UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT OWENSBORO

YULIETH GOMEZ MEJIA PETITIONER

v. NO. 4:25-CV-82-GNS

KRISTI NOEM, in her Official Capacity as Secretary, Department of Homeland Security; TODD LYONS, in his Official Capacity as Acting Director, U.S. Immigration and Customs Enforcement; PAM BONDI, in her Official Capacity as Attorney General of the United States; and JASON WOOSLEY, in his Official Capacity as Grayson County Jailer RESPONDENTS

MOTION FOR CLARIFICATION OF THE GOVERNMENT' S ACTIONS AND AN EXTENTION TO REPLY TO RESPONDENT'S BRIEF

Comes now the Petitioner, Yulieth Gomez Mejia, and moves this Court to compel the United States to state their current basis for detention and permit the Petitioner five (5) additional days to reply to the United States' response. In support of this motion, the Petitioner avers the following:

The Petitioner filed a Writ of Habeas Corpus on July 31, 2025. On August 5, 2025, this Court issued an Order to Show Cause to the Respondents'. On August 8, 2025, the Government filed its response, which indicated that the United States placed the Petitioner in Expedited Removal. The Response included the Notice and Order of Expedited Removal. This was the first time Counsel for the Petitioner had seen any documents regarding detention. On August 12, 2025 this court held a hearing. Both, the Petitioner and Respondent, made arguments to the Court. The United States attempted to justify its basis for detaining the Petitioner, arguing that she qualifies for expedited removal, therefore, her detention is lawful.

On August 19, the Petitioner submitted a brief in support of her arguments. On August 28, 2025, the Respondent filed a Response Brief defending the Petitioner's detention on July 28, 2021 and placing her in expedited removal. Then the United States informs the Petitioner's counsel that on August 22, 2025, they dismissed the expedited removal proceeding. Instead, the United States placed the Petitioner in removal proceedings pursuant to 8 U.S. Code § 1229a by serving, or attempting to serve her, a Notice to Appear (NTA).[1]The United States continues to detain the Petitioner, but again has failed to provide the basis for detained. This continued detention is illegal.

Ms. Gomez Meija's detention on July 28, 2025, was illegal.[2] It was illegal from the moment ICE officers detained her without any notice, reason, or due process. Now, 36 days later, the United States continues to illegally detain her. The basis is unclear. The United States has shifted its actions without any meaningful notice to the Petitioner despite Counsel's multiple attempts at obtaining the information.

On July 29, 2025, Counsel for the Petitioner has submitted a notice of representation to Immigration Customs and Enforcement (ICE).[3] On August 1, 2025, Counsel emailed the

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[1] *See* Resp.'s Brf. at PageID #137.

[2] The United States District Court for the District of Columbia ruled that the United State's January 2025 expansion of the expedited removal was illegal on August 29, 2025. *See* Make the Rd. N.Y. v. Noem, 2025 U.S. Dist. LEXIS 169432

[3] See Exhibit A, Counsel's Entry of Appearance.

Chicago ICE Office to inform them the Petitioner is represented and sought information on the case.[4] The only response provided to Counsel was on August 2, 2025 stating her email has been forwarded to the case officer. Counsel has yet to receive any response from any ICE agent or case officer on why Ms. Gomez Mejia is being detained and on what basis. Instead, Counsel discovers through Respondents' brief that the United States has placed her in removal proceedings and has given her a court date for September 9, 2025. [5] The only "notice" provided to Counsel was a redacted Notice to Appear (NTA) listed as an exhibit in the Respondent's brief.[6] The NTA has not been properly served, and yet the United Staes argues that the issuance of the NTA now mandates her detention.

The United States continues to try to circumvent the justice system and this Court's proceedings by allegedly placing the Petitioner in removal proceedings without proper notice to the Petitioner or her Counsel. Most notably, all of these actions by the Government were done *after* the initial hearing before this Court and *after* the Government stated on the record in front of this Court and Counsel that the basis for detention regarded expedited removal. Petitioner, in reliance of that position which was stated in its show cause reply and at the hearing, filed a reply. Now, the Government is arguing the Petitioner's detention is suddenly justified under a different statute and has also provided as an *exhibit* a redacted NTA to support its illegal actions without serving the Petitioner or her counsel those documents.

Due process requires that the Petitioner have a meaningful opportunity to present her claim and respond to the United States' claim. This requires notice from the United States of any

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[4] See Exhibit B, Email communications between Counsel and ICE regarding her representation of Petitioner.
[5] See Resp. Brf. at Ex. C (PageID #156-158).
[6] *Id.*

actions or claims brought against the Petitioner. The Government has changed their legal basis for detainment without adequate notice. This is an egregious abuse of power.

WHEREFORE NOW, the Petitioner moves this Court to compel the United States to provide adequate notice for the Petitioner's current basis for detention and a meaningful opportunity to respond.

Respectfully Submitted,

Rania A. Attum
Attum Law Office
500 West Jefferson Street, Ste 1515
Louisville, KY 40202
502 230 2366
rania@attumlaw.com

CERTIFICATE OF SERVICE

A true and accurate copy of this motion was served upon opposing counsel electronically via ECAS.

Rania A. Attum

Notice of Entry of Appearance as Attorney or Accredited Representative

Department of Homeland Security

DHS Form G-28
OMB No. 1615-0105
Expires 05/31/2021

Part 1. Information About Attorney or Accredited Representative

1. USCIS Online Account Number (if any) ►

Name of Attorney or Accredited Representative

2.a. Family Name (Last Name): Roach
2.b. Given Name (First Name): Adriana
2.c. Middle Name:

Address of Attorney or Accredited Representative

3.a. Street Number and Name: 500 West Jefferson Street
3.b. ☐ Apt. ☐ Ste. ☐ Flr. 1515
3.c. City or Town: Louisville
3.d. State: KY 3.e. ZIP Code: 40202
3.f. Province:
3.g. Postal Code:
3.h. Country: USA

Contact Information of Attorney or Accredited Representative

4. Daytime Telephone Number: 502-230-2366
5. Mobile Telephone Number (if any):
6. Email Address (if any): adriana@attumlaw.com
7. Fax Number (if any):

Part 2. Eligibility Information for Attorney or Accredited Representative

Select **all applicable** items.

1.a. ☐ I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest courts of the following states, possessions, territories, commonwealths, or the District of Columbia. If you need extra space to complete this section, use the space provided in **Part 6. Additional Information**.

Licensing Authority: Supreme Court of Kentucky

1.b. Bar Number (if applicable): 99367

1.c. I (select **only one** box) ☐ am not ☐ am subject to any order suspending, enjoining, restraining, disbarring, or otherwise restricting me in the practice of law. If you are subject to any orders, use the space provided in **Part 6. Additional Information** to provide an explanation.

1.d. Name of Law Firm or Organization (if applicable): Attum Law Office

2.a. ☐ I am an accredited representative of the following qualified nonprofit religious, charitable, social service, or similar organization established in the United States and recognized by the Department of Justice in accordance with 8 CFR part 1292.

2.b. Name of Recognized Organization:

2.c. Date of Accreditation (mm/dd/yyyy):

3. ☐ I am associated with ________, the attorney or accredited representative of record who previously filed Form G-28 in this case, and my appearance as an attorney or accredited representative for a limited purpose is at his or her request.

4.a. ☐ I am a law student or law graduate working under the direct supervision of the attorney or accredited representative of record on this form in accordance with the requirements in 8 CFR 292.1(a)(2).

4.b. Name of Law Student or Law Graduate:

Part 3. Notice of Appearance as Attorney or Accredited Representative

If you need extra space to complete this section, use the space provided in **Part 6. Additional Information**.

This appearance relates to immigration matters before (select **only one** box):

1.a. ☐ U.S. Citizenship and Immigration Services (USCIS)

1.b. List the form numbers or specific matter in which appearance is entered.

2.a. ☐ U.S. Immigration and Customs Enforcement (ICE)

2.b. List the specific matter in which appearance is entered.

all matters before ERO

3.a. ☐ U.S. Customs and Border Protection (CBP)

3.b. List the specific matter in which appearance is entered.

4. Receipt Number (if any)

► MGL2301308695

5. I enter my appearance as an attorney or accredited representative at the request of the (select **only one** box):

☐ Applicant ☐ Petitioner ☐ Requestor
☐ Beneficiary/Derivative ☐ Respondent (ICE, CBP)

Information About Client (Applicant, Petitioner, Requestor, Beneficiary or Derivative, Respondent, or Authorized Signatory for an Entity)

6.a. Family Name (Last Name): GOMEZ MEJIA

6.b. Given Name (First Name): YULIETH

6.c. Middle Name

7.a. Name of Entity (if applicable)

7.b. Title of Authorized Signatory for Entity (if applicable)

8. Client's USCIS Online Account Number (if any)

►

9. Client's Alien Registration Number (A-Number) (if any)

► A- [redacted]

Client's Contact Information

10. Daytime Telephone Number

11. Mobile Telephone Number (if any)

12. Email Address (if any)

Mailing Address of Client

NOTE: Provide the client's mailing address. **Do not** provide the business mailing address of the attorney or accredited representative **unless** it serves as the safe mailing address on the application or petition being filed with this Form G-28.

13.a. Street Number and Name

13.b. ☐ Apt. ☐ Ste. ☐ Flr.

13.c. City or Town

13.d. State **13.e.** ZIP Code

13.f. Province

13.g. Postal Code

13.h. Country

Part 4. Client's Consent to Representation and Signature

Consent to Representation and Release of Information

I have requested the representation of and consented to being represented by the attorney or accredited representative named in **Part 1.** of this form. According to the Privacy Act of 1974 and U.S. Department of Homeland Security (DHS) policy, I also consent to the disclosure to the named attorney or accredited representative of any records pertaining to me that appear in any system of records of USCIS, ICE, or CBP.

Part 4. Client's Consent to Representation and Signature (continued)

Options Regarding Receipt of USCIS Notices and Documents

USCIS will send notices to both a represented party (the client) and his, her, or its attorney or accredited representative either through mail or electronic delivery. USCIS will send all secure identity documents and Travel Documents to the client's U.S. mailing address.

If you want to have notices and/or secure identity documents sent to your attorney or accredited representative of record rather than to you, please select **all applicable** items below. You may change these elections through written notice to USCIS.

1.a. ☐ I request that USCIS send original notices on an application or petition to the business address of my attorney or accredited representative as listed in this form.

1.b. ☐ I request that USCIS send any secure identity document (Permanent Resident Card, Employment Authorization Document, or Travel Document) that I receive to the U.S. business address of my attorney or accredited representative (or to a designated military or diplomatic address in a foreign country (if permitted)).

NOTE: If your notice contains Form I-94, Arrival-Departure Record, USCIS will send the notice to the U.S. business address of your attorney or accredited representative. If you would rather have your Form I-94 sent directly to you, select **Item Number 1.c.**

1.c. ☐ I request that USCIS send my notice containing Form I-94 to me at my U.S. mailing address.

Signature of Client or Authorized Signatory for an Entity

2.a. Signature of Client or Authorized Signatory for an Entity

➡

2.b. Date of Signature (mm/dd/yyyy)

Part 5. Signature of Attorney or Accredited Representative

I have read and understand the regulations and conditions contained in 8 CFR 103.2 and 292 governing appearances and representation before DHS. I declare under penalty of perjury under the laws of the United States that the information I have provided on this form is true and correct.

1.a Signature of Attorney or Accredited Representative

Adriana Roach G280040679

1.b. Date of Signature (mm/dd/yyyy) 07/29/2025

2.a. Signature of Law Student or Law Graduate

2.b. Date of Signature (mm/dd/yyyy)

Please Note: This G-28 was electronically signed and submitted to ERO eFile on the signature date

Part 6. Additional Information

If you need extra space to provide any additional information within this form, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this form or attach a separate sheet of paper. Type or print your name at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

1.a Family Name (Last Name): GOMEZ MEJIA

1.b. Given Name (First Name): YULIETH

1.c. Middle Name:

2.a. Page Number **2.b.** Part Number **2.c.** Item Number

2.d.

3.a. Page Number **3.b.** Part Number **3.c.** Item Number

3.d.

4.a. Page Number **4.b.** Part Number **4.c.** Item Number

4.d.

5.a. Page Number **5.b.** Part Number **5.c.** Item Number

5.d.

6.a. Page Number **6.b.** Part Number **6.c.** Item Number

6.d.

Tuesday, September 2, 2025 at 8:19:20 PM Eastern Daylight Time

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Subject: RE[redacted]
Date: Saturday, August 2, 2025 at 12:20:15 PM Eastern Daylight Time
From: Chicago.Outreach
To: Adriana Roach

Gomez Mejia, Yulieth Andrea[redacted]

[redacted] is her child.
This has been forwarded to the case officer.
Thank you

From: Adriana Roach <adriana@attumlaw.com>
Sent: Friday, August 1, 2025 3:13 PM
To: Schilling, Carly A <Carly.A.Schilling@ice.dhs.gov>; Chicago.Outreach <chicago.outreach@ice.dhs.gov>
Subject: 246 308 860

Some people who received this message don't often get email from adriana@attumlaw.com. Learn why this is important

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Cofense Report Phishing button to report. If the button is not present, click here and follow instructions.

Hello,

I represent Ms. Gomez Mejia ([redacted] She was detained at the Indianapolis ICE office during an ICE check in and subsequently transferred to Grayson County, Kentucky. I am trying to get any information on her case and any documents she may have been served for her to be detained.

Please let me know as soon as possible.

Thank you for your time and attention to this matter.

Adriana L. Roach
Associate Attorney
Attum Law Office
500 West Jefferson Street, Ste. 1515
Louisville, KY 40202
502-230-2366

Exhibit B