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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LUIS ALBERTO YBOY FLORES,	)	VERIFIED PETITION FOR WRIT OF
	)	HABEAS CORPUS AND COMPLAINT
Petitioner,	)	FOR DECLARATORY AND
	)	INJUNCTIVE RELIEF
vs.	)	
	)	
	)	IMMIGRATION HABEAS CASE
ERNESTO SANTACRUZ, in his official	)	
capacity, Los Angeles Field Office Director,	)	
U.S. Immigration and Customs Enforcement;	)	
	)	
TODD M. LYONS, in his official capacity,	)	
Acting Director, U.S. Immigration and	)	
Customs Enforcement;	)	
	)	
KRISTI NOEM, in her official capacity,	)	
Secretary of the Department of Homeland	)	
Security;	)	
	)	
PAMELA BONDI, in her official capacity,	)	
Attorney General of the United States.	)	

Respondents.

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1
2 1. Petitioner Luis Alberto YBOY FLORES (“Mr. Yboy Flores”), by and through
3 undersigned counsel, hereby brings this petition for writ of habeas corpus and complaint for
4 injunctive and declaratory relief, and accompanying motion for a temporary restraining order, to
5 prevent Respondents, the Department of Homeland Security (“DHS” or “the Department”) and
6 its Immigration and Customs Enforcement (“ICE”) division, from unlawfully re-detaining him at
7 a scheduled appearance in Los Angeles on August 25, 2025, or thereafter, in violation of his due
8 process rights.

9 2. Mr. Yboy Flores was brought to the United States from Guatemala as a toddler. In the
10 decades since he was granted residency, he has built a family—including six U.S. citizen
11 children—and developed strong ties to his Los Angeles community. Mr. Yboy Flores was
12 initially detained by ICE for removal proceedings based on a 2013 conviction that has since been
13 vacated as constitutionally invalid.

14 3. In September 2020, Judge Hatter granted Mr. Yboy Flores release as part of a class action
15 challenging dangerous conditions in ICE custody. *Hernandez Roman v. Wolf*, 5:20-cv-00768-
16 TJH-PVC, Dkt. 500 (C.D. Cal. Sept. 12, 2020). In evaluating Mr. Yboy Flores’ suitability for
17 bail, Judge Hatter reviewed his individual circumstances and determined that he did not pose a
18 danger or flight risk.

19 4. In the last five years at liberty, Mr. Yboy Flores has proved the wisdom of Judge
20 Hatter’s bail decision through his good conduct. He has been supporting his family and working
21 as a maintenance director for a residential properties company. He and his now-fiancée also
22 developed a relationship and welcomed a new baby, who is now six-months old. Mr. Yboy
23 Flores has complied with all the terms of his bail order, reported to ICE as directed, avoided any
24 new criminal contact, and diligently pursued his rights before the immigration agencies.

1 5. While Mr. Yboy Flores has a final order of removal, the conviction underlying the sole
2 charge of removal has been vacated as legally invalid and unconstitutional by the Los Angeles
3 Superior Court. There is no other basis upon which to find Mr. Yboy Flores removable, and in
4 2022 he filed a motion to reopen and rescind his removal order for lack of deportability and a
5 motion for stay of removal. The Board of Immigration Appeals (“BIA”) has yet to rule on his
6 motions. In addition, Mr. Yboy Flores has a pending pardon application with the California
7 governor.

8 6. Mr. Yboy Flores brings this lawsuit because he is terrified that he will be detained and
9 separated from his family, even though there has been no change in circumstances to suggest he
10 is a danger or flight risk. In recent months, ICE has begun detaining individuals like Mr. Yboy
11 Flores at routine ICE check-ins, despite noncitizens’ prior compliance. The *Hernandez Roman*
12 settlement remains in place, but does not prevent detention of individuals with final orders of
13 removal, like Mr. Yboy Flores. Nor does the settlement contemplate situations like that of Mr.
14 Yboy Flores, where post-conviction relief has rendered him no longer removable as charged and
15 a motion to reopen has been languishing for over three years.

16 7. Due process principles compel this Court’s intervention to enjoin Respondents from
17 unilaterally arresting Mr. Yboy Flores without a neutral review of whether his detention meets
18 any valid purpose. It is well-established that people who have been conditionally released from
19 custody have a protected liberty interest in their freedom. *See Morrissey v. Brewer*, 408 U.S.
20 471, 482-483 (1972). A chorus of district courts across California have recognized that
21 noncitizens like Mr. Yboy Flores who are released from ICE custody accrue a strong liberty
22 interest. *See, e.g., Pinchi v. Noem*, No. 5:25-cv-05632-PCP, 2025 WL 2084921, at *3 (N.D. Cal.
23 July 24, 2025) (collecting cases); *Rodriguez-Flores v. Semaia et al.*, No. 2:25-cv-06900-JGB-JC,
24 Dkt. 14, at *5 (C.D. Cal. Aug. 14, 2025). These same courts have found that this protected
liberty interest entitles noncitizens to a neutral custody review *before* they may be re-detained by

1 ICE. A neutral hearing avoids the risk of erroneously depriving Mr. Yboy Flores of his liberty—
2 as the statute would otherwise provide him with no hearing whatsoever—and it does nothing to
3 undermine the government interests in protecting the community and preventing risk of flight.

4 8. For these and the foregoing reasons, this Court should join its colleagues in holding that
5 due process prohibits Respondents from re-detaining Mr. Yboy Flores without notice and a
6 hearing, *prior* to any re-detention, at which he would be afforded the opportunity to advance his
7 arguments as to why his bail should not be revoked.

8 JURISDICTION

9 9. Jurisdiction is proper over a writ of habeas corpus pursuant to Art. 1 § 9, cl. 2 of the
10 United States Constitution (the Suspension Clause); 28 U.S.C. § 2241 (habeas corpus); 28 U.S.C.
11 § 1331 (federal question); 28 U.S.C. §§ 2201-2202 (Declaratory Judgement Act), a. This action
12 arises under the Due Process Clause of the Fifth Amendment of the U.S. Constitution, and the
13 Immigration & Nationality Act (“INA”).

14 10. This Court may grant declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2241,
15 1651, 2201-02, and 5 U.S.C. §§ 702, 705-706. This Court also has broad equitable powers to
16 grant relief to remedy a constitutional violation. *See Roman v. Wolf*, 977 F.3d 935, 941 (9th Cir.
17 2020).

18 VENUE

19 11. Venue is properly before this Court pursuant to 28 U.S.C. § 1391(e) because the
20 Respondents are employees or officers of the United States, acting in their official capacity;
21 because a substantial part of the events or omissions giving rise to the claim occurred or will
22 occur in the Central District of California; because Petitioner resides in this District; and because
23 there is no real property involved in this action.

24 REQUIREMENTS OF 28 U.S.C. §2243

1 12. The Court must grant the petition for writ of habeas corpus or issue an order to show
2 cause (“OSC”) to the Respondents “forthwith,” unless Mr. Yboy Flores is not entitled to relief.
3 28 U.S.C. § 2243. If the Court issues an OSC, it must require Respondents to file a return
4 “within *three days* unless for good cause additional time, not exceeding twenty days, is allowed.”
5 *Id.* (emphasis added).

6 13. Courts have long recognized the significance of the habeas statute in protecting
7 individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most
8 important writ known to the constitutional law of England, affording as it does a swift and
9 imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391,
10 400 (1963) (emphasis added).

11 14. Habeas corpus must remain a swift remedy. Accordingly, “the statute itself directs courts
12 to give petitions for habeas corpus ‘special, preferential consideration to insure expeditious
13 hearing and determination.’” *Yong v. INS*, 208 F.3d 1116, 1120 (9th Cir. 2000) (internal citations
14 omitted). In *Yong*, the court warned against any action creating the perception “that courts are
15 more concerned with efficient trial management than with the vindication of constitutional
16 rights.” *Id.*

17 PARTIES

18 15. Petitioner LUIS ALBERTO YBOY FLORES is a forty-four-year-old national of
19 Guatemala. See Authenticating Declaration of Counsel, at Exhibit (“Exh.”) H, Declaration
20 (“Decl.”) of Luis Yboy Flores, ¶ 1. He has resided in the United States since he was three years
21 old, for the past forty-one years. *Id.* ¶ 6. He obtained his Lawful Permanent Residency in 1993,
22 when he was thirteen years old. *Id.* ¶ 7. He has six U.S. citizen children, ages 24 to six months.
23 *Id.* ¶ 10. He is engaged to Jenny Galindo, a nurse and the mother of Mr. Yboy Flores’ youngest
24 son. *Id.* ¶ 13-14. Mr. Yboy Flores has lived safely in his California community since being freed
from immigration detention on September 15, 2020. *Id.* ¶ 42. He has complied with all ICE

1 reporting requirements since his release on that date. *Id.* ¶ 50-53. He has a final order of removal,
2 and has a Motion to Reopen his removal case pending before the Board of Immigration Appeals
3 because the single conviction justifying the revocation of his residency and subsequent removal
4 has since been vacated due to Constitutional infirmity. *Id.* ¶ 33-35. ICE has ordered Mr. Yboy
5 Flores to appear in person at the Los Angeles ICE Field Office on August 25, 2025. *Id.* ¶ 54. He
6 faces imminent re-detention and removal despite his conviction having been vacated and the
7 pendency of the Motion to Reopen. *Id.*

8 16. Respondent ERNESTO SANTACRUZ is the Field Office Director of ICE in Los
9 Angeles, California, and is named in his official capacity. He maintains his office in Los
10 Angeles, California, within this judicial district. The Los Angeles Field Office is responsible for
11 carrying out ICE's immigration detention operations throughout Southern California, where Mr.
12 Yboy Flores resides. Respondent Santacruz's office issued the order for Mr. Yboy Flores to
13 appear at the Los Angeles Field Office on August 25, 2025. Respondent Santacruz is a legal
14 custodian of Mr. Yboy Flores.

15 17. Respondent-Defendant TODD LYONS is the Acting Director of ICE, and is named in his
16 official capacity. ICE, a component of the DHS, is responsible for detaining and removing
17 noncitizens according to immigration law, and oversees custody determinations. Respondent
18 Lyons is responsible for ICE's policies, practices, and procedures, including those relating to the
19 civil detention of immigrants. Respondent Lyons is a legal custodian of Mr. Yboy Flores.

20 18. Respondent, KRISTI NOEM ("Secretary Noem"), is the Secretary of the Department of
21 Homeland Security. She has authority over the detention and departure of noncitizens, like
22 Petitioner, because she administers and enforces immigration laws pursuant to section 402 of the
23 Homeland Security Act of 2002. 107 Pub L. 296 (November 25, 2003). Given this authority,
24 Secretary Noem is the legal custodian over Mr. Yboy Flores and is empowered to carry out any
administrative order issued against him.

1 19. Respondent, PAMELA BONDI (“Attorney General Bondi”), is the Attorney General of
2 the United States, and as such, she is responsible for overseeing the implementation and
3 enforcement of the federal immigration laws. She has the authority to interpret immigration laws
4 and adjudicate removal cases. The Attorney General delegates this responsibility to the EOIR,
5 which administers the immigration courts and the Board of Immigration Appeals (“BIA”). In her
6 official capacity, Attorney General Bondi is a legal custodian of Mr. Yboy Flores.

7 **STATEMENT OF FACTS**

8 **A. LENGTHY U.S. RESIDENCE AND FAMILY TIES**

9 20. Mr. Yboy Flores is a 44-year-old national of Guatemala who came to the United States in
10 1984, when he was 3 years old. *See* Exh. H, Decl. of Luis Yboy Flores at ¶¶ 1, 6. He has lived in
11 California since then. *Id.* ¶ 6. He became a Lawful Permanent Resident in 1993, when he was 12
12 years old, a status he maintained for 25 years. *Id.* ¶ 7. He attended school in Los Angeles,
13 including attending Belmont High School through 10th grade, when he stopped attending in
14 order to work and earn a living to help support his family. *Id.* ¶ 8.

15 21. Mr. Yboy Flores has worked and paid taxes his whole life. Mr. Flores has even been a
16 business owner in Los Angeles. *Id.* ¶ 9. Mr. Flores opened his own tire shop, Hoover Tires, in
17 2009 but lost it soon after his conviction in 2013. *Id.* Since his release in 2020, he has worked as
18 a housepainter and head of maintenance for V & L Properties. *Id.*

19 22. Mr. Flores is the father of six U.S. citizen children, ages twenty-four through six months.
20 *Id.* ¶ 10. Mr. Flores maintains a close relationship with his U.S. citizen children, Cris Alberto
21 Flores, 24 years old; Hazel Brigitte Flores, 22 years old; M.I.V., 17 years old; S.B., 16 years old;
22 L.A.F.B., 14 years old; and R.A.F., almost six months old. *Id.*

23 23. Since 2020, Mr. Yboy Flores has been at liberty in Los Angeles, California where he
24 lives with mother and several siblings. *Id.* ¶ 42. Following his release from criminal and ICE
custody, he focused on rebuilding his life and his relationship with his five eldest children. *Id.* ¶

1 42-43. Since 2020, he has fostered close relationships with those five children and prioritized
2 spending time with them as much as possible. *Id.*

3 24. In 2022, Mr. Yboy Flores met and fell in love with his now-fiancée, Jenny Galindo, a
4 nurse who resides in Las Vegas. *Id.* ¶ 13, *see also* Exh. I, Letter from Ms. Galindo. Mr. Yboy
5 Flores and his fiancée have overcome the geographic challenges to their relationship—Jenny is
6 tied to Las Vegas by her work and extended family, and Mr. Yboy Flores is tied to Los Angeles
7 both by his ties to his children and family, and ICE restrictions against leaving the state. *Id.* That
8 said, Jenny visits frequently, usually every two weeks. *Id.* Her thirteen-year-old daughter, M.V.,
9 has become like a daughter to Mr. Yboy Flores. *Id.*; *see also* Exh. M, Letter from M.V. (“Since
10 the day I met him[,], he has always respected me and love[d] me like if I was his own daughter.”).
11 Ms. Galinda attests to what a “loving, supportive & dependable partner” Mr. Yboy is, motivating
12 and encouraging her through nursing school. Exh. I.

13 25. In March of this year, the couple welcomed their son, R.A.F. Exh. H at ¶ 13. Mr. Yboy
14 Flores is enormously committed to his fiancée and new baby, in part because he missed so much
15 of his older children’s youth during his incarceration and detention. *Id.* Being present with Jenny
16 and R.A.F. is the most important thing in the world to him. *Id.* Ms. Galinda also attests to Mr.
17 Yboy Flores’ importance in her life and the life of her son and daughter: “he is the foundation of
18 our family, a steady presence from a far. He is the man who has helped us grow stronger through
19 love, faith, and resilience. I cannot imagine our lives without him.” Exh. I.

20 26. Mr. Yboy Flores also maintains close relationships with his siblings and their families,
21 including Yesica Othom Flores, Jorge Linares, Zoila Linares Flores, Marco Tulio Garcia Flores,
22 Heidy Flores, Mainor Garcia, and Erick Alberto Garcia; his stepfather, Jorge Linares; and
23 numerous nieces and nephews; sisters-in-law and brothers-in-law; and aunts, uncles, cousins, and
24 friends. Exh. H at ¶ 56.

B. CRIMINAL HISTORY

27. Mr. Yboy Flores Mr. Flores has three misdemeanor convictions and one violation dating back to 2005, 2006, and 2007, based on a contentious break-up with the mother of his eldest children. *Id.* ¶ 16. However, they got past that hard time – and ultimately remarried in 2018 (followed by a second divorce). *Id.*

28. Mr. Yboy Flores’ last arrest was on September 21, 2013 as a result of an argument with his then-girlfriend. *Id.* ¶ 17. Mr. Yboy Flores was charged with unlawful imprisonment and assault with a firearm. *Id.*; Exh. A, Motion to Reopen at pgs. 43-44 (Notice to Appear). On January 16, 2014, Mr. Flores was convicted under California Penal Code Section 245(b), assault with a firearm, and sentenced to six years’ prison. *Id.*

C. REHABILITATION IN PRISON AND RELEASE ON PAROLE

29. Since his arrest in 2013, Mr. Yboy Flores has transformed his life by engaging in rehabilitation programs, particularly including alcohol rehabilitation and anger management. Exh. H at ¶ 20. He served four years and six months of the six-year sentence. *Id.* In prison, he participated in various rehabilitative programs such as Alcoholics Anonymous, Alternatives to Violence and Life Skills and MERIT Life Skills programs, which include topics like anger management, parenting, drug education, spiritual growth, and relationships. *Id.* ¶ 21. He was baptized into the Christian Church and began attending service regularly. *Id.* ¶ 22. Mr. Flores continues to attend church every Sunday and at times takes his children along with him. *Id.* ¶ 45-46.

30. Most significantly, Mr. Yboy Flores served the state of California as an inmate-firefighter for four years. *Id.* ¶ 23. While in prison, he was certified in Firefighting Training and Physical Fire Training and rose to become a trusted leader in Fire Camp. *Id.* He received a chrono for in camp “Fire Brigade” Engineering and obtained a Class A Chrono for chainsaw, tree falling, and teachings experience. *Id.* In his last year in Fire Camp, he was a Swamper in Crew 3 in Eel River

1 Camp, which is the highest position in hand crew, and he was the team leader and second in
2 command after the captain. *Id.* Mr. Flores was also promoted to Lead Mechanic for Correction
3 Department Vehicles and CalFire equipment, which includes transporting inmates and fire
4 engines from Butte Co. Fire Stations as well as camp forklift driver. *Id.* ¶ 24. Mr. Flores fought
5 the King Fire, Willow Fire, Butte Fire, and Chimney Fire. *Id.* ¶ 25. In total, Mr. Flores fought
6 seven major fires and at least 50 smaller fires. *Id.* During the non-fire season, Mr. Flores would
7 work on community projects such as cutting firewood for elderly people, painting, and cleaning
8 up the community. *Id.* ¶ 26-27.

9 31. Notably, the California Department of Corrections and Rehabilitation (CDCR) requires
10 all Fire Camp Participants to be found not to be dangerous to the community. *Id.* ¶ 28; *see also*
11 [https://www.cdcr.ca.gov/facility-locator/conservation-camps/faq-conservation-fire-camp-](https://www.cdcr.ca.gov/facility-locator/conservation-camps/faq-conservation-fire-camp-program/)
12 [program/](https://www.cdcr.ca.gov/facility-locator/conservation-camps/faq-conservation-fire-camp-program/).

13 **D. ARREST BY ICE AND REMOVAL PROCEEDINGS PROCEDURAL HISTORY**

14 32. Upon his release from criminal custody, on May 3, 2018, Mr. Yboy Flores was arrested
15 and detained by ICE. Exh. H at ¶ 31. He remained detained for the next two-and-a-half years,
16 until September 15, 2020. *Id.* ¶ 41.

17 33. On May 3, 2018, the Department of Homeland Security ("DHS") filed a Notice to
18 Appear with four factual allegations, including a single criminal allegation: that he had been
19 convicted of a crime of violence based on a 2013 Los Angeles County conviction to Penal Code
20 § 245(b) with a sentence of three years. Exh. A at pgs. 43-44 (Notice to Appear). The NTA
21 charged him as removable under the single ground of removability, INA § 237(a)(2)(A)(iii) for
22 having been convicted of an aggravated felony crime of violence with a sentence of a year or
23 more. *Id.* Mr. Flores admitted the factual allegations and ground of removability, and filed an
24 application for deferral of removal under the Convention Against Torture ("CAT"). Exh. H at ¶
33.

1 34. On January 17, 2019, the IJ denied Mr. Flores's application for CAT. *Id.* ¶ 33. On July 9,
2 2019, the BIA remanded Mr. Yboy Flores' case. *Id.* The case returned to the Immigration Judge
3 and on October 11, 2019, the IJ issued a second written decision denying Mr. Flores's
4 application for CAT protection. *Id.* Mr. Flores timely appealed to the BIA and on October 29,
5 2020, that judgment was affirmed by the BIA. *Id.* He filed a Petition for Review to the Ninth
6 Circuit, which was dismissed on April 20, 2022. *Id.*

7 35. Meanwhile, Mr. Yboy Flores filed a petition to vacate his conviction on March 22, 2022.
8 *Id.* ¶ 34. On June 10, 2022, the Superior Court of California in the County of Los Angeles
9 vacated Mr. Flores' conviction to PC § 245(b) pursuant to PC § 1473.5(a)(1), based on
10 constitutional error in the conviction. *Id.*; *see also* Exh. A at pg. 83 (Order Granting Motion to
11 Vacate). Also on that day, Mr. Flores re-pled to PC § 236, false imprisonment. *Id.* As such, Mr.
12 Flores is no longer deportable as charged in his Notice to Appear.

13 36. On June 23, 2022, Mr. Yboy Flores filed a Motion to Reopen and Terminate Proceedings
14 with the BIA, based on the vacatur of the only conviction underlying his removal order. Exh. H
15 at ¶ 35; Exh. A, Motion to Reopen. He also filed a Motion for a Stay before the BIA. *Id.* Those
16 motions remain pending to this day. *Id.*; *see also* Exh. C (ECAS printout showing the pendency
17 of the Motion to Reopen).

18 37. Also in 2022, Mr. Yboy Flores filed an application for a pardon of his criminal
19 conviction with the California Governor's Office. *Id.* ¶ 36; *see also* Exh. J (Email indicating
20 receipt of gubernatorial pardon application). That application remains pending. *Id.*

21 **E. RELEASE BY DISTRICT COURT**

22 38. On September 12, 2020, Mr. Yboy Flores was ordered released from custody through a
23 bail order issued in *Hernandez Roman v. Wolf*, No. 5:20-cv-00768-TJH-PVC, (C.D. Cal.)
24 (hereafter "*Hernandez Roman*"), a class action lawsuit challenging unsafe conditions at the

1 Adelanto ICE Processing Center during the COVID-19 pandemic. Yboy Flores Dec, ¶ 41; *see*
2 *also* Exh. F, Hernandez Roman Bail Order.

3 39. At the start of the pandemic, noncitizens detained at the Adelanto ICE Processing Center
4 filed a habeas petition and class action complaint alleging that ICE's response to the pandemic
5 put hundreds of detained immigrants at risk of illness and death from COVID-19. *Hernandez*
6 *Roman*, No. 5:20-cv-00768-TJH-PVC, Dkt. 1.

7 40. On April 23, 2020, Judge Hatter in the Central District granted provisional class
8 certification and entered a preliminary injunction, ordering ICE to immediately reduce the
9 population at Adelanto to allow for social distancing, among other safety measures. *Hernandez*
10 *Roman*, No. 5:20-cv-00768-TJH-PVC, Dkt. 55 (C.D. Cal. April 23, 2020). The Court
11 simultaneously issued findings of fact and conclusions of law regarding conditions, including a
12 finding that conditions of confinement "are inconsistent with contemporary standards of human
13 decency" and that the government acted with deliberate indifference to the health and safety of
14 class members. *Hernandez Roman*, No. 5:20-cv-00768-TJH-PVC, 2020 WL 1952656, *8 (C.D.
15 Cal. April 23, 2020).

16 41. Although the Ninth Circuit partially stayed the preliminary injunction pending appeal, the
17 Court determined that extraordinary circumstances warranted the imposition of a bail process to
18 release affected class members. *Hernandez Roman*, No. 5:20-cv-00768-TJH-PVC, 2020 WL
19 3481564, at *1 (C.D. Cal. June 17, 2020) (discussing the court's inherent authority to grant bail
20 in habeas cases filed by immigration detainees and the Petitioners' high likelihood of success on
21 the merits). The Court then issued a process for "individualized bail determinations" for each
22 class member, in which the Court would consider an individual's biographic information,
23 medical risk factors, criminal convictions and immigration history. *See* Exh. D, Bail Application
24 Process, *Hernandez Roman*, No. 5:20-cv-00768-TJH-PVC, 2020 WL 3487632, Dkt. 124 (C.D.
Cal. June 19, 2020).

1 42. In order to grant release on bail, the Court required each noncitizen to establish by a
2 preponderance of evidence that they would not be a “flight risk, will not be a danger to public
3 safety, [that they have] a stable location to reside while released, and will have transportation
4 available to that stable location.” *Id.* at *3. Respondents were permitted to oppose bail
5 applications and attach evidence. Even where the Court granted a bail application, Respondents
6 were given two-days to “inform the Court of any additional factors that might prevent the release
7 of the class member[.]” *Id.*

8 43. On September 10, 2020, Mr. Yboy Flores filed his bail application with the Court,
9 disclosing his criminal and immigration history. *See* Exh. H, Decl. of Yboy Flores.¹ The Bail
10 Application was a joint stipulation between the Petitioners and Respondents, in which the
11 Petitioners laid out Mr. Yboy Flores release plan, medical conditions, criminal history,
12 immigration status and court procedural history, lack of dangerousness, and lack of flight risk,
13 and including several corroborating exhibits. *Id.* at ¶ 37. The Respondent laid out their
14 opposition to his release, relying in part on allegations in his immigration paperwork that he was
15 a gang member. *Id.* at ¶ 38. In response, Mr. Yboy Flores submitted a Supplemental Declaration
16 explaining how he believes those allegations came to be in his file and strongly denying that he
17 was or ever had been a gang member. *Id.* at ¶ 39.

18 44. On September 12, 2020, Judge Hatter granted his release, finding that he had established
19 that his case was “extraordinary, involves special circumstances” and that he had “by a
20 preponderance of the evidence... [established] that he will not be a flight risk [and] will not be a
21 danger to public safety.” Yboy Flores Dec, ¶ 41; Exh. F, Bail Order, *Hernandez Roman*, No.
22 5:20-cv-00768-TJH-PVC, Dkt. 500 (C.D. Cal. Sept. 11, 2020). The bail order includes a number

23
24 ¹ A protective order governs the dissemination of bail applications in *Hernandez Roman*.
5:20-cv-00768-TJH-PVC, Dkt. 122 (C.D. Cal. June 18, 2020). In an abundance of caution, Mr.
Yboy Flores is not submitting his bail application absent explicit permission from the
government, but his declaration generally describes its contents.

1 of conditions of release, including that he would live at the residence submitted to the Court, and
2 that he would not move from the approved residence without first obtaining prior approval from
3 the Court. *Id.* The order also required him to abide by all laws and regulations, abstain from
4 possessing or consuming illegal drugs, and submit to location monitoring by Respondents. Exh.
5 H at ¶ 50.

6 45. On September 23, 2020, the Ninth Circuit Court of Appeals affirmed portions of the
7 preliminary injunction order concluding that the district court has the power to grant injunctive
8 relief and that plaintiffs are likely to prevail on the merits of their due process claims. Several
9 weeks later, the Ninth Circuit dismissed Respondents' appeal of the class-wide bail orders. The
10 parties subsequently engaged in settlement discussions, and a final settlement was approved by
11 the district court on December 23, 2024. Exh. E, Settlement Agreement, *Hernandez Roman*, No.
12 5:20-cv-00768-TJH-PVC, Dkt. 2636-2 (C.D. Cal. Dec. 12, 2024).

13 46. Under the terms of the settlement, ICE was required to "make best efforts to not re-
14 detain" class members released on bail like Mr. Yboy Flores unless certain conditions were met.
15 *Id.* at 11. ICE was permitted to re-detain individuals if: (1) they became aware of "pre- or post-
16 release conduct indicating" that the class member is a threat to public safety; (2) if the class
17 member violated material conditions of release in a manner indicating they are a danger or flight
18 risk "as determined by ICE/ERO"; or (3) "to execute an administratively final order of removal."
19 *Id.* at 12.

20 47. Respondents have not sought to invoke any portion of the agreement permitting Mr.
21 Yboy Flores' re-detention based on new information suggesting danger or flight risk, or in order
22 to effectuate a final removal order. However, the settlement does not protect against his re-
23 detention because he has an administratively final order of removal. Nor does the settlement
24 preclude individual challenges to detention or re-detention. *Hernandez Roman*, No. 5:20-cv-
00768-TJH-PVC, Dkt. 2636-2, Section VIII(B) ("Nothing in this Agreement shall have any

1 preclusive effect on...any claim by Plaintiffs or any Class Members concerning any individual
2 challenge to the legality of their custody, now or in the future.”).

3 48. During the five years Mr. Yboy Flores has been free from custody, he has continued his
4 recovery, enjoyed life with his children, fallen in love and gotten engaged, celebrated the joyous
5 arrival of his baby son R.A.F., complied with all conditions of release, and has not been re-
6 arrested. His behavior has only bolstered the finding in his bail order that he is neither a danger
7 nor a flight risk.

8 **F. EXEMPLARY POST-RELEASE CONDUCT FOR FIVE YEARS**

9 49. Mr. Yboy Flores has lived an exemplary life free of criminal conduct since his release
10 from ICE custody five years ago. Exh. H at ¶ 48. He complied with all parole requirements,
11 including participating in a reentry program and classes in anger management and stress
12 management, before being successfully discharged in 2021. *Id.* ¶ 47. Not only has he avoided
13 rearrest, he has reflected on his past mistakes and learned how to take steps to avoid falling into
14 them in the past. *Id.* ¶ 48-49.

15 50. Since his release, Mr. Yboy Flores has resided with his mother and siblings in Los
16 Angeles, California. *Id.* ¶ 42. He has complied with all of the conditions of release under the
17 *Hernandez Roman* Bail Order, including residing at the approved address, following all laws and
18 regulations, abstaining from drugs and alcohol, and reporting to ICE. *Id.* ¶ 50. He has also
19 complied with ICE’s conditions and Order of Supervision, which requires in-person check-ins
20 approximately every six months. *Id.* ¶ 51; Exh. L (Order of Supervision Personal Report
21 Record). He also complies with Intensive Supervision Appearance Program (ISAP), which has
22 involved an ankle monitor that was eventually de-escalated to virtual weekly check-ins through
23 an app on his phone. *Id.* ¶ 52. ISAP also includes a restriction against leaving California, which
24 he has followed. *Id.* ¶ 53. That particular restriction has been a particular hardship since his

1 fiancée lives in Las Vegas and has to travel to see him every two weekends, including through
2 her pregnancy and now with their newborn son. *Id.*

3 51. He has been working to rebuild his life and spend time with his family. He has dedicated
4 himself to being the best father, son, sibling, and community member.

5 52. For the past five years, Mr. Yboy Flores has worked for V&L residential properties, first
6 as a painter and now as the maintenance director. *Id.* ¶ 44. In that role, he has a great deal of
7 responsibility attending to any and all maintenance needs the residential properties present,
8 including fixing appliances, plumbing, drywall, electricity repair. *Id.*

9 53. Mr. Yboy Flores has also continued to build a family since his release. He met and fell in
10 love with his now-fiancée, Jenny Galindo, and baby R.A.F. *Id.* ¶ 23.

11 54. On Sundays, he attends church at El Remanente Fraternity Elim, and he and his fiancée
12 have presented baby R.A.F. in the same church. *Id.* ¶ 45-46.

13 **G. DANGER OF RE-ARREST BY ICE DESPITE COMPLIANCE WITH ISAP AND**
14 **CONDITIONS OF RELEASE**

15 55. Since his release in 2020, Mr. Yboy Flores has complied with all ICE reporting
16 requirements and release conditions. *Id.* ¶ 50-53. He has not been rearrested. *Id.* ¶ 48. However,
17 because he has a final order of removal, and because the BIA has not ruled on his Motion to
18 Reopen his proceedings following the vacatur of the criminal conviction underlying his
19 conviction, he is at imminent risk of detention.

20 56. Under the Trump Administration, ICE has dramatically increased the number of people it
21 arrests, with the total detained population reaching its highest verifiable point in years.² The
22 American Immigration Lawyers Association (“AILA”) has reported a nationwide uptick of
23

24 ² See Austin Kocher, ICE Detention Numbers Hit New High: 59,380 People Behind Bars, August 14, 2025, available at: <https://austinkocher.substack.com/p/ice-detention-numbers-hit-new-high>.

1 arrests at ICE check-ins, targeting individuals with removal orders like Mr. Yboy Flores.³
2 President Trump has called for ICE to increase enforcement in “America’s largest cities,” which
3 he called the “core of the Democratic Power Center,” via a post on Truth Social.⁴ He stated
4 “[w]e must expand efforts to detain and deport Illegal Aliens in America’s largest Cities, such as
5 Los Angeles[.]” *Id.*

6 57. Mr. Yboy Flores last reported to the Los Angeles ICE Field Office on February 11, 2025.
7 On that date, ICE gave him a future report date of August 25, 2025. *Id.* ¶¶ 51, 54. Through
8 counsel, Mr. Yboy Flores has sought assurances from the government that he will not be arrested
9 at his check-in. However, as of this filing, ICE has been unable to provide any assurance that he
10 will not be detained on Monday or thereafter. *See* Exh. G, Email exchange between Hernandez
11 Roman class counsel and AUSA Hans Chen.

12 ARGUMENT

13 **Mr. Yboy Flores Has a Protected Liberty Interest in His Conditional Release**

14 58. “Freedom from imprisonment—from government custody, detention, or other forms of
15 physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.”
16 *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

17 59. Once an individual is freed from custody—even where that release is lawfully
18 revocable—he grows a strong interest in remaining physically unconfined by the government.
19 This genesis of this idea began in *Morrissey*, where the Supreme Court held that a person paroled
20 following a criminal conviction has a protected liberty interest in that conditional release.

22 ³ *See* AILA Doc No. 25081204, August 13, 2025, available at:
23 <https://www.aila.org/featured-issue-immigration-enforcement-under-trump-2-0> (“ICE targets
24 people who are following the legal process and may be eligible for immigration benefits, including those who show up for hearings and appointments at immigration courts, USCIS offices and support centers, and ICE check-ins.”).

⁴ *See* Samantha Waldenberg and Priscilla Alvarez, CNN, June 16, 2025, available at:
<https://www.cnn.com/2025/06/16/politics/trump-immigration-democratic-deportation-efforts>.

1 *Morrissey v. Brewer*, 408 U.S. 471, 482 (1982). The Court reasoned that a parolee develops this
2 interest because, “subject to the conditions of his parole, [he] can be gainfully employed and is
3 free to be with family and friends and to form the other enduring attachments of normal life.” *Id.*
4 at 482. Moreover, “[t]he parolee has relied on at least an implicit promise that parole will be
5 revoked only if he fails to live up to the parole conditions.” *Id.* “By whatever name, the liberty is
6 valuable and must be seen within the protection of the [Constitution].” *Id.*

7 60. Courts have repeatedly extended this basic principle from *Morrissey*—that individuals
8 have a liberty interest in their conditional release—to similarly-situated groups. *See, e.g., Young*
9 *v. Harper*, 520 U.S. 143, 152 (1997) (holding that individuals placed in a pre-parole program
10 created to reduce prison overcrowding have a protected liberty interest requiring pre-deprivation
11 process); *Gagnon v. Scarpelli*, 411 U.S. 778, 781-82 (1973) (holding that individuals released on
12 felony probation have a protected liberty interest requiring pre-deprivation process). Even where
13 someone has obtained liberty through a mistake of law or fact, courts have recognized their
14 cognizable interest in remaining at liberty. *See Hurd v. D.C., Gov’t*, 864 F.3d 671, 683 (D.C. Cir.
15 2017); *Gonzalez-Fuentes v. Molina*, 607 F.3d 864, 887 (9th Cir. 2010); *Johnson v. Williford*, 682
16 F.2d 868, 873 (9th Cir. 1982).

17 61. Following *Morrissey* and its progeny, a chorus of district courts in California have
18 recognized the strength of a noncitizen’s protected liberty interest following release from ICE
19 custody. *See, e.g., Meza v. Bonnar*, 2018 WL 2554572 (N.D. Cal. June 4, 2018); *Ortega v.*
20 *Bonnar*, 415 F. Supp. 3d 963 (N.D. Cal. 2019); *Vargas v. Jennings*, No. 20-CV-5785-PJH, 2020
21 WL 5074312, at *3 (N.D. Cal. Aug. 23, 2020); *Jorge M. F. v. Wilkinson*, No. 21-CV-01434-JST,
22 2021 WL 783561, at *2 (N.D. Cal. Mar. 1, 2021); *Garcia v. Bondi*, No. 3:25-CV-05070, 2025
23 WL 1676855, at *4 (N.D. Cal. June 14, 2025); *Diaz v. Kaiser*, No. 3:25-CV-05071, 2025 WL
24 1676854, at *4 (N.D. Cal. June 14, 2025); *Guillermo M.R. v. Kaiser*, No. 3:25-cv-05436-RFL
(N.D. Cal. June 30, 2025); *Garcia v. Andrews*, No. 2:25-CV-01884-TLN-SCR, 2025 WL

1 1927596, at *5 (E.D. Cal. July 14, 2025); *Pinchi v. Noem*, No. 5:25-cv-05632-PCP, 2025 WL
2 2084921, at *3 (N.D. Cal. July 24, 2025) (collecting cases); *Rodriguez-Flores v. F. Semaia et al.*,
3 2:25-cv-06900-JGB-JC, Dkt. 14 (C.D. Cal. Aug. 14, 2025); *Galindo Arzate, v. Andrews*, No.
4 1:25-CV-00942-KES-SKO (HC), Dkt. 15 (E.D. Cal. Aug. 20, 2025).

5 62. Indeed, “[g]iven the civil context [of immigration detention], [the] liberty interest [of
6 noncitizens released from custody] is arguably greater than the interest of parolees” from
7 *Morrissey. Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019). Courts have also held
8 that the longer someone remains out on bond, the weightier their interest in remaining free from
9 ICE custody. *See Rodriguez-Flores*, 2:25-cv-06900-JGB-JC, Dkt. 14 at *5.

10 63. Just as in those cases, this Court should find that in his five years of freedom, Mr. Yboy
11 Flores has accrued a strong liberty interest protected by the Due Process Clause. Mr. Yboy
12 Flores was granted release from ICE custody by Judge Hatter after a finding that he did not pose
13 a danger or a flight risk. Exh. F, Bail Order; Exh. H, Flores Decl. at ¶ 41. His conditional release
14 pending a final removal decision “enables him to do a wide range of things open to persons” who
15 have never been in custody or convicted of any crime, including to live at home, work, and “be
16 with family and friends and to form the other enduring attachments of normal life.” *Morrissey*,
17 408 U.S. at 482.

18 64. Mr. Yboy Flores has done just that in the last five years. Since his release in 2020, Mr.
19 Yboy Flores has built a law-abiding life free from any new arrests or contact with the criminal
20 legal system. Exh. H at ¶ 48. He was successfully discharged from parole. *Id.* He met Jenny
21 Galindo, fell in love, and got engaged. *Id.* ¶ 13. The couple has recently welcomed their newborn
22 son, R.A.F., with hope and joy. *Id.* ¶ 14. Mr. Yboy Flores has also become close to Ms.
23 Galindo’s older daughter M.V. *Id.* ¶ 13; *see also* Exh. N, Letter from M.V. (“I like that he makes
24 my mom happy[.]”). He has also maintained relationships with his elder five children, four of
whom live near him in Los Angeles and one of whom recently moved to Colorado to work in a

1 hotel. *Id.* ¶ 10-11. He also spends time with his extended family, including his six siblings,
2 brothers- and sisters-in-law, innumerable nieces and nephews, and aunts, uncles, cousins, and
3 friends. *Id.* ¶ 56.

4 65. Mr. Yboy Flores works full time, covering all maintenance for the residential property
5 management business he has worked at since 2020. *Id.* ¶ 44. He dreams of going back to school
6 in mechanical engineering or realizing his dreams of becoming a firefighter, drawing on his four
7 years as an inmate firefighter while he was serving his sentence. *Id.* ¶ 43. He still suffers from
8 high blood pressure, anxiety, and depression, and since 2021 has been receiving physical therapy
9 and suffering increasing pain management for a car accident he suffered in 2021. *Id.* ¶ 55.

10 66. For these reasons, Mr. Yboy Flores has a substantial liberty interest, and the Court must
11 order procedural safeguards to protect it. *See Rodriguez-Flores*, 2:25-cv-06900-JGB-JC, Dkt. 14
12 at 5 (finding that release on bond for five years created a substantial liberty interest and applying
13 the *Mathews v. Eldridge* factors to determine what procedures were appropriate).

14 **Without A Pre-Deprivation Bond Hearing, the Risk of an Erroneous Deprivation of**
15 **Liberty is High**

16 67. Absent intervention by this Court, Mr. Yboy Flores has not received and will not receive
17 any custody redetermination hearing before his re-detention by ICE.

18 68. Mr. Yboy Flores has an administratively final order of removal, albeit one he is
19 challenging through a motion to reopen. If he were to be detained, his statutory detention
20 authority would fall under 8 U.S.C. § 1231(a)(6), which permits Respondents to detain
21 individuals “beyond the removal period” without a bond hearing. At no point does the statute
22 provide for a neutral review of custody to determine “if there is any valid basis for civil
23 immigration detention, that is, preventing flight or protecting against danger to the community.”
24 *See Rodriguez-Flores*, 2:25-cv-06900-JGB-JC, Dkt. 14 at 5 (citing *Zadvydas v. Davis*, 533 U.S.
678, 690 (2001)).

69. In other words, the agency will never grant Mr. Yboy Flores a neutral hearing on whether his detention is constitutional. Therefore, the risk is high that Mr. Yboy Flores will be erroneously deprived of his liberty if ICE is permitted to make a unilateral decision to re-detain him. *See Diouf v. Napolitano*, 634 F.3d 1081, 1091-92 (9th Cir. 2011) (observing that the risk of an erroneous deprivation of liberty is reduced where a neutral decisionmaker, rather than ICE, makes custody determinations).

70. The probable value of a pre-deprivation hearing is also high. As the Supreme Court has explained, the baseline requirement is a “hearing *before* the State deprives a person of liberty or property,” not after. *Zinerman v. Burch*, 494 U.S. 113, 127 (1990) (emphasis in original). This is so even in cases where that freedom is lawfully revocable. *See Hurd*, 864 F.3d at 683 (emphasis added) (citing *Young*, 520 U.S. at 152 (re- detention after pre-parole conditional supervision requires pre-deprivation hearing)); *Gagnon*, 411 U.S. at 782 (holding the same, in context of probation); *Morrissey*, 408 U.S. 471 (holding the same, in context of parole). Only in a “special case” where post-deprivation remedies are “the only remedies the State could be expected to provide” can post-deprivation process satisfy the requirements of due process. *Zinerman*, 494 U.S. at 985.

71. Because, in this case, the provision of a pre-deprivation hearing is both possible and valuable in preventing an erroneous deprivation of liberty, ICE is required to provide Mr. Yboy Flores with notice and a hearing *prior* to any re-incarceration. *See Morrissey*, 408 U.S. at 481-82; *Haygood*, 769 F.2d at 1355-56; *Zinerman*, 494 U.S. at 985; *see also Youngberg v. Romeo*, 457 U.S. 307, 321-24 (1982). At this hearing before a neutral adjudicator, the government must be required to show that there have been changed circumstances such that his 2020 release by district court order should be revoked based on clear and convincing evidence that he is a current danger or a flight risk. *See e.g. Diaz*, 2025 WL 1676854, at *3 (finding that “the three factors

1 relevant to the due process inquiry set out in *Mathews*...support requiring a pre-detention
2 hearing for [Mr. Yboy Flores].”).

3 72. Here, there is no material change in circumstances to justify Mr. Yboy Flores’ re-
4 detention. *Saravia*, 280 F. Supp. 3d at 1197, *aff’d sub nom. Saravia for A.H.*, 905 F.3d 1137
5 (DHS “generally only re-arrests [noncitizens] pursuant to § 1226(b) after a material change in
6 circumstances.”). In the last five years, Mr. Yboy Flores has complied with all requirements,
7 strengthened his ties to family and community, and diligently pursued his rights. No current
8 evidence suggests that Mr. Yboy Flores is a danger to the community or a flight risk. While Mr.
9 Yboy Flores has a removal order, that order was based on a conviction that has since been
10 vacated as legally invalid under California law. For three years, Mr. Yboy Flores has been
11 awaiting the resolution of a motion to reopen and rescind his removal order to restore his
12 permanent resident status. If his motion is granted, he will no longer have a final removal order.
13 If his motion is denied, he intends to appeal to the Ninth Circuit and request a stay of removal.
14 *See Ninth Cir. Gen. Order 6.4(c)* (allowing for entry of an automatic stay of removal pending
15 adjudication of the merits of a stay request).

16 73. Without the procedural safeguard of a bond hearing, Mr. Yboy Flores will be unable to
17 present this or any evidence to a neutral adjudicator, and the necessity of his re-detention would
18 evade review.

19 **The Government’s Interest in Re-detaining Mr. Yboy Flores Without a Hearing is Low**

20 74. The government’s interest in re-detaining Mr. Yboy Flores *without a due process hearing*
21 is low and, when weighed against his significant private interest in his liberty, the scale tips
22 sharply in favor of enjoining Respondents from re-detaining him unless and until the government
23 demonstrates by clear and convincing evidence that he is a flight risk or danger to the
24 community.

1 75. The only valid purpose for civil immigration detention is to prevent danger to the
2 community and ensure a noncitizen's appearance at immigration proceedings. *See Zadvydas*, 533
3 U.S. at 690. In this case, a pre-detention hearing would do nothing to undermine—and would in
4 fact promote—the government's interest by ensuring a neutral evaluation of flight risk and
5 danger.

6 76. Further, Respondents suffer no “fiscal and administrative burdens” by allowing Mr. Yboy
7 Flores to maintain his liberty. *See Mathews*, 424 U.S. at 334-35. To the contrary, his continued
8 release will save the government money it would have otherwise spent on his incarceration. As
9 the Ninth Circuit noted, “[t]he costs to the public of immigration detention are ‘staggering’: \$158
10 each day per detainee, amounting to a total daily cost of \$6.5 million.” *Hernandez*, 872 F.3d at
11 996. The government has an interest in avoiding costly and needless detention. *See Black v.*
12 *Decker*, 103 F.4th 133, 154 (2d Cir. May 31, 2024) (cleaned up) (when a noncitizen “poses no
13 danger and is not a flight risk, all the government does in requiring detention is separate families
14 and remove from the community breadwinners, caregivers, parents, siblings and employees”).

15 77. Finally, giving Mr. Yboy Flores a bond hearing before a judge is a routine procedure that
16 the government provides to those in immigration jails on a daily basis. *See Doe*, 2025 WL
17 691664 at *6 (“The effort and cost required to provide Petitioner with procedural safeguards is
18 minimal and indeed was previously provided in his case.”).

19 ***

20 78. In sum, due process entitled Mr. Yboy Flores to a pre-detention hearing “where the
21 government bears the burden of proving, by clear and convincing evidence, that he is a danger to
22 the community or a flight risk, and that no conditions other than his detention would be sufficient
23 to prevent those harms.” *See Rodriguez-Flores*, No. 2:25-cv-006900-JGB-JC, at *6.

FIRST CAUSE OF ACTION

Due Process

U.S. Const. Amend. V

79. Mr. Yboy Flores re-alleges and incorporates herein by reference, as is set forth fully herein, the allegations in all the preceding paragraphs.

80. The Due Process Clause of the Fifth Amendment forbids the government from depriving any “person” of liberty “without due process of law.” U.S. Const. amend. V.

81. Mr. Yboy Flores had a vested liberty interest in his conditional release. *See Morrissey*, 408 U.S. at 487-488.

82. Due process prohibits Respondents from re-detaining Mr. Yboy-Flores absent a hearing at which a neutral adjudicator could determine whether the government can prove by clear and convincing evidence that Mr. Yboy Flores’ current release conditions should be modified. *See Rodriguez-Flores*, 2:25-cv-06900-JGB-JC, Dkt. 14 at *8.

PRAYER FOR RELIEF

WHEREFORE, Mr. Yboy Flores prays that this Court grant the following relief:

- (1) Assume jurisdiction over this matter;
- (2) Enjoin and restrain Respondents from re-detaining Mr. Yboy Flores unless and until DHS proves to a neutral adjudicator by clear and convincing evidence that he is a present danger or an unmitigable flight risk after taking into consideration alternatives to detention and his ability to pay a bond, such that his re-incarceration is warranted;
- (3) Declare that Respondents may not lawfully re-arrest Mr. Yboy Flores unless and until he has received a hearing in front of a neutral adjudicator as to whether the government can by clear and convincing evidence show that Mr. Yboy Flores is a present danger or an unmitigable flight risk after taking into consideration alternatives to detention and his ability to pay a bond, such that his re-incarceration is warranted;

1 (4) Award reasonable costs and attorney fees; and

2 (5) Grant such further relief as the Court deems just and proper.

3
4 I declare under penalty of perjury under the laws of the United States of America that the
5 foregoing is true and correct to the best of my knowledge. Executed on August 21, 2025 in San
6 Francisco, California.

7 Dated: August 21, 2025

Respectfully submitted,

8
9 s/ Genna Beier
10 Genna Beier

11 Attorney for Petitioner
12
13
14

15 **VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF**
16 **PURSUANT TO 28 U.S.C. § 2242**

17 I am submitting this verification on behalf of the Petitioner because I am Petitioner's
18 attorney. As the Petitioner's attorney, I hereby verify that the factual statements made in the
19 attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

20 Dated: August 21, 2025

s/ Genna Beier
21 Attorney for the Petitioner
22
23
24