit from the vehicle. At this time, agents exited their vehicles and approached SANTOS-Baltadano. Agents had their tactical vest with insignias and badges clearly visible. Agents identified themselves as U.S. Border Patrol agents and verified SANTOS-Baltadano's identity by admission and the documents on his person.

At approximately 05:53 a.m., Agent Muro asked SANTOS-Baltadano what his nationality was and if he had any documents to be in the United States legally. SANTOS-Baltadano answered that he was a citizen and national of Mexico without proper immigration documents. At this time, Agent Muro placed SANTOS-Baltadano under arrest and had him transported to the Newton-Azrak Border Patrol Station for further processing.

At the station, SANTOS-Baltadano's biometric and biographical information were entered into the Department of Homeland Security database. SANTOS-Baltadano's information came back with no prior criminal history and the following immigration history.



The following numbers are associated with SANTOS-Baltadano.

A#: [REDACTED] (New Issue)
FBI#: [REDACTED]
FINS#: [REDACTED]

Signature ROBERT A MURO Date: 2026.02.20 08:15:24 -0800 0863768382.CBP	Title Border Patrol Agent
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U.S. Department of Homeland Security

Continuation Page for Form 1213

Alien's Name SANTOS BALTADANO, OMAR	File Number 	Date 02/20/2026
<p>No wants or warrants were found.</p> <p>At the Newton-Azrak Station, SANTOS-Baltadano again stated to Agent Perez, that he was a citizen and national of Mexico and did not possess any immigration documents to enter or remain in the United States legally.</p> <p>SANTOS-Baltadano stated that he last entered the United States illegally on 11/07/2009, near Otay Mesa, CA.</p> <p>As SANTOS-Baltadano was received at the Newton-Azrak Station, protocols were observed in compliance with the CBP National Standards on Transport, Escort, Detention, and Search policy. A risk assessment was conducted prior to placing SANTOS-Baltadano in a holding room. SANTOS-Baltadano expressed no concern about being held in the facility.</p> <p>SANTOS-Baltadano was informed that it is a crime to lie to federal agents, and that he is subject to criminal prosecution under 18 USC 1001 if it is determined that he gave false statements.</p> <p>On 02/20/2026, Border Patrol Agent Perez advised SANTOS-Baltadano of his consulate communication rights. SANTOS-Baltadano stated that he understood his rights and did not want to exercise them.</p> <p>SANTOS-Baltadano will remain in custody pending NTA (Notice to Appear) proceedings.</p> <p>SANTOS-Baltadano was served with I-862, Cancino-Castellar Settlement Agreement and the Foreign Terrorist Notification forms, and list of free legal services.</p> <p>SANTOS-Baltadano will be transported to the San Diego Central Processing Center, located in Chula Vista, California.</p>		
Signature ROBERTA MURO Date: 2026.02.20 08:15:29 -0800 0863768382,CBP 	Title Border Patrol Agent	

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Search Results

Person ID	A-Number	Subject ID	Case ID	ICE Family ID	DCO	Last Name	First Name	Country of Birth	Apprehend Date	Detained?	Processing Disposition	Case Category	Depart Cleared Status
11968079		X				Santos-beltrano	Omar	MEXIC	01/13/2008	NO	V - Voluntary Return		
11968079						Santos-baltadano	Omar	MEXIC	01/15/2008	NO	V - Voluntary Return		
11968079						Santos-baltadano	Omar	MEXIC	04/13/2009	NO	V - Voluntary Return		
11968079						Santos-baltadono	Omar	MEXIC	05/10/2009	NO	V - Voluntary Return		
11968079						OTM Santos Baltadano	Omar	MEXIC	02/20/2026	Yes	NTA/DT - Notice to Appear Detained (I-862)	[8B] Excludable / Inadmissible - Under Adjudication by IJ	ACT - ACTIVE

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) | Release EARM 7.105

EXHIBIT B



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OTAY MESA IMMIGRATION COURT

Respondent Name:

SANTOS BALTADANO, OMAR

To:

Trautman, Andrew Lawrence
33030 Mission Trail
Wildomar, CA 92595

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

03/13/2026

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because
The evidence indicates that the respondent entered the country without inspection and thus is an applicant for admission under INA section 235(a)(1) and subject to mandatory detention under INA section 235(b)(1)(B)(iii)(IV). Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025). The court notes that the Maldonado Bautista orders were stayed by the 9th Circuit on 6 March 2025. See Maldonado Bautista v. DHS, No 26-1044 (9th Cir. Mar. 6, 2026).
- Granted. It is ordered that Respondent be:
 - released from custody on his own recognizance.
 - released from custody under bond of \$
 - other:
- Other:



Immigration Judge: SAMEIT, MARK 03/13/2026

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved

Appeal Due:04/13/2026

Certificate of Service

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To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : SANTOS BALTADANO, OMAR | A-Number : 

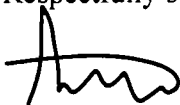
Riders:

Date: 03/13/2026 By: Rosa Rodriguez, Court Staff

CERTIFICATE OF SERVICE

Petitioner certifies that a copy of this Petition was served on the Office of Chief Counsel, ICE ERO San Diego, the United States Attorney's Office for the Southern District of California, the Department of Homeland Security, and the Otay Mesa Detention Center legal department through the courts CM/ECF system.

Respectfully submitted,



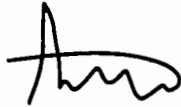
Andrew Trautman
Attorney for petitioner

Dated: 05/07/2026

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

I represent Petitioner, Omar Santos Baltadano, and submit this verification on his behalf.

I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.



Andrew Trautman
Attorney for petitioner

Dated this 7th day of May, 2026.