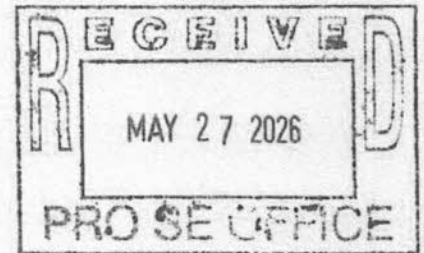


Reynaldo Cordoba Cruz

PRO SE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**



REYNALDO CORDOBA CRUZ

and

Emilio Cordova Cruz, as Next Friend
Petitioners/Plaintiffs,

v.

RAUL MALDONADO JR., in
their official capacity as Warden
of MDC Brooklyn;

WILLIAM JOYCE, in their
official capacity as Acting New
York Field Office Director for
U.S. Immigration and Customs
Enforcement;

MARCOS CHARLES, in his official
capacity as acting Executive Associate
Director, Enforcement and Removal
Operations;

TODD M. LYONS, in his official
capacity as Acting Director
Immigration and Customs
Enforcement;

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

ATTORNEY GENERAL, in
their official capacity as Attorney
General

Respondents/Defendants.

*** EMERGENCY ***

Civil Action No.:

Verified Petition for
Writ of Habeas Corpus
Pursuant to 28 U.S.C. § 2241

CV 26 - 2792

GONZALEZ, J.

INTRODUCTION

1. REYNALDO CORDOBA CRUZ (hereinafter "Petitioner") is a 39 year old male

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originally from Mexico.

2. Petitioner was arrested by ICE outside of his apartment on May 19, 2026. Upon information and belief, ICE detained him without a warrant. Despite the fact that Petitioner had not been accused of a crime and had no criminal record, ICE agents detained him without cause. Presently, upon information and belief, he is incarcerated at the Metropolitan Detention Center Brooklyn, 80-29th St, Brooklyn, NY 11232. Indeed, nearly a week after his detention, his family has still not been able to locate him in the detainee locator system. They had to resort to contacting the Mexican consulate to locate their brother.
3. Petitioner has been detained in immigration custody even though no neutral decisionmaker, whether a federal judge or an immigration judge, has conducted a hearing to determine whether this incarceration is warranted based on danger or flight risk.
4. Petitioner's unlawful and continued detention without any individualized determination as to why detention is appropriate, has caused immense and ongoing harm to Petitioner. Petitioner brings this petition to enforce his rights under the Due Process Clause of the Fifth Amendment and the Immigration and Nationality Act ("INA") and to seek his immediate release.
5. Accordingly, this Court should declare ICE's actions unlawful, enjoin his transfer outside of this District, and order his immediate release.

PARTIES

6. Petitioner, Reynaldo CORDOBA CRUZ, is a 39 year-old individual. Petitioner is a citizen and national of Mexico. Petitioner is detained at Metropolitan Detention Center Brooklyn, 80-29th St, Brooklyn, NY 11232. Petitioner is in the custody and direct control

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of Respondents and their agents.

7. Petitioner, and next friend, Emilio CORDOVA CRUZ (hereinafter "his Brother"), is the Brother of Petitioner. Petitioner and his brother lived together prior to Reynaldo's detention. They are very close, and Emilio is aware of his brother's wishes.
8. Respondent RAUL MALDONADO JR. is named in his official capacity as Warden of MDC Brooklyn, a person in charge of the facility holding the Petitioner. Respondents' address is Metropolitan Detention Center Brooklyn, 80-29th St, Brooklyn, NY 11232.
9. Respondent WILLIAM JOYCE, is named in his official capacity as Acting New York Field Office Director for U.S. Immigration and Customs Enforcement, as such, is responsible for the administration of immigration laws and the execution of detention and removal determinations, is a custodian of petitioner, and routinely transacts business in the Eastern District of New York. Respondent's address is 26 Federal Plaza, 9th Floor, New York, NY 10278.
10. Marcos CHARLES, is named in his official capacity as acting Executive Associate Director, Enforcement and Removal Operations, and as such leads ERO in arrest and removal operations and routinely transacts business in the Eastern District of New York. This respondent's address is Immigration and Customs Enforcement, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.
11. Respondent Todd LYONS is the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in the Eastern District of New York; is legally responsible for pursuing any effort to remove the Petitioner; and as such is a custodian of the Petitioner. This respondent's address is

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Immigration and Customs Enforcement, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.

12. Respondent Markwayne MULLINS is Secretary of Homeland Security in the United States Department of Homeland Security. In this capacity, he is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(a) (2007); routinely transacts business in the Eastern District of New York; is legally responsible for pursuing any effort to detain and remove the Petitioner; and as such is a custodian of the Petitioner. The Secretary of Homeland Security's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528-0485.5.
13. Respondent ATTORNEY GENERAL is the Attorney General of the United States. In this capacity, he/she routinely transacts business in the Eastern District of New York; is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(g)(2007); and as such is a custodian of the Petitioner. This respondent's address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530- 0001.

Jurisdiction and Venue

14. This Court has jurisdiction under the U.S. Constitution. U.S. Const. art. I § 9, cl. 2 ("The privilege of the Writ of Habeas Corpus shall not be suspended, unless, when in Cases of Rebellion or Invasion, the public safety may require."). The Suspension Clause protects the right to the writ of habeas corpus where no adequate or effective alternative remedy exists. *See Boumediene v. Bush*, 553 U.S. 723, 745 (2008).

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15. This Court also has subject matter jurisdiction under 28 U.S.C. § 2241 (Habeas Corpus); 28 U.S.C. § 1331 (Federal Question); 28 U.S.C. § 1651 (the All-Writs Act); and 5 U.S.C. § 701 (the Administrative Procedure Act).
16. This Court has additional remedial authority under 28 U.S.C. §§ 2201-02 (the Declaratory Judgment Act), to grant injunctive and declaratory relief.
17. Administrative exhaustion is unnecessary as it would be futile.
18. Venue is proper in the U.S. District Court for the Eastern District of New York because Respondents are officers of United States agencies, and at the time of filing, Petitioner is detained at Metropolitan Detention Center Brooklyn, 80-29th St, Brooklyn, NY 11232, which is within the jurisdiction of the Eastern District of New York. A substantial part of the events or omissions giving rise to these claims occurred in Brooklyn, New York, and there is no real property involved in this action. *See* 28 U.S.C. § 1391(e)(1).

RELEVANT FACTS AND PROCEDURAL HISTORY

19. On information and belief, Petitioner was arrested and detained by ICE agents outside of his apartment at [REDACTED] on May 19, 2026. Upon information and belief, ICE detained him without a warrant.
20. On information and belief, there was no warrant for Petitioner's arrest. Petitioner was not asked any questions about his ties to the community or criminal history.
21. On information and belief, Respondents did not make a lawful, individualized custody assessment within 48 hours of arresting Petitioner without a warrant, and have not made such an individualized determination since then.
22. Upon information and belief, Petitioner is currently being held in immigration detention at Metropolitan Detention Center Brooklyn, 80-29th St, Brooklyn, NY 11232.

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23. Petitioner is not a flight risk, because of his past history, his family ties and his community ties. Since entering the United States, he has set up a life for himself, and was living a quiet life with his two brothers at [REDACTED].
24. Petitioner is not a danger to the community. Petitioner has been a peaceful and productive member of society. On information and belief, he has not been arrested or charged with any crime in the United States or in any other country. On information and belief, he did not resist arrest when approached by ICE.
25. Petitioner's ongoing detention has caused enormous harm by separating him from his family, his friends, and his community and risks further harm if not remedied. Indeed, nearly a week after his detention, his family has still not been unable to locate him in the detainee locator system. They had to resort to contacting the Mexican consulate to locate their brother.
26. Petitioner's detention has also placed undue burden on his ability to search for or consult with counsel with limited access to meaningful access to non-profit organizations.
27. ICE.'s actions violate Petitioner's rights under the Fifth Amendment of the U. S. Constitution, the INA, the Administrative Procedure Act and its own federal regulations.

LEGAL FRAMEWORK

I. Detaining Petitioner is arbitrary and capricious in violation of due process

28. Petition must be allowed to seek his claim for asylum and demands that an independent authority decide if he should be at liberty. ICE has arbitrarily and capriciously detained Petitioner depriving him of his basic due process rights.

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29. Pursuant to 28 U.S.C. § 2243, the Court either must grant the instant petition for writ of habeas corpus or issue an order to show cause to Respondents, unless Petitioner is not entitled to relief. If the Court issues an order to show cause, Respondents must file a response “within *three days* unless for good cause additional time, *not exceeding twenty days*, is allowed.” 28 U.S.C. § 2243 (emphasis added).
30. “It is well established that the Fifth Amendment entitles [noncitizens] to due process of law in deportation proceedings.” *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
31. This fundamental due process protection applies to all noncitizens, including both removable and inadmissible noncitizens. *See id.* at 721 (Kennedy, J., dissenting) (“[B]oth removable and inadmissible [noncitizens] are entitled to be free from detention that is arbitrary or capricious.”). It also protects noncitizens who have been ordered removed from the United States and who face continuing detention. *Id.* at 690.
32. The Court’s ruling in *Zadvydas* is rooted in due process’s requirement that there be “adequate procedural protections” to ensure that the government’s asserted justification for a noncitizen’s physical confinement “outweighs the ‘individual’s constitutionally protected interest in avoiding physical restraint.’” *Id.* at 690 (quoting *Kansas v. Hendricks*, 521 U.S.
- A. Defendants’ Pattern of Illegal Conduct Is Officially Sanctioned**
33. Defendants’ unlawful arrests, denial of access to counsel and deplorable holding conditions are the predictable result of directives from top officials to agents and officers.

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34. In January 2025, the administration gave ICE field offices an arrest quota of 75 arrests a day.¹ As offices attempted to carry out such a mandate, workplace raids increased,² ICE check-ins became traps, and courthouse arrests surged.³ Also, to help meet the quota, the administration granted agencies outside of DHS immigration enforcement powers.⁴

35. Meanwhile, the administration began systematically dismantling internal accountability mechanisms and restraints on immigration agents' and officers' conduct. The administration shut down multiple oversight agencies (retaining only a version of their former selves after the administration was sued).⁵ Investigations were closed. Officers no longer had to abide by enforcement priorities.⁶ Long-standing guidance restricting enforcement operations in sensitive locations—schools, hospitals, places of worship and public demonstrations—was rescinded.⁷

¹ Nick Miroff & Maria Sacchetti, Trump Officials Issue Quotas to ICE Officers to Ramp Up Arrests, *The Washington Post* (last updated Jan. 26, 2025), <https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota/>.

² Marianne LeVine, et al., ICE is Arresting Migrants in Worksite Raids. Employers are Largely Escaping Charges, *The Washington Post* (June 30, 2025), <https://www.washingtonpost.com/immigration/2025/06/30/ice-raids-arrests-workers-companies/> (noting an April announcement by ICE officials that the agency had arrested more than 1,000 workers during Trump's first 100 days and collecting stories of workplace raids across the country); Mark Moran, ICE Detains More than 530 People in Workplace 'Raids' in U.S. Northeast, *United Press International* (Jan. 23, 2025), https://www.upi.com/Top_News/US/2025/01/23/ice-details-538-ion-workplace-raids/7811737692376/.

³ Julia Ainsley, Trump admin tells immigration judges to dismiss cases in tactic to speed up arrests, *NBC News* (June 11, 2025), <https://www.nbcnews.com/politics/national-security/trump-admin-tells-immigration-judges-dismiss-cases-tactic-speed-arrest-rcna212138>;

Luis Ferré-Sadurní, Inside a Courthouse, Chaos and Tears as Trump Accelerates Deportations, *N.Y. Times* (June 12, 2025).

⁴ Press Release, DHS, Statement from a DHS Spokesperson on Directive Expanding Immigration Law Enforcement to Some Department of Justice Officials (Jan. 23, 2025),

<https://www.dhs.gov/news/2025/01/23/statement-dhs-spokespersondirective-expanding-immigration-law-enforcement>.

⁵ Nicolae Viorel Butler, Court Forces DHS to Preserve Immigrant Rights Offices, *Migrant Insider* (May 27, 2025), https://migrantinsider.com/p/court-forces-dhs-to-preserve-immigrant?utm_source=CLINIC%2BMail&utm_campaign=f9e1ee6428-tips-6-2-25&utm_medium=email&utm_term=0_-663ab9ab77-284225192

⁶ Press Release, DHS, Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole (Jan. 21, 2025), <https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse>

⁷ Marisa Kabas, ICE agents get green light to make unjustified warrantless arrests, *The Handbasket* (June 12, 2025), <https://www.thehandbasket.com/p/ice-warrantless-arrests-castanon-nava>.

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36. But these changes were not enough, according to the administration. In late May, Deputy Chief of Staff Stephen Miller summoned 25 ERO Field Office Directors and 25 HSI Special Agents to a meeting to demand that “everybody” be targeted.⁸
37. Under Miller’s directive, agents no longer needed to develop vetted target lists of individuals suspected of being in the United States unlawfully. ICE agents were instructed in an email to “aggressively “push the envelope,” including by pursuing “collaterals”—individuals that by definition would not have warrants.⁹
38. The administration set a new arrest quota of 3,000 arrests per day and reportedly threatened job consequences if officials failed to meet arrest quota.¹⁰
39. The overriding message to agents and officers carrying out immigration operations on the ground was to prioritize arrest numbers, regardless of the law. Agents and officers were granted sweeping discretion to achieve this goal.

B. Defendants’ Illegal Conduct Will Continue if Not Enjoined

40. The federal government has repeatedly made clear its intent to continue its operations and unlawful detentions. Defendants have been candid about their determination to continue pursuing these unlawful policies and practices, unless this Court enjoins them from doing so.
41. While immigration enforcement may be done lawfully, these statements demonstrate a commitment to continue operations at any cost, including at the expense of individuals’ constitutional and legal rights. Plaintiffs have already been harmed, and they face a

⁸ Stuard Anderson, Stephen Miller’s Order Likely Sparked Immigration Raids and Protests, *Forbes*, Jun. 9, 2025, <https://www.forbes.com/sites/stuardanderson/2025/06/09/stephen-millers-order-likely-sparked-immigration-arrests-and-protests/>.

⁹ José Olivares, US immigration officers ordered to arrest more people even without warrants, *The Guardian* (June 4, 2025), <https://www.theguardian.com/us-news/2025/jun/04/immigration-officials-increased-detentions-collateral-arrests>.

¹⁰ Elizabeth Findell, et al., *supra* note 2; Julia Ainsley, et al., A sweeping new ICE operation shows how Trump’s focus on immigration is reshaping federal law enforcement, *NBC News* (June 4, 2025), <https://www.nbcnews.com/politics/justicedepartment/ice-operation-trump-focus-immigration-reshape-federal-lawenforcement-rcna193494>

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reasonable likelihood of continuing harm, as a result of Defendants' unlawful policies and practices described herein.

42. Plaintiffs have no plain, adequate, or complete remedy at law to address the wrongs described herein. Injunctive and declaratory relief is necessary to redress their ongoing injuries.

D. Defendants' Illegal Conduct Will Continue if Not Enjoined

58. The federal government has repeatedly made clear its intent to continue its operations and unlawful detentions. Defendants have been candid about their determination to continue pursuing these unlawful policies and practices, unless this Court enjoins them from doing so.

59. While immigration enforcement may be done lawfully, these statements demonstrate a commitment to continue operations at any cost, including at the expense of individuals' constitutional and legal rights. Plaintiffs have already been harmed, and they face a reasonable likelihood of continuing harm, as a result of Defendants' unlawful policies and practices described herein.

60. Plaintiffs have no plain, adequate, or complete remedy at law to address the wrongs described herein. Injunctive and declaratory relief is necessary to redress their ongoing injuries.

CLAIMS FOR RELIEF

COUNT ONE

**VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO
THE UNITED STATES CONSTITUTION PROCEDURAL DUE PROCESS**

61. The allegations in the above paragraphs are realleged and incorporated herein.

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62. Petitioner is being detained without cause and in violation of his Constitutional right to Due Process under the Fifth Amendment.
63. The Procedural Due Process Clause of the Fifth Amendment prohibits the government from depriving an individual of a protected interest without notice and an opportunity to be heard. Mathews v. Eldridge, 424 U.S. at 319, 333 (1976).
64. Respondents provided Petitioner with no notice or opportunity to be heard prior to detaining him.
65. Respondents have offered Petitioner no meaningful opportunity to be heard or challenge his detention since incarcerating him
66. Petitioner's detention thereby deprives him of Petitioner's rights to Due Process under the Fifth Amendment of the United States Constitution.
67. Petitioner has no adequate remedy at law.

COUNT TWO

VIOLATION OF THE OF THE FIRST AND FIFTH AMENDMENTS TO THE UNITED STATES CONSTITUTION

68. Petitioner realleges and incorporates by reference the paragraphs above.
69. U.S. citizens and noncitizens alike are guaranteed the right to due process under the Fifth Amendment to the United States Constitution, which includes the rights to access courts. U.S. citizens and noncitizens alike are guaranteed the right of petition under the First Amendment to the U.S. Constitution, which includes the right to petition the Government for a redress of grievances. This right to petition includes the right to access courts and to participate in court proceedings as a witness, party or complainant.
70. As a result of Respondents' unlawful arrest and detention of Petitioner, his rights were violated, and he has and continues to suffer prejudice.

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71. Petitioner has no adequate remedy at law.

COUNT THREE

RELEASE ON BAIL PENDING ADJUDICATION

72. Petitioner realleges and incorporates by reference the paragraphs above.

73. This Court has the “inherent authority” to grant release or bail to habeas petitioners like this. See Vega v. United States, 514 F. Supp. 2d 767, 770 (W.D. Pa. 2007) (citing Johnston v. Marsh, 227 F.2d 528, 531 (3d Cir.1955)); see also Mapp v. Reno, 241 F.3d 221, 230 (2d Cir. 2001).

74. Release on bail pending habeas is appropriate when a petitioner raises “substantial constitutional claims upon which he has a high probability of success, and also when extraordinary or exceptional circumstances exist which make the grant of bail necessary to make the habeas remedy effective.” Landano v. Rafferty, 970 F.2d 1230, 1239 (3d Cir. 1992).

75. Petitioner meets this standard here. This petition raises constitutional claims on which he has a high probability of success. And Petitioner’s immediate release is necessary to make this remedy effective. As long as Petitioner remains detained, his physical and mental health is at continued, serious risk, and his ability to litigate <Pn3> asylum and immigration claims is jeopardized.

COUNT FOUR:

VIOLATION OF THE INA, REGULATIONS THEREUNDER, AND THE FIFTH AMENDMENT’S DUE PROCESS CLAUSE

76. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

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77. Respondents' presumed basis for detaining Petitioner is unknown. As discussed above, he was released after crossing the border. In the intervening time, petitioner has applied for asylum and built a productive life in the United States.
78. Under the terms of the INA and the governing regulations, Petitioner's detention is unlawful.

COUNT FIVE:

VIOLATION OF 8 U.S.C. § 1357(A)(2) WARRANTLESS ARRESTS WITHOUT PROBABLE CAUSE OF FLIGHT RISK

79. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
80. 8 U.S.C. § 1357(a)(2) requires that arrests without a warrant be accompanied by "reason to believe" that an individual is "likely to escape before a warrant can be obtained for [their] arrest."
81. Respondents have a policy, pattern, and practice of making arrests without any warrant without making an individualized determination of flight risk. They have no mechanism for ensuring compliance with the statutory limits of agents' and officers' warrantless arrest authority and do not provide guidance to agents and officers on how to make an individualized determination of likelihood of escape. Respondents permit agents and officers to make warrantless arrests carte blanche in violation of law.
82. Respondents' policy, pattern, and/or practice of making warrantless arrests without the required individualized flight risk analysis is "final agency action" that is "in excess of statutory jurisdiction, authority, or limitations" under 8 U.S.C. § 1357(a)(2). 5 U.S.C. §§ 704, 706(2)(C).

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83. Separate from the APA, Respondents' policy, pattern, and practice of making warrantless arrests without the required individualized flight risk analysis is ultra vires.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

- 1) Assume jurisdiction over this matter;
- 2) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, the Administrative Procedure Act; Section 1225(b)(1)(A) of the Immigration and Nationality Act; the First Amendment, and the Rehabilitation Act;
- 3) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately.
- 4) Order that Petitioner not be transferred outside the Eastern District of New York except to be released;
- 5) Order that Petitioner shall not be re-detained without notice and an opportunity to be heard at a pre-deprivation bond hearing before a neutral decisionmaker, where Respondents will have the burden of showing that his detention is authorized;
- 6) Order that Respondents are directed to return to Petitioner any and all funds or property seized from Petitioner at the time of his arrest upon his release;

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7) Grant any further relief this Court deems just and proper.

Respectfully submitted,



Emilio Cordova Cruz , Next Friend Petitioner

26th day of May 2026

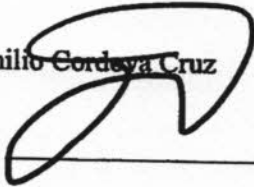
submitted on 5/27/26
CA

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

I am the Next Friend Petitioner, Emilio Cordova Cruz , and submit this verification on my own behalf. I hereby swear under penalty of perjury that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 26th day of May, 2026

Name: Emilio Cordova Cruz

Signature: 

JS 44 (Rev. 10/20)

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

Reynaldo Cordoba Cruz & Emilio Cordova Cruz, as Next

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

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

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DEFENDANTS

Raul Maldonado Jr., et. al.

County of Residence of First Listed Defendant
(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
- ☒ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 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 | ☒ 1 | ☒ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☒ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 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 ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 2241Brief description of cause:
Petition for a writ of habeas corpus**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

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____