

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
EASTERN DIVISION**

JOSE ANTONIO MADRIGAL TORRES

PETITIONER,

v.

WARDEN OF THE CALIFORNIA CITY IMMIGRATION PROCESSING CENTER, ET AL.,

RESPONDENTS.

PETITIONER'S SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

JOSE ANTONIO MADRIGAL TORRES

Petitioner,

v.

WARDEN OF THE
CALIFORNIA CITY IMMIGRATION
PROCESSING CENTER, et al.

Respondents.

Case No.

**PETITION FOR WRIT OF
HABEAS CORPUS**

Petitioner, Jose Antonio Madrigal Torres, hereby petitions this Court for a writ of Habeas Corpus under 28 USC §2241 to remedy Respondents' detaining him unlawfully, and states as follows:

INTRODUCTION

1. Petitioner Jose Antonio Madrigal Torres brings this petition for a writ of habeas corpus to seek his immediate release from immigration detention where he has been held by the United States Department of Homeland Security since being unlawfully re-detained since November 2025. Petitioner is in the physical custody of Respondents at the California City Immigration Processing Center, California City, California.

2. Petitioner was last and arbitrarily detained on November 2025. He now faces unlawful detention because the Department of Homeland Security (DHS) have erroneously detained Petitioner. Petitioner was present in the United States since about 1992, over three decades. His last entry into the United States was about 2001. He has four U.S. Citizen children:

[REDACTED] who is now 22 years old, [REDACTED] who is 20 years old, [REDACTED] who is 18 years old and [REDACTED] who is 17 years old. He was granted legal and physical custody of his children with subsequent modifications and has been a single parent and caretaker of his four children since 2011. Petitioner was convicted of residential burglary December 11, 2023. He was placed into removal proceedings and detained. Petitioner was granted bond by an immigration judge and released from custody in February 2024. Respondents wrongfully and unlawfully re-detained Petitioner November 2025. Petitioner was granted Cancellation of Removal by an Immigration Judge April 29, 2026. Respondent's appealed the decision to the Board of Immigration Appeals (BIA). Petitioner remains in Respondent's custody.

3. DHS has denied, and continues to deny, Petitioner's release from immigration custody. This denial is in large part based upon a new DHS policy issued on July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider anyone inadmissible under 8 U.S.C. § 1182(a) (6) (A) (i) - i.e., present without admission - to be an "applicant for admission" under 8 U.S.C. § 1225(b)(2)(A) and therefore subject to mandatory detention during the removal hearing process.

4. Petitioner previously sought a bond hearing before an immigration judge (IJ), and on February 12, 2024, the IJ accepted jurisdiction and granted bond. Petitioner was released from custody then unlawfully re-detained a year later in November 2025. Respondent has not sought another bond hearing as pursuant to DHS policy and the subsequent BIA decision in Matter of Yajure Hurtado, doing so would be futile as the overwhelming practice is to deny jurisdiction for Bond.

5. Both prior to and since the issuance of Matter of Yajure Hurtado, other district courts nationwide have overwhelmingly concluded that individuals similarly situated to Petitioner, present and residing within the United States, are not “applicants for admission” who are “seeking admission” and subject to mandatory detention under § 1225(b)(2)(A).

6. Petitioner’s detention on this basis violates the plain language of the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 et seq. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now present and residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as removable for having entered the United States without inspection and being present without admission.

7. The BIA and Respondents’ new legal interpretation of the INA is contrary to the statutory framework and to decades of agency practice applying § 1226(a) to people like Petitioner who are present within the United States. The new interpretation also conflicts with Ninth Circuit and Supreme Court precedent. See Jennings v. Rodriguez, 583 U.S. 281, 288, 301 (2018); Torres v. Barr, 976 F.3d 918, 926 (9th Cir. 2020); and United States v. Gambino-Ruiz, 91 F.4th 981, 989 (9th Cir. 2024).

8. In addition to Petitioner’s statutory right to a bond hearing under § 1226(a), individuals within the United States have constitutional rights. “[T]he Due Process Clause applies to all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” Zadvydas v. Davis, 533 U.S. 678, 693 (2001).

9. Accordingly, the Petitioner seeks a writ of habeas corpus requiring that he be released as soon as possible, or at a minimum that he be released upon the reinstatement of the \$6,500 bond previously paid in full by the Petitioner.

JURISDICTION

10. Jurisdiction is proper and relief is available pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 1346 (original jurisdiction), 5 U.S.C. § 702 (waiver of sovereign immunity), 28 U.S.C. § 2241 (habeas corpus jurisdiction), and Article I, Section 9, clause 2 of the United States Constitution (the Suspension Clause).

11. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All-Writs Act, 28 U.S.C. § 1651.

VENUE

12. Pursuant to Braden v. 30th Judicial Circuit Court of Kentucky, 410 US. 484, 493-500 (1973), venue lies in the United States District Court for the Eastern District of California, the judicial district in which Petitioners are currently detained.

13. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Eastern District of California.

PARTIES

14. Petitioner Jose Antonio Madrigal Torres is a Mexican national who was residing in Ventura County with his family prior to being detained. Mr. Madrigal entered the United States in 1992 without inspection. Ms. Madrigal was arrested by ICE agents in 2023 and was granted bond of \$6,500 on February 12, 2024. He was released at that time. Over a year later, in

November 2025, during an ICE check in appointment that had been requested of him. Mr. Madrigal has been in immigration detention since that date. After arresting Petitioner, ICE did not set bond and Petitioner requested review of his custody by an IJ. On April 29, 2026 Petitioner was granted relief from removal in the form of 42B Cancellation of Removal. The DHS subsequently appealed to the Board of Immigration Appeals.

15. Respondent Tim Robbins is the Field Office Director of ICE in San Diego, California and is named in his official capacity. ICE is the component of the DHS that is responsible for detaining and removing noncitizens according to immigration law and oversees custody determinations. In his official capacity, he is the legal custodian of Petitioner.

16. Respondent Todd M. LYONS is the Acting Director of ICE and is named in his official capacity. Among other things, ICE is responsible for the administration and enforcement of the immigration laws, including the removal of noncitizens. In his official capacity as head of ICE, he is the legal custodian of Petitioner.

17. Defendant Daren K Margolin is the Acting Director of EOIR and has ultimate responsibility for overseeing the operation of the immigration courts and the Board of Immigration Appeals, including bond hearings. Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings. He is sued in her official capacity. al.

18. Respondent Markwayne Mullin is the Secretary of the DHS and is named in his official capacity. DHS is the federal agency encompassing ICE, which is responsible for the administration and enforcement of the INA and all other laws relating to the immigration of noncitizens. In his capacity as Secretary, Respondent Mullin has responsibility for the

administration and enforcement of the immigration and naturalization laws pursuant to section 402 of the Homeland Security Act of 2002, 107 Pub. L. No. 296, 116 Stat. 2135 (Nov. 25, 2002); see also 8 U.S.C. § 1103(a). Respondent Mullin is the ultimate legal custodian of Petitioner.

19. Respondent Todd Blanch is the acting Attorney General of the United States and the most senior official in the U.S. Department of Justice (DOJ) and is named in his official capacity. He has the authority to interpret the immigration laws and adjudicate removal cases. The Attorney General delegates this responsibility to the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA.

20. Respondent Christopher CHESTNUT is the Warden of the California City Immigration Processing Center where Petitioner is being held. Respondent Christopher Chestnut oversees the day-to-day operations of the California City Immigration Processing Center and acts at the Direction of Respondents Robbins, Lyons and Mullin. Respondent Christopher Chestnut is a custodian of Petitioner and is named in their official capacity.

LEGAL FRAMEWORK

21. The INA prescribes three basic forms of detention for most noncitizens in removal proceedings conducted pursuant to 8 U.S.C. § 1229a.

22. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in § 1229a removal proceedings before an IJ. Individuals covered by § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, see 8 C.F.R. §§ 1003.19(a), 1236.1(d), while certain noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention. See 8 U.S.C. § 1226(c).

23. Second, the INA provides for mandatory detention of noncitizens subject to an Expedited Removal order imposed pursuant to 8 U.S.C. § 1225(b)(1) and for other noncitizen applicants for admission to the U.S. who are deemed not clearly entitled to be admitted. See 8 U.S.C. § 1225(b)(2).

24. Lastly, the INA provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings. See 8 U.S.C. § 1231(a)-(b).

25. This case concerns the detention provisions at 8 U.S.C. §§ 1226(a) and 1225(b)(2).

26. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104--208, Div. C, §§ 302-03, 110 Stat. 3009-546, 3009-582 to 3009-583, 3009-585. Section 1226(a) was most recently amended in early 2025 by the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025). This amendment occurred after Petitioner's conviction. The Laken Riley Act is not retroactive and therefore does not subject Petitioner to mandatory detention.

27. Following the enactment of the IIRIRA, EOIR drafted new regulations applicable to proceedings before immigration judges explaining that, in general, people who entered the country without inspection — also referred to as being “present without admission” - were not considered detained under § 1225 and that they were instead detained under § 1226(a). See Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

28. Thus, in the decades that followed, most people who entered without inspection and were placed in standard § 1229a removal proceedings received bond hearings before Immigration Judges, unless their criminal history rendered them ineligible. That practice was

consistent with many more decades of prior practice, in which noncitizens who were not deemed “arriving” were entitled to a custody hearing before an Immigration Judge or other hearing officer. See 8 U.S.C. § 1252(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply “restates” the detention authority previously found at § 1252(a)).

29. This practice both pre- and post-enactment of IIRIRA is consistent with the fact that noncitizens present within the United States - as opposed to noncitizens present at a border and seeking admission - have constitutional rights. “[T]he Due Process Clause applies to all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

30. On July 8, 2025, ICE “in coordination with” the Department of Justice, announced a new policy that rejected the well-established understanding of the statutory framework and reversed decades of practice.

31. The new policy, entitled “Interim Guidance Regarding Detention Authority for Applicants for Admission,” claims that all noncitizens present within the United States who entered without inspection shall now be deemed “applicants for admission” under 8 U.S.C. § 1225, and therefore are subject to mandatory detention under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended and affects those who have resided in the United States for months, years, and even decades.

32. On September 5, 2025, the Board of Immigration Appeals (BIA) adopted this same position in , 29 I&N Dec. 216 (BIA 2025) stating that all persons who entered without inspection are applicants for admission and are subject to mandatory detention under INA 235(b)(2). The BIA stated that “[based on the plain language of section 235(b)(2)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1225(b)(2)(A) (2018), Immigration Judges lack

authority to hear bond requests or to grant bond to aliens who are present in the United States without admission.”

33. The overwhelming majority of district courts to consider this question across the country, however, have rejected the ICE policy memo and the BIA’s decision in Matter of Yajure Hurtado. Courts have instead held that Section 1225 governs detention of noncitizens outside the country who are “seeking admission” to the United States, while Section 1226 governs those living in the United States. Available at: <https://immpolicytracking.org/policies/ice-issues-memoeliminatingbond-hearings-for-undocumented-immigrants/#/tab-policy-documents>. the United States who entered without inspection. See Garcia v. Noem, No. 25-cv02180-DMS-MMP, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025); Maldonado Bautista v. Noem, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. July 28, 2025) Order Granting Temporary Restraining Order, Dkt. 14 at 9 (“[T]he Court finds that the potential for Petitioners’ continued detention without an initial bond hearing would cause immediate and irreparable injury, as this violates statutory rights afforded under § 1226(a).”); Lopez Benitez v. Francis, No. 25-Civ-5937, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); Rosado v. Figueroa, No. CV-25-02157, 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), report and recommendation adopted without objection, 2025 WL 2349133 (D. Ariz. Aug. 13, 2025); Martinez v. Hyde, No. CV 25-11613-BEM, (D. Mass. July 24, 2025); Gomes v. Hyde, No. 1:25-cv-11571, 2025 WL 1869299 (D. Mass. July 7, 2025); Padron Covarrubias v. Vergara, No. 5:25-cv-00112 (S.D. Tex. Oct. 8, 2025); Rodriguez Vazquez v. Bostock, 2025 WL 1193850, 779 F. Supp. 3d 1239 (W.D. Wash. 2025); Diosdado A.V. v. Bondi, No. 25-cv-3162 (KMM/ECW), Doc. No. 16 (D. Minn. Aug. 19, 2025); Lopez-Campos v. Raycraft, No. 2:25-cv-12486-2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); Kostak v. Trump, No. 3:25-cv-01093-JE-KDM, Doc. 20 at 7 (W.D. La. Aug. 27, 2025); Benitez v. Noem, No. 5:25-cv-02190-RGK-AS,

Doc. 11 at 5 (C.D. Cal. Aug. 26, 2025); Leal-Hernandez v. Noem, No. 1:25-cv-02428- JRR, 2025 WL 2430025, at *10 (D. Md. Aug. 24, 2025); Romero v. Hyde, No. 25- 11631-BEM, 2025 WL 2403827, at *13 (D. Mass. Aug. 19, 2025); Arrazola-Gonzalez v. Noem, No. 5:25-cv-01789-ODW, 2025 WL 2379285, at *2 (C.D. Cal. Aug. 15, 2025); Dos Santos v. Noem, No. 1:25-cv-12052-JEK, 2025 WL 2370988, at *8 (D. Mass. Aug. 14, 2025); Belsai v. Bondi, et al., 2025 WL 2802947, at *5 (D. Minn., 2025); Buenrostro Mendez v. Bondi, 4:25-cv-03726 (S.D. Tex. Oct. 7, 2025); Choglllo Chafila v. Scott, No. 2:25-cv-437, 2025 WL 2688541, at *5 (D. Me. Sep. 21, 2025); Eliseo v. Olson et al, 25-3381 JWB/DJF (D. Minn. Oct. 8, 2025).

34. As the court in Rodriguez Vazquez explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner. Section 1226(a) applies by default to all persons “pending a decision on whether the [noncitizen] is to be removed from the United States.” Rodriguez Vazquez, 2025 WL 1193850 at *12.

35. Other portions of the text of § 1226 also explicitly apply to people charged as being inadmissible, including those who entered without inspection. See 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)’s reference to inadmissible individuals makes clear that, by default, inadmissible individuals not subject to subparagraph (E) (ii) are afforded a bond hearing under subsection (a). As the Rodriguez Vazquez court explained, “[w]hen Congress creates “specific exceptions” to a statute’s applicability, it “proves” that absent those exceptions, the statute generally applies. Rodriguez Vazquez, 2025 WL 1193850, at *12 (citing Shady Grove Orthopedic Assocs. P.A. v. Allstate Ins. Co., 559 U.S. 393, 400 (2010)).

36. On September 19, 2025, the Western District of Kentucky, Louisville Division, reached the same conclusion taking notice of the recent Congressional amendments, the Laken Riley Act, to Section 1226. See Barrera v. Tindall, No. 3:25- cv-541-RGJ (W.D. Ken., Sept. 19,

2025). The Laken Riley Act added new a new subsection under Section 1226(c) for certain individuals who would have otherwise fallen under Section 1226(a). The Barrera Court noted that if § 1225(b)(2) already mandated detention of any alien who has not been admitted, regardless of how long they have been here, then “adding § 1226(c)(1)(E) to the statutory scheme was pointless and this Court, too, will not find that Congress passed the Laken Riley Act to ‘perform the same work’ that was already covered by § 1225(b)(2).” See Barrera, at *9-10.

37. In its further analysis of the text, the Barrera Court observed, “Respondents ‘completely ignore,’ or even read out, the term ‘seeking’ from ‘seeking admission.’” (citing Lopez-Campos, 2025 WL 2496379, at *6). The term “seeking” “implies action.” *Id.* Noncitizens who are present in the country for years, like Barrera who has been here 20 years, are not actively “seeking admission.” *Id.* Since the plain language of Section 1225 requires someone to be “seeking admission” to be subject to mandatory detention, the Petitioner here (like Barrera) is not subject to mandatory detention.

38. Relying on the Supreme Court's decision in Jennings v. Rodriguez, 583 U.S. 281 (2018), the court in Lopez Santos v. Noem, 3:25-cv-01193-TAD-KDM (W.D. La., September 11, 2025) also reached the same conclusion. The Lopez Santos Court noted that the Supreme Court in Jennings held that Section 1225(b), the provision at issue in the instant habeas petition, “applies primarily to aliens seeking entry into the United States” (Jennings at 297), and that Section 1226 “applies to aliens already present in the United States.” *Id.* at 303. As such the Court in Lopez Santos v. Noem too determined that a noncitizen residing in the U.S. is entitled to a bond hearing. Lopez Santos v. Noem at *11.

39. In light of the foregoing and the plain language of Sections 1225 and 1226, Section 1226 applies to noncitizens who are present without admission and who face charges in removal proceedings of being inadmissible to the United States.

40. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States and are encountered at or near the border. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. § 1225(b)(2)(A).

41. Accordingly, the mandatory detention provision of Section 1225(b)(2) does not apply to people like Petitioner who have already entered and were residing in the United States at the time they were apprehended. Instead, Section 1226(a) applies. Any subsequent mandatory detention provision under Section 1226(c) effective after the date Petitioner was convicted do not have a retroactive effect on Petitioner and therefore cannot be used pretextually to justify continued detention by Respondents.

FACTS

42. Petitioner Jose Antonio Madrigal Torres has been present in the United States since 1992. He is a single father and caretaker to his 4 US Citizen children.

43. On December 11, 2023, he was convicted of residential burglary. On August 11, 2023 he was placed into removal proceedings. He was detained and ultimately granted a bond by an immigration judge on the 13th of February of 2024 of \$6,500. The Immigration Judge found that Respondent's had not met their burden to establish by clear and convincing evidence that the applicant's release from custody would pose a danger to the community or a significant flight risk.

44. The \$6,500 bond previously set by the Immigration Judge on February 12, 2024 was paid in full by Petitioner at that time and has never been returned, That bond has not cancelled and remains on deposit with the government under the applicable DHS bond cancellation procedures. No notice of bond cancellation has been issued to Petitioner or his counsel.

45. Mr. Madrigal faithfully attended all ICE check in appointments as requested by Respondents and on November 2025 they arbitrarily and unlawfully re-detained him.

46. On the 26th of April 2026 an Immigration Judge Granted the application for Cancellation of Removal for certain nonpermanent residents finding that Petitioner was not only statutorily eligible but that his removal would result in exceptional and unusual hardship to his US Citizen children.

47. DHS reserved appeal and filed their Notice of Appeal to the Board of Immigration Appeals (BIA).

48. Petitioner remains detained and has been detained for a prolonged period of over seven months despite a grant of bond by an Immigration Judge. Petitioner seeks release from Respondent's custody.

FIRST CLAIM FOR RELIEF

Petitioner's Detention is in Violation of 8 U.S.C. § 1226(a)

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

50. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to Petitioner who is present and residing in the United States and has been placed under § 1229a removal proceedings and charged with inadmissibility pursuant 8 U.S.C. § 1182(a)(6)(A)(i) and

8 U.S.C. § 1182(a)(7)(A)(i). As relevant here, § 1225(b)(2) does not apply to those who previously entered the country and have been present and residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens may only be detained pursuant to § 1226(a), unless subject to § 1226(c), or § 1231.

51. The mandatory detention provision at 8 U.S.C. §1226(c) does not apply to Petitioner as his conviction was December 11, 2023 and the Laken Riley Act was signed into law in 2025.

52. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates 8 U.S.C. § 1226(a).

SECOND CLAIM FOR RELIEF

Petitioner's Detention Violates the Administrative Procedure Act, 5 U.S.C. § 706(2)

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

54. 57. Under the Administrative Procedure Act, a court must “hold unlawful and set aside agency action” that is “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law,” that is “contrary to constitutional right [or] power,” or that is “in excess of statutory jurisdiction, authority, or limitations, or short of statutory right.” 5 U.S.C. § 706(2)(A)-(C).

55. Respondents’ detention of Petitioner pursuant to § 1225(b)(2) is arbitrary and capricious. Respondents’ detention of Petitioner violates the INA and the Fifth Amendments. Respondents do not have statutory authority under § 1225(b)(2) to detain Petitioner.

56. Petitioner's detention is arbitrary, capricious, an abuse of discretion, violative of the Constitution, and without statutory authority in violation of 5 U.S.C. § 706(2).

THIRD CLAIM FOR RELIEF

Petitioner's Detention Violates His Fifth Amendment Right to Due Process

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

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

59. Petitioner has a fundamental interest in liberty and being free from official restraint.

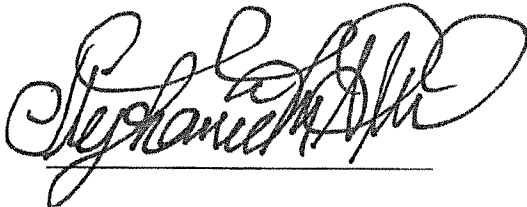
60. The Respondents' continued re-detention of Petitioner without allowing the Petitioner release from detention when an IJ previously granted bond (determining Petitioner is not a danger to the community and not such a flight risk that bond is inappropriate) violates his right to Due Process.

PRAYER FOR RELIEF WHEREFORE, Petitioner respectfully asks that this Court take jurisdiction over this matter and grant the following relief:

a. Issue a Writ of Habeas Corpus requiring Respondents to release Petitioner, or in the alternative, that Respondents reinstate the existing, uncanceled \$6,500 bond already paid in full by Petitioner on February 12, 2024, and release Petitioner accordingly (as an Immigration Judge has already held a bond hearing pursuant to 8 U.S.C. §1226(a) and granted Petitioner bond);

- b. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- c. Grant any other and further relief that this Court deems just and proper.

Dated: July 1, 2026

A handwritten signature in black ink, appearing to read 'Stephanie M. Alcala', written over a horizontal line.

STEPHANIE M. ALCALA, ESQ.

ATTORNEY FOR PETITIONER