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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

HIEU MINH NGUYEN,

Petitioner,

v.

DAVID PAULK, Warden of Irwin County Detention Center A-226-027-823;

KRISTEN SULLIVAN, Field Office Director of Immigration and Customs Enforcement, Enforcement and Removal Operations, Atlanta Field Office;

DAVID VENTURELLA, Acting Director of Immigration and Customs Enforcement;

MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security; and

TODD BLANCHE, Acting U.S. Attorney General,

Respondents.

Case No.

PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Challenge to Unlawful Detention Under 28 U.S.C. § 2241

INTRODUCTION

1. This case concerns the unlawful re-detention of Petitioner Hieu Minh Nguyen ("Mr. Nguyen") after the Department of Homeland Security ("DHS") itself determined—more than two years ago—that he did not warrant detention, and released him

on his own recognizance while his application for asylum proceeded.

2. Mr. Nguyen entered the United States on or about May 7, 2024. He was apprehended near San Ysidro, California, and that same day DHS released him on his own recognizance pursuant to 8 C.F.R. § 1236.1(c)(8), based on an individualized determination that he did not pose a flight risk or a danger to the community.

3. For more than two years, Mr. Nguyen complied with every condition of that release. He timely applied for asylum, obtained employment authorization from U.S. Citizenship and Immigration Services, maintained a stable residence, and reported to ICE as directed.

4. On July 16, 2026, Mr. Nguyen appeared for a routine ICE check-in required by the terms of his release. Instead of conducting a routine supervision appointment, ICE officers summarily took him into custody—without prior notice, without explanation, and without alleging that he had violated a single condition of his release.

5. Mr. Nguyen has no criminal history. DHS has identified no change in circumstances—no new offense, no violation of any reporting condition, no evidence that he now poses a flight risk or danger to the community—that could justify reversing the very custody determination it made in his favor more than two years earlier.

6. Mr. Nguyen remains detained at the Irwin County Detention Center in this District without notice, without a hearing, and without any individualized assessment of whether his continued confinement serves any legitimate purpose.

7. The Constitution does not permit the government to grant a person conditional liberty, allow him to live at liberty in the United States for years, and then strip him of that liberty without process or justification. *See Morrissey v. Brewer*, 408 U.S. 471,

482 (1972).

8. Mr. Nguyen's re-detention violates procedural due process because DHS revoked his conditional liberty without notice or an opportunity to be heard; violates substantive due process because his continued detention bears no reasonable relation to any legitimate regulatory purpose; and is arbitrary and capricious under the Administrative Procedure Act because DHS has offered no reasoned explanation for reversing its own prior custody determination.

9. This Court should intervene immediately to end Mr. Nguyen's unlawful detention and order his release.

JURISDICTION & VENUE

10. This Court has jurisdiction under 28 U.S.C. §§ 2241 et seq.; the Declaratory Judgment Act, 28 U.S.C. §§ 2201 et seq.; the All Writs Act, 28 U.S.C. § 1651; and the Fifth Amendment to the United States Constitution.

11. Federal district courts have jurisdiction to hear habeas claims by noncitizens challenging the lawfulness of their immigration detention. *See Zadvydas v. Davis*, 533 U.S. 678 (2001).

12. This Court also has federal question jurisdiction under 28 U.S.C. § 1331 and authority under the Administrative Procedure Act ("APA") to "hold unlawful and set aside agency action" that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A). APA claims are cognizable in habeas proceedings. 5 U.S.C. § 703. The APA affords a right of review to a person who is "adversely affected or aggrieved by agency action." 5 U.S.C. § 702.

13. This Court has authority under the All Writs Act to issue all writs necessary

or appropriate in aid of its jurisdiction, including to preserve the status quo and prevent the unlawful removal of Petitioner while this Court considers his claims.

14. Venue is proper in this District pursuant to 28 U.S.C. §§ 2241(a), 2241(c)(3), and 1391(b)(2) and (e)(1) because Petitioner is detained within this District at Irwin County Detention Center in Ocilla, Georgia and is in the custody of Respondents within this District. A substantial part of the events or omissions giving rise to this action—including Petitioner's re detention and ongoing confinement occurred within this District.

PARTIES

15 Petitioner Hieu Minh Nguyen is a native and citizen of Vietnam. He is currently detained at the Irwin County Detention Center in Ocilla, Georgia.

16. Respondent David Paulk is the Warden of Irwin County Detention Center, where Mr. Nguyen is being detained. He is Mr. Nguyen's immediate legal custodian and thus a proper respondent in this habeas action *See Rumsfeld v. Padilla,* 542 U.S. 426, 435 (2004).

17. Respondent Kristen Sullivan is the Field Office Director for Immigration and Customs Enforcement ("ICE"), Enforcement and Removal Operations, Atlanta Field Office. She is responsible for overseeing ICE detention operations within this District and for decisions regarding Petitioner's detention and re-detention. She is a legal custodian of Mr. Nguyen.

18. Respondent David Venturella is the Acting Director of U.S. Immigration and Customs Enforcement and is responsible for ICE's detention and removal operations nationwide. He is sued in his official capacity.

19. Respondent Markwayne Mullin is the Secretary of the U.S. Department of Homeland Security and is responsible for the administration and enforcement of the immigration laws of the United States. He is sued in his official capacity.

20. Respondent Todd Blanche is the Acting Attorney General of the United States and is responsible for the administration of immigration laws, including oversight of detention and removal proceedings. He is sued in his official capacity.

STATEMENT OF FACTS

21. Petitioner Hieu Minh Nguyen is a native and citizen of Vietnam.

22. Mr. Nguyen entered the United States on or about May 7, 2024, when he was apprehended by U.S. Customs and Border Protection near San Ysidro, California.

23. That same day, DHS placed Mr. Nguyen in removal proceedings by issuing a Notice to Appear charging him as removable under 8 U.S.C. § 1182(a)(6)(A)(i), as an alien present in the United States without having been admitted or paroled. *See* **Exhibit A,** *Notice to Appear.*

24. Also on May 7, 2024, DHS made an individualized custody determination and released Mr. Nguyen on his own recognizance pursuant to 8 C.F.R. § 1236.1(c)(8). *See* **Exhibit B,** *Order of Release on Recognizance.*

25. That release reflected DHS's determination that Mr. Nguyen did not pose a flight risk and did not present a danger to the community, as required under the regulation governing release from custody.

26. Following his release, Mr. Nguyen relocated to the interior of the United States and has lived openly and continuously in the country since May 2024.

27. Mr. Nguyen has resided in North Carolina, where he lives with and works

for his cousin, a United States citizen who owns a nail salon. He previously resided in Michigan before relocating with his cousin to North Carolina.

28. Mr. Nguyen has additional family ties in the United States, including an aunt who holds lawful permanent resident status and another cousin who is a United States citizen.

29. During the more than two years he lived at liberty, Mr. Nguyen fully complied with every condition of his release, including reporting to ICE as directed.

30. Mr. Nguyen timely applied for asylum, filing his Form I-589 Application for Asylum and for Withholding of Removal on July 8, 2024 — within the one-year filing deadline under 8 U.S.C. § 1158(a)(2)(B).

31. USCIS subsequently issued Mr. Nguyen an Employment Authorization Document in category C08, reflecting his pending asylum application. That document is valid from January 10, 2025 through January 9, 2030. *See* **Exhibit C,** *EAD.*

32. Mr. Nguyen has no criminal history in the United States and has not been accused of any criminal conduct since his arrival.

33. Mr. Nguyen's asylum application and removal proceedings remain pending before the Immigration Court. His next master calendar hearing is scheduled for August 13, 2026.

34. On July 16, 2026, Mr. Nguyen appeared for a routine ICE check-in as required by the terms of his release.

35. Rather than conduct a routine supervision appointment, ICE officers took Mr. Nguyen into custody without prior notice.

36. ICE did not allege that Mr. Nguyen had violated any condition of his release.

37. ICE did not provide Mr. Nguyen with any explanation for his re-detention.

38. Mr. Nguyen was not afforded any hearing or opportunity to contest his detention before being taken into custody.

39. Since his re-detention, Mr. Nguyen has remained in ICE custody at the Irwin County Detention Center in Ocilla, Georgia.

40. At no point have Respondents identified any material change in circumstances between Mr. Nguyen's release in May 2024 and his re-detention in July 2026.

41. Mr. Nguyen's identity, immigration posture, compliance history, and lack of criminal record remain unchanged from the time DHS determined he did not warrant detention.

42. As a result, Mr. Nguyen—who was previously determined not to require detention—has been deprived of his liberty without any individualized reassessment or process.

43. Mr. Nguyen's continued detention threatens to disrupt his upcoming master calendar hearing on August 13, 2026 and jeopardizes his ability to timely and meaningfully pursue his pending application for asylum.

ARGUMENT AND GROUNDS FOR RELIEF

I. GROUND I: PETITIONER'S RE-DETENTION VIOLATES THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT

44. Petitioner contends that his re-detention without any individualized assessment of flight risk or dangerousness violates the Due Process Clause of the Fifth Amendment. Once Respondents released Petitioner into the United States pursuant to its own discretionary custody determination, Petitioner acquired a substantial liberty interest

protected by due process. *See Zadvydas v. Davis*, 533 U.S. 677, 690 (2001) (recognizing that freedom from physical restraint lies at the core of the liberty protected by the Due Process Clause). Respondents' decision to re-detain Petitioner without providing any neutral, individualized determination as to whether detention is necessary to serve a legitimate governmental purpose impermissibly deprives Petitioner of that liberty interest.

45. This case involves the government's revocation of a previously granted liberty interest. The Supreme Court has made clear that once the government grants conditional liberty, it may not revoke that liberty without providing at least minimal procedural safeguards. *See Morrissey v. Brewer*, 408 U.S. 471, 482 (1972) (holding that revocation of parole requires "some orderly process, however informal," including notice and an opportunity to be heard). The revocation of liberty constitutes a "grievous loss" that triggers due process protections. *Id.* at 482.

46. Here, Respondents provided no such process. Petitioner was re-detained without prior notice, without any opportunity to respond, and without any prompt post-arrest hearing before a neutral decisionmaker. Respondents have not identified any violation of release conditions, any new facts, or any changed circumstances that would justify this sudden deprivation of liberty. The complete absence of process renders Petitioner's re-detention constitutionally deficient.

47. Courts have repeatedly confronted this precise scenario—a noncitizen released on his own recognizance who complies with every condition for months or years, applies for asylum, and obtains work authorization, only to be abruptly re-detained without a hearing—and have consistently held that due process requires a pre-deprivation hearing before re-arrest, with release from custody as the remedy for its absence. *See Bora v.*

Rokosky, No. CV-26-05006-PHX-ASB (D. Ariz. July 23, 2026) (ordering immediate release where petitioner "was originally detained in 2023, was released from custody at that time on his own recognizance, and complied with all of the conditions of his release" until his re-detention, and "[d]uring his release, he also applied for asylum and obtained work authorization"); *E.A.T. B. v. Wamsley*, 795 F. Supp. 3d 1316, 1324 (W.D. Wash. 2025) (holding due process required a hearing before re-detention and ordering immediate release); *Ledesma Gonzalez v. Bostock,* No. 2:25 cv 01404 JNW GJL, 2025 WL 2841574, at *7–9 (W.D. Wash. Oct. 7, 2025) (same); *Kumar v. Wamsley,* No. 2:25-cv-01772-JHC-BAT, 2025 WL 2677089, at *2–4 (W.D. Wash. Sept. 17, 2025) (same), *Ramirez Clavijo v. Kaiser,* No. CV-25-06248-BLF, 2025 WL 2419263, at *6 (N.D. Cal. Aug. 21, 2025); *Singh v. Andrews,* No. CV-25-00801-KES-SKO (HC), 2025 WL 1918679, at *8 (E.D. Cal. July 11, 2025); *J.C.E.P. v. Wofford,* No. CV-25-01559-EFB (HC), 2025 WL 3268273, at *6 (E.D. Cal. Nov. 24, 2025) (collecting cases). Mr. Nguyen's circumstances are indistinguishable.

48. *See also Cruz-Reyes v. Bondi,* 2026 WL 332315, at *5–7 (S.D. Tex. Feb. 3, 2026); *Lopez-Arevelo v. Ripa,* 801 F. Supp. 3d 668, 688 (W.D. Tex. 2025); *Parada-Hernandez v. Johnson,* No. 25-cv-2729, 2025 WL 3465958, at *7 (N.D. Tex. Oct. 29, 2025), R. & R. adopted, 2025 WL 3463682 (N.D. Tex. Dec. 2, 2025), *Ye v. Maldonado,* 2025 WL 3521298 (E.D.N.Y. Dec. 8, 2025) (ordering release of petitioners previously released on recognizance and barring re-detention without pre-deprivation process); *Singh v. Noem,* No. 26-cv-00079, 2026 WL 265670 (W.D. Wash. Feb. 2, 2026) (same); *Singh v. Albarran,* No. 25-cv-02006, 2026 WL 445713 (E.D. Cal. Feb. 17, 2026) (recommending same).

49. Due process independently requires an individualized assessment once a noncitizen has been released and has lived at liberty in the United States. Detention without such an assessment is constitutionally permissible only where it is narrowly tailored and justified by a sufficient governmental interest. *See Demore v. Kim,* 538 U.S. 510, 531 (2003) (Kennedy, J., concurring) (explaining that due process may require an individualized determination if detention becomes unreasonable or unjustified).

50. Under the framework set forth in *Mathews v. Eldridge*, courts must balance (1) the private interest at stake, (2) the risk of erroneous deprivation, and (3) the government's interest. 424 U.S. 319, 335 (1976). All three factors weigh decisively in Petitioner's favor.

51. First, the private interest at stake—freedom from physical detention—is fundamental. *Zadvydas,* 533 U.S. at 690.

52. Second, the risk of erroneous deprivation is exceptionally high where, as here, Respondents re-detained Petitioner without any process at all—no notice, no explanation, and no opportunity to challenge the basis for detention.

53. Third, the government has no legitimate interest in bypassing minimal procedural safeguards such as notice and a prompt hearing, which would impose only minimal administrative burdens.

54. Accordingly, the absence of any individualized custody determination renders Petitioner's detention arbitrary. The Supreme Court has made clear that civil immigration detention must bear a reasonable relation to its purported purpose. *Zadvydas,* 533 U.S. at 690. Where detention is imposed without assessing whether it is necessary to

prevent flight or protect the community, it ceases to be regulatory and becomes punitive in effect.

55. Here, Respondents have not alleged—let alone established—that Petitioner poses a flight risk or a danger to the community. Instead, Respondents have relied solely on a categorical approach to detention, detaining Petitioner without regard to his compliance, community ties, or individual circumstances.

56. Because Petitioner's re detention occurred without any individualized assessment of flight risk or dangerousness, and without any constitutionally adequate process, it violates the Due Process Clause of the Fifth Amendment.

57. Habeas relief is therefore warranted. Where the government deprives a person of liberty without constitutionally sufficient process, the appropriate remedy is release. *See Munaf v. Geren,* 553 U.S. 674, 693 (2008) ("The typical remedy for [unlawful] detention is, of course, release."); *Preiser v. Rodriguez,* 411 U.S. 475, 484 (1973) ("[T]he traditional function of the writ is to secure release from illegal custody."); Bora, No. CV-26-05006-PHX-ASB, at *2–3 (ordering immediate release, rather than merely a bond hearing, as the remedy for unlawful re detention).

58. Petitioner's claim is further reinforced by the specific procedural protections required where the government re-detains an individual who was previously released on recognizance.

59. Petitioner was released pursuant to 8 C.F.R. § 1236.1(c)(8), which authorizes release only where the government determines that the individual does not pose a flight risk or a danger to the community.

60. That prior determination is constitutionally significant. Having already

concluded that detention was unnecessary, Respondents may not re-detain Petitioner without providing meaningful pre-deprivation process.

61. At a minimum, due process requires a hearing before a neutral decisionmaker at which Respondents must demonstrate materially changed circumstances justifying re-detention.

62. The Supreme Court's decision in *Morrissey v. Brewer* confirms that once conditional liberty has been granted, it cannot be revoked without "some orderly process," including notice and an opportunity to be heard. 408 U.S. 471, 482 (1972).

63. Where the government has already determined that an individual does not require detention, it may not reverse that determination without affording constitutionally adequate process.

64. Respondents failed to provide any such process here.

65. Petitioner was re-detained without notice, without a hearing, and without any showing of materially changed circumstances.

66. To the extent this Court were inclined to consider ordering a custody hearing rather than outright release, Petitioner is separately eligible for an individualized bond hearing under 8 U.S.C. § 1226(a). Under *Hernandez Alvarez v. Warden*, No. 25-14065 (11th Cir. May 6, 2026), the Eleventh Circuit held that § 1226(a) bond hearings apply to noncitizens encountered without admission, and nothing in the law of this Circuit forecloses Petitioner's eligibility for such a hearing. But the availability of that separate avenue does not diminish Petitioner's independent due process claim, nor does it excuse Respondents' failure to provide any process whatsoever before re-detaining him. Because Respondents unlawfully re-detained Petitioner without a pre-deprivation hearing, it is

Respondents—not Petitioner—who must bear the burden of justifying continued detention, and by clear and convincing evidence. *See Singh v. Andrews*, 2025 WL 1918679, at *8; cf. *Demore*, 538 U.S. at 531 (Kennedy, J., concurring). Given that burden, and given that Respondents have identified no changed circumstance whatsoever since Petitioner's original release, the appropriate remedy is not merely a hearing, but release. *See Bora*, No. CV 26 05006 PHX ASB, at *2–3; *Munaf*, 553 U.S. at 693; *Preiser*, 411 U.S. at 484.

67. For this independent reason, Petitioner's continued detention violates the Due Process Clause and warrants habeas relief.

II. GROUND II: PETITIONER'S DETENTION VIOLATES SUBSTANTIVE DUE PROCESS BECAUSE IT SERVES NO LEGITIMATE GOVERNMENTAL PURPOSE

68. The Due Process Clause of the Fifth Amendment also prohibits the government from engaging in arbitrary civil detention that bears no reasonable relation to a legitimate governmental purpose.

69. The Supreme Court has made clear that immigration detention is constitutionally permissible only for limited regulatory purposes—namely, to prevent flight and to protect the community from danger. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

70. Where detention no longer serves either of those purposes, it becomes excessive and unconstitutional.

71. Substantive due process requires that "the nature and duration of commitment bear some reasonable relation to the purpose for which the individual is committed." *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

72. Here, Petitioner's detention serves no lawful purpose.

73. At the time of his initial custody determination, Respondents concluded that Petitioner did not pose a flight risk and did not present a danger to the community under the applicable regulations.

74. That determination formed the basis for Petitioner's release on his own recognizance.

75. Since that time, Respondents have not identified any material change in circumstances that would justify a different conclusion.

76. Petitioner has complied with all conditions of release, has maintained employment, has established a stable residence, and has appeared as required for immigration proceedings and ICE check ins.

77. Petitioner has no criminal history and has not engaged in any conduct suggesting that he poses a risk of flight or danger to the community.

78. Because the factual basis underlying Respondents' original release determination remains unchanged, there is no legitimate justification for Petitioner's current detention.

79. Courts have recognized that where the government has previously determined that detention is unnecessary, and no material circumstances have changed, continued detention serves no lawful purpose and violates substantive due process. *See Rodriguez Romero v. Ladwig,* No. 25-cv-1106, 2026 WL 321437 (M.D. La. Feb. 6, 2026); *see also Jacobo Ramirez v. Noem,* --- F.Supp.3d ----, 2025 WL 3270137, at *8–9 (D. Nev. Nov. 24, 2025) (finding petitioners who entered without inspection, some previously released on recognizance, likely to prevail on substantive due process claim).

80. Respondents' actions here reflect precisely the type of arbitrary detention

that substantive due process forbids.

81. Rather than making an individualized determination based on Petitioner's circumstances, Respondents have detained Petitioner pursuant to a categorical approach that disregards prior custody findings and current facts.

82. Such detention is not narrowly tailored to serve any legitimate regulatory purpose.

83. Instead, it operates as a form of punitive confinement, imposed without justification and in contravention of the constitutional limits on civil detention.

84. Even if Respondents were to provide a post hoc hearing, Petitioner's detention would remain unconstitutional absent a showing that he currently poses a flight risk or danger to the community.

85. Because Respondents have not made—and cannot make—such a showing, Petitioner's continued detention violates substantive due process.

86. Accordingly, Petitioner is entitled to habeas relief.

III. RESPONDENTS' RE-DETENTION OF PETITIONER IS ARBITRARY AND CAPRICIOUS IN VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT

87. The Administrative Procedure Act ("APA") prohibits agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

88. The APA further provides that judicial review may be sought through "any applicable form of legal action," including habeas corpus. 5 U.S.C. § 703.

89. Respondents' decision to re-detain Petitioner constitutes agency action that is subject to review because it directly results in the ongoing deprivation of Petitioner's

liberty.

90. Agency action is arbitrary and capricious where the agency fails to consider important aspects of the problem, offers no rational explanation for its decision, or departs from prior determinations without reasoned justification.

91. Here, Respondents previously determined that Petitioner did not pose a flight risk and did not present a danger to the community, and released him on his own recognizance.

92. That prior determination was based on an individualized assessment of Petitioner's circumstances.

93. Respondents have now reversed that determination and re-detained Petitioner without identifying any material change in circumstances that would justify a different custody determination.

94. Respondents have not provided any reasoned explanation for departing from their prior conclusion that detention was unnecessary.

95. Courts have recognized that re-detention of individuals previously released, absent materially changed circumstances, is arbitrary and capricious under the APA. *See, e.g., Rios v. Noem*, No. 25-cv-2866, 2025 WL 3141207, at *3–4 (S.D. Cal. Nov. 10, 2025); *see also Garro Pinchi v. Noem*, No. 25-cv-05632, 2025 WL 3691938, at *25 (N.D. Cal. Dec. 19, 2025) (finding government policy of re-detaining previously released noncitizens is likely arbitrary and capricious).

96. Respondents' actions here reflect the same defect.

97. Rather than conducting an individualized reassessment of Petitioner's circumstances, Respondents have re-detained Petitioner without explanation and without

identifying any change in facts. Such unexplained reversal of a prior custody determination is the hallmark of arbitrary and capricious agency action.

98. Although some courts have expressed skepticism regarding whether detention decisions constitute reviewable final agency action, *see Santiago v. Noem,* 2025 WL 2792588, at *5–6 (W.D. Tex. Oct. 2, 2025), the APA expressly permits review in habeas proceedings, and Petitioner's claim directly challenges the legality of his ongoing detention

99. Moreover, even if Respondents contend that the re-detention decision is not independently reviewable under the APA, the arbitrary and capricious nature of that decision independently confirms that Petitioner's continued detention is unlawful.

100. Accordingly, Respondents' re-detention of Petitioner, without any materially changed circumstances and without any reasoned explanation, is arbitrary and capricious and must be set aside.

101. Petitioner is therefore entitled to relief under the APA, including immediate release.

PRAYER FOR RELIEF

102. Mr. Nguyen is being unlawfully detained in violation of the Constitution and laws of the United States.

103. WHEREFORE, Petitioner respectfully requests that this Court:

a. Issue a writ of habeas corpus directing Respondents to immediately release Petitioner from custody;
b. Order that Petitioner be restored to the same conditions of release previously granted, including release on his own recognizance or other non-custodial supervision;
c. In the alternative, order Respondents to provide Petitioner with a prompt, individualized custody hearing before a neutral

decisionmaker within a specified period set by the Court;

d. Order that at any such hearing, Respondents bear the burden of proving by clear and convincing evidence that Petitioner's continued detention is necessary to prevent flight or danger to the community;
e. Order that Respondents show cause on an expedited basis why the writ should not be granted;
f. Retain jurisdiction over this matter to ensure compliance with the Court's order; and
g. Grant such other and further relief as the Court deems just and proper.

Dated: August 4, 2026

Respectfully submitted,

/s/ Rachel Effron Sharma
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VERIFICATION PURSUANT TO 28 U.S.C. 2242

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

Executed on this August 4, 2026, in Phoenix, AZ.

/s/ Spencer C. Lee
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