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Attorneys for Petitioner

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ODILSON EDGARDO CORTES
BUSTILLO,

Petitioner,

v.

TODD BLANCHE, U.S. ATTORNEY
GENERAL,

MARKWAYNE MULLIN,
SECRETARY, U.S. DEPARTMENT
OF HOMELAND SECURITY,

DAVID VENTURELLA, ACTING
DIRECTOR OF U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT,

WARDEN OF CALIFORNIA CITY
IMMIGRATION PROCESSING
CENTER,

EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW,

U.S. DEPARTMENT OF
HOMELAND SECURITY,

Respondents.

Case No.

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

INTRODUCTION

1. Petitioner Mr. Odilson Edgardo Cortes Bustillo is in the physical custody of Respondents at the California City Immigration Processing Center in California City, California. *See* Exhibit A, ICE Online Detainee Locator. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) have concluded that he is subject to mandatory detention.
2. On September 5, 2025, the Board of Immigration Appeals issued a precedent decision, binding on all immigration judges, holding that an immigration judge has no authority to consider bond requests for any person who entered the United States without admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). The Board determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.
3. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act (INA). Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to section 1226(a), which allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

- 1 4. Section 1225 governs “applicants for admission” encountered at the border or
2 its functional equivalent, while section 1226 governs those “already in the
3 country.” *Jennings v. Rodriguez*, 583 U.S. 282, 288-89 (2018).
- 4
5 5. Courts across the country have consistently held that noncitizens already
6 present in the United States are governed by 8 U.S.C. § 1226(a), not §
7 1225(b)(2)(A), and cannot be treated as arriving aliens without contravening
8 the plain language of the Immigration & Nationality Act (“INA”). *See, e.g.*,
9 *Quiroz v. Mullin*, No. 26-6019, 2026 LX 362962 (10th Cir. June 30, 2026); *Da*
10 *Cunha v. Freden*, 175 F.4th 61 (2d Cir. 2026) (pending appeal); *Alvarez v.*
11 *Warden, Fed. Det. Ctr. Mia.*, 175 F.4th 1258 (11th Cir. 2026) (appeal ongoing);
12 *Lopez-Campos v. Raycraft*, 175 F.4th 713 (6th Cir. 2026) (appeal proceedings
13 ongoing); *Castanon Nava v. U.S. Dep’t of Homeland Sec.*, 161 F.4th 1048, 1062
14 (7th Cir. 2025) (appeal proceedings ongoing); *Maldonado Bautista v.*
15 *Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2026 WL 468284 (C.D. Cal. Feb.
16 18, 2026) (appeal pending).
- 17
18 6. Nonetheless, the Executive Office for Immigration Review, the immigration
19 court, and the Department of Homeland Security (DHS) have refused to abide
20 by the majority interpretation of § 1225 and have unlawfully denied Petitioner
21 the opportunity to be released on bond.
- 22
23 7. Only two appellate courts have ruled in the government’s favor. *See*
24 *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th Cir. 2026); *Avila v. Bondi*, 170
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- 26
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1 F.4th 1128 (8th Cir. 2026). Those decisions have no binding effect here, and
2 this court has continuously held rejected the government's interpretation of the
3 law on this issue. *See Otero v. Robbins*, No. 1:25-cv-1790 CSK, 2025 WL
4 3704453, at *5 (E.D. Cal. Dec. 22, 2025) (collecting cases and rejecting
5 respondents' interpretation of Sections 1225 and 1226); *Morales-Flores v.*
6 *Lyons*, No. 1:25-cv-01640-TLN-EFB, 2025 WL 3552841, at *3 (E.D. Cal. Dec.
7 11, 2025) (collecting cases and rejecting respondents' arguments and finding
8 DHS's new policy unlawful).

9
10
11 8. Petitioner entered the United States on or about 2008.

12
13 9. On May 31, 2026, Petitioner was stopped by two Border Patrol Agents while
14 driving near Davie, Florida, and was subsequently taken into Border Patrol
15 custody based on his immigration status.

16
17 10. On May 31, 2026, Respondents issued a Notice to Appear for Petitioner,
18 charging him under 8 U.S.C. § 1182(a)(6)(A)(i), as an alien who was not
19 admitted or paroled into the United States and under 8 U.S.C. §
20 1182(a)(7)(A)(i)(I), as an "immigrant . . . not in possession of a valid unexpired
21 immigrant visa, reentry permit, border crossing card, or other valid entry
22 document required by the [INA]." *See* Exhibit B, Notice to Appear.

23
24
25 11. Petitioner was detained eighteen years after his initial entry. Therefore, he is
26 currently detained under 8 U.S.C. § 1226(a), the discretionary detention
27 provision that authorizes release on bond or conditional parole.
28

1 12. Petitioner is a Honduran national with no criminal history that would indicate
2 he is a danger to society. *See* Exhibit C, Form I-213, Record of
3 Deportable/Inadmissible Alien). His continued confinement under these
4 circumstances serves no lawful basis where Congress has expressly authorized
5 bond consideration under § 1226(a).
6

7
8 13. The Fifth Amendment protections apply “to all persons within the United
9 States, including aliens, whether their presence here is lawful, unlawful,
10 temporary, or permanent”. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).
11

12 14. Over the years, the courts have stepped in to ensure that vulnerable classes of
13 immigrants receive the protections to which they are entitled as a matter of law,
14 due process, and fundamental notions of fairness. The case at bar presents an
15 opportunity for this Honorable Court to step in once again in the interest of
16 justice and allow this innocent man to be released in accordance with the law.
17

18 15. Because Respondents are detaining Petitioner in violation of the INA, this
19 Court should expeditiously grant the petition.
20

21 16. The Court should order Respondent DHS to release Petitioner within one day.
22

23 17. Alternatively, the Court should order his release unless Respondents provide a
24 bond hearing under 8 U.S.C. § 1226(a) within seven days.
25

26 JURISDICTION

27 18. This action arises under the Constitution of the United States and the INA, 8
28 U.S.C. § 1101.

1 19. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28
2 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United
3 States Constitution (the Suspension Clause).

4
5 20. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory
6 Judgment Act, 28 U.S.C. § 2201, and the All Writs Act, 28 U.S.C. § 1651.

7 VENUE

8
9 21. Petitioner is in the physical custody of Respondents. Petitioner is detained at
10 the California City Immigration Processing Center in California City,
11 California.

12
13 22. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484,
14 493-500 (1973), venue lies in the United States District Court for the Eastern
15 District of California, the judicial district in which Petitioner currently is
16 detained.

17
18 23. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
19 Respondents are employees, officers, and agencies of the United States, and
20 because a substantial part of the events or omissions giving rise to the claims
21 occurred in the Eastern District of California.

22 REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243

23
24 24. The Court must grant the petition for writ of habeas corpus “forthwith” unless
25 the petitioner is not entitled to relief. 28 U.S.C. § 2243.

26
27 25. Habeas corpus is “perhaps the most important writ known to the constitutional
28

1 law . . . affording as it does a swift and imperative remedy in all cases of illegal
2 restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963). “The
3 application for the writ usurps the attention and displaces the calendar of the
4 judge or justice who entertains it and receives prompt action from him within
5 the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th
6 Cir. 2000).

7
8
9 26. Petitioner is “in custody” within the meaning of 28 U.S.C. § 2241 because he
10 is detained by Respondents at the California City, immigration Processing
11 Center in California City, California pursuant to immigration detention
12 authority. Petitioner challenges that custody as unlawful under the Constitution,
13 federal law, and applicable treaties.
14
15

16 PARTIES

17 27. Petitioner Mr. Odilson Edgardo Cortes Bustillo is a citizen of Honduras who
18 entered the United States on or about 2008 and has been in immigration
19 detention since May 31, 2026.
20

21 28. Respondent Markwayne Mullin is the Secretary of the Department of
22 Homeland Security. He is responsible for the implementation and enforcement
23 of the INA, and oversees ICE, which is responsible for Petitioner’s detention.
24 Mr. Mullin has ultimate custodial authority over Petitioner and is sued in his
25 official capacity.
26
27

28 29. Respondent David Venturella is the Attorney General of the United States. He

1 is responsible for the Department of Justice, of which the Executive Office for
2 Immigration Review and the immigration court system it operates is a
3 component agency. He is sued in his official capacity.
4

5 30. Respondent Todd Lyons is the Acting Director of the U.S. Department of
6 Homeland Security Immigration and Customs Enforcement. He is sued in his
7 official capacity.
8

9 31. Respondent Warden of California City Immigration Processing Center is
10 responsible for the facility where Petitioner is detained. The Warden is sued in
11 their official capacity.
12

13 32. Respondent Executive Office for Immigration Review is the administrative
14 agency responsible for adjudicating immigration cases and oversees
15 Petitioner's removal proceedings and related custody determinations. It is sued
16 in its official capacity.
17

18 33. Respondent U.S. Department of Homeland Security is the federal agency
19 responsible for immigration enforcement and detention and has authority over
20 and maintains custody of Petitioner in connection with these proceedings. It is
21 sued in its official capacity.
22
23

24 **STATEMENT OF FACTS**

25 34. Mr. Odilson Edgardo Cortes Bustillo is a native and citizen of Honduras who
26 has been in ICE custody since May 31, 2026. After Petitioner was arrested in
27 Florida, ICE did not set bond.
28

1 35. Petitioner entered the United States on or about 2008.

2 36. On May 4, 2026, Respondents issued a Notice to Appear for Petitioner,
3 charging him under 8 U.S.C. § 1182(a)(6)(A)(i) (INA § 212(a)(6)(A)(i)) as an
4 alien who was not admitted or paroled into the United States, and under 8
5 U.S.C. § 1182(a)(7)(A)(i)(I) (INA § 212(a)(7)(A)(i)(I)) as an immigrant who,
6 at the time of application for admission, was not in possession of a valid entry
7 document. *See* Exhibit B, Notice to Appear.
8

9 37. As of the filing of this petition, Petitioner has been wrongfully detained for
10 over a month without an individualized bond hearing.
11

12 EXHAUSTION

13 38. Exhaustion under 28 U.S.C. § 2241 is prudential, not jurisdictional, and other
14 courts have repeatedly excused it where administrative review is inadequate,
15 futile, or would cause irreparable harm. *See Martinez Lopez v. LaRose*, No. 25-
16 CV-2717-JES-AHG, 2025 WL 3030457, at *3 (S.D. Cal. Oct. 30, 2025)
17 (waiving administrative exhaustion because *Matter of Yajure Hurtado* renders
18 an appeal of Section 1225 classification futile).
19

20 39. In this case, the erroneous decision in *Matter of Yajure Hurtado*, coupled with
21 ICE's mandatory detention policy, foreclosed any meaningful opportunity for
22 relief. Under these circumstances, requiring Petitioner to pursue administrative
23 remedies would serve no purpose and would only prolong unlawful detention.
24
25
26
27

28 STATEMENT OF LAW

Mandatory Detention Scheme

40. Immigration detention has two statutory goals: (1) to ensure the noncitizen's appearance at future immigration proceedings, and (2) to prevent "danger to the community." *Zadvydas*, 533 U.S. at 690. Petitioner's detention serves neither purpose.

41. Congress established two separate detention regimes. Section 1225 governs "applicants for admission" encountered at the border or its functional equivalent, while section 1226 governs those "already in the country." *Jennings*, 583 U.S. at 288-89.

42. These provisions are mutually exclusive; a noncitizen cannot be subject to both mandatory detention under § 1225 and discretionary detention under § 1226.

43. Section 1225(b)(2)(A) provides that "in the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding under section 1229a." 8 U.S.C. § 1225(b)(2)(A).

44. Crucially, courts and the BIA have recognized that the phrase "seeking admission" carries an active, temporal component: it refers to individuals "coming or attempting to come into the United States," 8 C.F.R. § 1.2, i.e., those apprehended at or near the border and in the process of initial entry. *Martinez*, 792 F. Supp. 3d at 6-7.

1 45. By contrast, § 1226 governs the detention of noncitizens already present in the
2 United States and apprehended on a warrant issued by the Attorney General. 8
3 U.S.C. § 1226(a). Unlike § 1225's mandatory scheme, § 1226(a) creates a
4 discretionary framework under which the Attorney General "may continue to
5 detain" or "may release" a noncitizen on bond or conditional parole. *Id.*
6

7
8 46. Individuals detained under § 1226 are entitled to an individualized custody
9 determination and may appeal that determination to an immigration judge. 8
10 C.F.R. § 1236.1(d)(1); *see Matter of Siniauskas*, 27 I.&N. Dec. 207, 207 (BIA
11 2018).
12

13 47. Narrow mandatory detention categories exist under § 1226(c) for certain
14 criminal or security grounds, but those are not implicated here.
15

16 48. Multiple recent decisions confirm that § 1225 does not apply to noncitizens
17 apprehended in the interior. *See Gomes v. Hyde*, 804 F. Supp. 3d 265 (D. Mass.
18 2025) (holding that § 1225(b)(2)(A) did not apply to a petitioner who had been
19 residing in the United States for over two years; emphasizing that "seeking
20 admission" requires an active, ongoing effort to enter, not mere presence in the
21 country, and concluding that detention was governed by § 1226(a) with access
22 to bond); *see also Rodriguez v. Bostock*, 779 F. Supp. 3d 1239, 1247-49 (W.D.
23 Wash. 2025) (finding that a non-citizen apprehended from within the United
24 States and charged with inadmissibility was necessarily detained under section
25 1226, rather than section 1225); *Gomes*, 804 F. Supp. 3d at 272-73; *Lepe v.*
26
27
28

1 *Andrews*, 801 F. Supp. 3d 1104, 1112-15 (E.D. Cal. 2025).

2 49. Multiple federal circuit courts across the country have held that § 1226(a), not
3 § 1225(b)(2)(A), governs detention of interior residents who entered without
4 inspection. *See, e.g., Alvarez*, 175 F.4th 1258; *Cunha*, 175 F.4th 61; *Maldonado*
5 *Bautista*, 2026 WL 468284; *Castanon Nava*, 161 F.4th at 1062; *Quiroz v.*
6 *Mullin*, 2026 LX 362962; *Lopez-Campos v. Raycraft*, 175 F.4th 713, 2026 LX
7 19162.
8

9
10 50. Only two appellate courts have ruled in the government's favor. *See*
11 *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th Cir. 2026); *Avila v. Bondi*, 170
12 F.4th 1128 (8th Cir. 2026). Those decisions have no binding effect here. Nor
13 has the Ninth Circuit decided the issue.
14

15
16 51. Further, this very District has continuously held against this wrongful
17 interpretation of the INA. *See Otero*, 2025 WL 3704453 at *5 (rejecting
18 respondents' interpretation of Sections 1225 and 1226 and joining the majority
19 of courts nationwide); *Morales-Flores*, 2025 WL 3552841 at *3 (noting
20 "Courts nationwide, including this one, have overwhelmingly rejected
21 respondents' arguments and found DHS's new policy unlawful.")
22

23
24 52. As a majority of circuit courts have recognized, interpreting § 1225 to cover
25 all noncitizens who were never formally "admitted" would collapse the
26 statutory distinction, render § 1226 superfluous, and contradict longstanding
27 DHS practice. *See Martinez*, 792 F. Supp. 3d at 1188 ("This tension between
28

1 sections 1225 and 1226 motivates the conclusion that they apply to different
2 classes of aliens.”); *Gomes*, 804 F. Supp. 3d at 272–73 (rejecting the
3 government’s reading because it would effectively eliminate the distinction
4 between §§ 1225 and 1226 and make § 1226 largely superfluous for noncitizens
5 apprehended inside the United States); *see also Marx v. Gen. Revenue Corp.*,
6 568 U.S. 371, 386 (2013) (“the canon against surplusage is strongest when an
7 interpretation would render superfluous another part of the same statutory
8 scheme.”)
9
10
11

12 53. Courts have distilled two central principles:

- 13 a. Geographic/temporal limits: § 1225 applies only to noncitizens
14 apprehended at or near the border and in the act of entry, not to those
15 apprehended years later in the interior.
16
17 b. Statutory structure: Reading § 1225 as covering all noncitizens who
18 were never lawfully “admitted” would render § 1226 largely
19 meaningless, contrary to the rule against surplusage. *See Martinez*, 792
20 F. Supp. 3d at 1188; *Gomes*, 804 F. Supp. 3d at 272–73.
21
22

23 54. As set forth below, applying this framework compels the conclusion that
24 Petitioner’s detention cannot fall under § 1225. Having resided in the United
25 States for over twenty years before detention within the interior, he falls
26 squarely within the discretionary scheme of § 1226. Respondents’ reliance on
27 § 1225 is therefore legally untenable.
28

1 55. Finally, *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), overruled
2 Chevron deference, thereby permitting this Honorable Court to reach its own
3 conclusion on the interpretation of the relevant statutes without relying on the
4 Board precedent in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025),
5 which several circuit courts have found to have been wrongly decided. *See*
6 *Alvarez*, 175 F.4th 1258; *Cunha*, 175 F.4th 61; *Maldonado Bautista*, 2026 WL
7 468284; *Castanon Nava*, 161 F.4th at 1062; *Quiroz*, 2026 LX 362962; *Lopez-*
8 *Campos v. Raycraft*, 175 F.4th 713.

11 CLAIMS FOR RELIEF

12 COUNT I

13 *Unlawful Detention Under 8 U.S.C. § 1225; Custody Properly Governed by 8* 14 *U.S.C. § 1226*

15 56. Petitioner repeats, re-alleges, and incorporates by reference each and every
16 allegation in the preceding paragraphs as if fully set forth herein.

17 57. By asserting that Petitioner is subject to mandatory detention under §
18 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA.

19 58. Petitioner is currently detained pursuant to INA § 236(a), 8 U.S.C. § 1226(a).
20 Petitioner entered the United States in 2008. At the time of his detention on
21 May 31, 2026, he had resided in the United States for almost two decades. He
22 is not subject to mandatory detention under § 1226(c), expedited removal under
23 § 1225(b)(1), or post-order detention under § 1241.
24
25
26
27
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1 59. As a Honduran national who entered the United States in 2008 and who was
2 not apprehended at the time of entry, Petitioner squarely falls within the class
3 of individuals detained under § 1226(a). Accordingly, detention is
4 discretionary, not mandatory, and DHS must exercise that discretion in a
5 manner consistent with statutory and constitutional limits.
6

7
8 60. Despite the discretionary detention framework set forth in 8 U.S.C. § 1226(a),
9 Respondents have refused to meaningfully exercise that discretion.
10 Specifically, Respondents have refused to consider Petitioner for release and
11 have failed to provide a constitutionally adequate bond hearing. As a result,
12 Petitioner remains subject to unlawful detention that is not reasonably related
13 to any legitimate governmental purpose.
14
15

16 **COUNT II**

17 ***Violation of the Due Process Clause of the Fifth Amendment of the United*** 18 ***States Constitution***

19 61. Petitioner repeats, re-alleges, and incorporates by reference each and every
20 allegation in the preceding paragraphs as if fully set forth herein.
21

22 62. The government may not deprive a person of life, liberty, or property without
23 due process of law. U.S. Const. amend. V. "Freedom from imprisonment . . .
24 lies at the heart of the liberty that Clause protects." *Zadvydas*, 533 U.S. at 690.
25

26 63. The Due Process Clause entitles Petitioner to meaningful process assessing
27 whether his current detention is justified. Petitioner's arrest and detention,
28

1 without an opportunity to contest his detention before a neutral decisionmaker
2 after living in the United States for over two decades, provide insufficient due
3 process and violate the Due Process Clause of the Fifth Amendment of the
4 Constitution.
5

6 64. Immigration detention has two statutory goals: (1) to ensure the noncitizen's
7 appearance at future immigration proceedings, and (2) to prevent "danger to the
8 community." *Zadvydas*, 533 U.S. at 690. Petitioner's detention serves neither
9 purpose.
10

11 65. There is no evidence that Petitioner poses a danger to the community or a flight
12 risk. Nothing in the record demonstrates that continued detention is necessary
13 to protect the public or to ensure Petitioner's appearance at future proceedings.
14

15 66. Because Petitioner's detention is discretionary, continued confinement without
16 meaningful consideration of release is arbitrary and not reasonably related to
17 any legitimate immigration purpose.
18

19 67. The Fifth Amendment's Due Process Clause requires adequate procedural
20 protections to ensure that the government's asserted justification for physical
21 confinement outweighs the individual's constitutionally protected interest in
22 avoiding physical restraint. *See Jennings*, 583 U.S. at 306.
23

24 68. Where detention is discretionary under 8 U.S.C. § 1226(a), due process
25 requires individualized consideration of whether continued detention is
26 justified. Immigration detention cannot be sustained where it is unrelated to
27
28

1 danger or flight risk and where less restrictive alternatives, such as bond or
2 conditions of supervision, are readily available.

3
4 69. Release is the traditional remedy for unlawful custody in habeas proceedings.

5 *See Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973) (“[T]he traditional function
6 of the writ is to secure release from illegal custody.”); *see also Munaf v. Geren*,
7 553 U.S. 674, 693 (2008) (“Habeas is at its core a remedy for unlawful
8 executive detention.”); *Ambroladze v. Maldonado*, No. 26-CV-00474 (HG),
9 2026 WL 280182, at *3 (E.D.N.Y. Feb. 3, 2026) (ordering immediate release
10 where continued detention followed a failure of process).

11
12
13 70. Petitioner has now been detained for over a month without a meaningful
14 exercise of discretion or a constitutionally adequate bond hearing.

15
16 71. Under these circumstances, continued detention no longer serves a legitimate
17 regulatory purpose and instead imposes unnecessary physical and
18 psychological harm on an individual with available migratory relief.

19
20 **PRAYER FOR RELIEF**

21 72. WHEREFORE, Petitioner prays that this Court grant the following relief:

- 22
23 a. Assume jurisdiction over this matter;
- 24 b. Order that Petitioner shall not be transferred outside the Eastern District
25 of California;
- 26
27 c. Issue an Order to Show Cause ordering Respondents to show why this
28 Petition should not be granted within three days.

- 1 d. Declare that the Petitioner's detention violates the Due Process Clause
2 of the Fifth Amendment.
3
4 e. Issue a writ of habeas corpus requiring that within one day, Respondents
5 release Petitioner.
6
7 f. Alternatively, issue a writ of habeas corpus requiring Respondents to
8 release Petitioner unless they provide a bond hearing under 8 U.S.C. §
9 1226(a) within seven days, with the burden on the government to prove
10 that continued detention is necessary.
11
12 g. Grant any other and further relief that this Court deems just and proper.

13 Date: July 8, 2026

Respectfully submitted,

14 /s/ Alexa S. White

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(Pro hac vice application forthcoming)

26 *Attorneys for Petitioner*
27
28

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

I represent Petitioner, Odilson Edgardo Cortes Bustillo, and submit this verification on his behalf. I 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.

Dated this 7th day of July, 2026.

/s/ Roxana Gerardo Fernandez

Roxana Gerardo Fernandez

roxana@lawfernandez.com