UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIGINIA
ALEXANDRIA DIVISION

MARIN GOMEZ ROBINSON MEDARDO Petitioner, v. **PAMELA BONDI**, U.S. Attorney General; **KRISTI NOEM**, Secretary of the U.S. Department of Homeland Security; **TODD M. LYONS**, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement; **JAMES A. MULLAN,** in his official capacity As Assistant Field Office Director of Washington Field Office, U.S. Immigration and Customs Enforcement; and **JEFFREY CRAWFORD,** in his official capacity as warden of the Abyon – Farmville Detention Ctr Respondents.	**Case No. 1:25-cv-1886** **PETITION FOR WRIT OF HABEAS CORPUS**

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner, Marin Gomez Robinson Medardo, a native and citizen of Ecuador, petitions this Court for a Writ of Habeas, 28 U.S.C. § 2241, to challenge his continued custodial detention by the United States Department of Homeland Security, through its component arm, U.S. Immigration and Customs Enforcement ("ICE").

2. Mr. Robinson challenges the Respondents' mistaken assertion that he is subject to their mandatory detention under 8 U.S.C. § 1252(b)(2)(A). That assertion stems from the

Respondents' July 2025 reinterpretation of the Immigration and Nationality Act's ("INA") detention provisions, including § 1225(b)(2)(A). See *Martinez v. Hyde*, 2025 U.S. Dist. LEXIS 141724, at *12 (D. Mass. Jul. 24, 2025) ("Indeed, mandatory detention for all applicants has only been the official policy of the Department of Homeland Security ("DHS") . . . since July 8, 2025, when Acting Director of U.S. Immigration and Customs Enforcement, Todd M. Lyons, issued an internal memorandum explaining that the agency had revisited its legal position").

3. Under Respondents' reinterpretation of this provision, any foreign national who is present in the United States without having been admitted or paroled is subject to mandatory detention.

4. There is a growing body of case law from within and outside of this judicial district holding that Respondents' reinterpretation of 8 U.S.C. § 1225(b)(2)(A) is contrary to law. *See, e.g., Quispe-Ardiles v. Noem*, 2025 U.S. Dist. LEXIS 194069 (E.D. Va. Sept. 30, 2025); *Quispe v. Crawford*, 2025 U.S. Dist. LEXIS 194070 (E.D. Va. 2025) ("as Respondents recognize, other federal courts around the country have found that in order to be detained under § 1225(b)(2), applicants for admission must be actively "seeking admission" and not be just "present" in the U.S."); *Hasan v. Crawford*, ___ F. Supp. 3d ___, 2025 U.S. Dist. LEXIS 184734 (E.D. Va. Sept. 19, 2025). This is another such case.

5. Mr. Robinson's continued detention by Respondents without any mechanism to challenge his confinement violates the Due Process Clause of the Fifth Amendment to the United States Constitution and presents a federal question under 28 U.S.C. § 1331 though the Immigration and Nationality Act, (8 U.S.C. § 1101 *et seq.*). Respondent seeks declaratory and injunctive relief under 28 U.S.C. § 1331 in conjunction with 28 U.S.C. § 2201, in the

form of an order from this Court requiring his immediate release because he is not lawfully detained under § 1252(b)(2)(A) or, alternatively, that the Respondents provide him with a bond hearing before a neutral and impartial adjudicator.

JURISDICTION AND VENUE

6. Mr. Robinson is detained in the Abyon-Farmville Detention Center in Farmville, Virginia, which is within the jurisdiction of the United States District Court for the Eastern District of Virginia.

7. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 ("habeas corpus"), 28 U.S.C. § 1651 ("All Writs Act"), 28 U.S.C. § 1331 ("federal question"), the INA, and U.S. CONST. amend. V (the "Due Process Clause").

8. This Court has jurisdiction to adjudicate habeas corpus claims brought by foreign nationals who challenge the legality of their detention by U.S. immigration officials. *See Reno v. Flores*, 507 U.S. 292, 307 (1993) ("It is well established that the Fifth Amendment entitles aliens to due process of law in deportation proceedings."); *Rodriguez v. Perry*, 747 F. Supp. 3d 911, 915 (E.D. Va. 2024) ("The federal habeas corpus statute gives a district court jurisdiction to review immigration-related detention cases") (citing 28 U.S.C. § 2241(c)(3).

9. Title 8 U.S.C. § 1252(g) does not operate as a jurisdictional bar because that statute does not apply to actions taken to detain foreign nationals. *See Reno v. American-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 482 (1999) ("Section 1252(g) 'applies only to three discrete actions,' i.e. commencement of removal proceedings, adjudication of removal cases, and execution of removal orders").

10. Title 8 U.S.C. § 1252(b)(9), does not preclude jurisdiction because that statute applies to review of removal orders and not to detention decisions made prior to the issuance of a removal order. *See Demore v. Kim*, 538 U.S. 510, 517 (2003) ("'where Congress intends to preclude judicial review of constitutional claims its intent to do so must be clear.'") (quoting *Webster v. Doe*, 486 U.S. 592, 603 (1988)).

EXHAUSTION

11. A petitioner seeking habeas corpus under 28 U.S.C. § 2241 need not exhaust administrative remedies because the statute does not require it. *Compare* 28 U.S.C. § 2241 *with* 28 U.S.C. § 2254(b)(1)(A); *see McCarthy v. Madigan*, 503 U.S. 140, 144 (1992) ("where Congress has not clearly required exhaustion, sound judicial discretion governs.") (citation omitted); s*ee Aguilar v. Lewis*, 50 F. Supp. 2d 539, 541 (E.D. Va. 1999) (clarifying that "there is no federal statute that imposes an exhaustion requirement on aliens taken into custody pending their removal").

12. Assuming the existence of an exhaustion requirement, Mr. Robinson's failure to exhaust should nevertheless be excused because seeking a bond hearing before an immigration judge would be futile. This is so because on September 5, 2025, the Board of Immigration Appeals, in lockstep with the Acting ICE Director, reinterpreted the INA's detention provisions and determined that immigration judges lack authority to consider bond requests from foreign nationals who were not admitted at the border. *See* Matter *of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

REQUIREMENTS OF 28 U.S.C. § 2243

13. The Court should grant the petition for writ of habeas corpus or issue an order to show cause to the Respondents forthwith, unless Mr. Robinson is not entitled to relief. *See* 28

U.S.C. § 2243. If an order to show cause is issued, the Court should require respondents to file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

PARTIES

14. Mr. Robinson is a native and citizen of Ecuador and is now detained by Respondents at Abyon-Farmville Detention Center in Farmville, Virginia. He is in the custody, and under the direct control, of Respondents and their agents.

15. Respondent Jeffrey Crawford is sued in his official capacity as the Warden of the Abyon-Farmville Detention Center in Farmville, Virginia. Respondent Crawford has immediate physical custody of Mr. Robinson and has the authority to release him.

16. Respondent James A. Mullen is sued in his official capacity as Assistant Field Office Director of Washington Field Office, U.S. Immigration and Customs Enforcement and supervises and oversees Respondent Crawford.

17. Respondent Todd M. Lyons is sued in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement and supervises and oversees Respondent Mullen.

18. Respondent Kristi Noem is sued in her official capacity as the Secretary of the Department of Homeland Security. In this capacity, Respondent Kristi Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act ("INA"), and oversees ICE, the component agency directly responsible for Mr. Robinson's detention. *See* 8 U.S.C. § 1103(a). Respondent Kristi Noem is a legal custodian of Petitioner.

19. Respondent Pamela Bondi is sued in her official capacity as the Attorney General of the United States. The Attorney General oversees the Executive Office for Immigration

Review and, within the Executive Branch, is the arbiter of all questions of law pertaining to the Immigration and Nationality Act. *See* 8 U.S.C. § 1103(a)(1), 1103(g).

STATEMENT OF FACTS

20. Mr. Robinson is a native and citizen of Ecuador. *See* Exhibit A (Passport Biographical Page). He entered the United States without being admitted or paroled on May 15, 2007. *See* Exhibit B (Notice to Appear). Mr. Robinson was not intercepted by any immigration officials upon his entry into the United States.

21. Mr. Robinson remained in the United States from his arrival in May 2007 until his immigration arrest earlier this month without any interaction with immigration authorities.

22. In the interim, Mr. Robinson has married, *see* Exhibit C (Marriage Certificate), started a family, and maintained employment in the United States.

23. Mr. Robinson is currently married to his United States citizen wife, Mrs. Jessica Michelle Maldonado. Together, the couple share two U.S. citizen children.

24. Mr. Robinson is a father to three other U.S. citizen children from a prior marriage *See* Exhibit D (Children's Birth Certificates). In total, Mr. Robinson is father to five United States citizens.

25. Mr. Robinson supports all his children, including those from his prior marriage by retaining visitation with children and supporting the children financially.

26. Mr. Robinson currently lives with his wife and their two biological children at their home in [redacted].

27. Several months ago, in July 2025, Mr. Robinson's wife retained counsel to file a Petition for Alien Relative (Form I-130) on Mr. Robinson's behalf. This filing initiates the

process for Mr. Robinson to legalize his immigration status in the United States through this marriage. Coincidentally, counsel mailed Form I-130 and supporting documents to U.S. Citizenship and Immigration Services ("USCIS") on October 21, 2025, the date of his immigration arrest. USCIS received them on October 23, 2025. *See* Exhibit E (Delivery Confirmation).

28. On October 21, 2025, at or about 8:30 a.m., Mr. Robinson was driving southbound on the Baltimore-Washington Parkway when immigration officers stopped his work van. It is not clear why the officers stopped him or how the immigration officers had reasonable suspicion to do so. *See United States v. Brignoni-Ponce*, 422 U.S. 873, 884 (1975) (to stop an individual for brief questioning about immigration status, the Government must have reasonable suspicion that the individual is illegally present in the United States). According to the Department of Homeland Security's own (and most currently available) statistics, neither Maryland nor Virginia rank in the top ten of states for unauthorized immigrant population. *See* Bryan Baker and Robert Warren, Office of Homeland Security Statistics, *U.S. Dep't of Homeland Sec., Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2018 to January 2022*, at 5 (available at https://ohss.dhs.gov/sites/default/files/2024-06/2024_0418_ohss_estimates-of-the-unauthorized-immigrant-population-residing-in-the-united-states-january-2018%25E2%2580%2593january-2022.pdf); *compare Noem v. Vasquez Perdomo*, 222 L. Ed. 1213, 1214 (Sept. 8, 2025) (Kavanaugh, J.,) ("Illegal immigration is especially pronounced in the Los Angeles area, among other locales in the United States."). Nor is there any evidence that the Baltimore Washington Parkway is a "location[] where people are hired for day jobs." *Compare Vasquez Perdomo*, 222 L. Ed. at 1214. Thus, it appears

that the fact that Mr. Robinson was driving a construction van was sufficient, in the officers' eyes, to rise to reasonable suspicion. *See id.* (finding that construction is one industry that is "especially attractive to illegal immigrants").

29. The following day, a Deportation Officer served Mr. Robinson with a Notice to Appear ("NTA") in immigration court to defend against the charges that he was (i) present in the United States without having been admitted or paroled (8 U.S.C. § 1182(a)(6)(A)(i)), and (ii) an applicant for admission without a valid entry document (8 U.S.C. § 1182(a)(7)(A)(i)(I)). *See* Exhibit B. A Supervisory Detention and Deportation Officer signed the NTA. The line-level and supervisory immigration officers charged Mr. Robinson as present in the United States without having been admitted or paroled – and explicitly declined to charge him as an arriving alien. *See id.*

30. Mr. Robinson has been scheduled to appear before an Immigration Judge on November 17, 2025, at 1:30 p.m.

31. In addition to his form I-130, Petition for Alien Relative, Mr. Robinson is eligible for cancellation of removal for certain non-permanent residents based on his more than ten-years of physical presence in the United States and his U.S. citizen children and wife.

32. On information and belief, on or about July 15, 2018, Mr. Robinson was arrested following an allegation for domestic violence in Brooklyn, New York, by his former spouse. The charges related to that incident were dismissed on August 24, 2018. *See* Exhibit F (Court Disposition Records).[1] The charges were subsequently sealed under court order. *See id.* Further, it also appears Mr. Robinson was arrested on December 18,

[1] Both undersigned counsel wish to inform the Court that neither is admitted to practice in New York. Counsel are providing the docket sheets from Mr. Robinson's criminal cases and their best understanding of the information contained in them.

2018 because he was alleged to have violated a court order, but it appears this was due to his presence at the Courthouse at the same time along with his former spouse. It appears that the court either merged this charge with a prior disorderly conduct from March 14, 2018. That March 14, 208 charge resulted in guilty plea, which is a categorized as "v" or a violation which is not a criminal offense in New York. *See Id.* As a result of the foregoing, the only offenses Mr. Robinson has been convicted of are a disorderly charge from March 14, 2018, and another from July 15, 2018, which are not criminal offenses in New York.

33. Immigration authorities never raised Mr. Robinson's criminal convictions from seven years ago when they arrested him. Mr. Robinson has been in immigration custody since on or about October 21, 2025.

CLAIMS FOR RELIEF

COUNT ONE

Violation of the Immigration and Nationality Act, 8 U.S.C. §§ 1225(b) and 1226(a),

34. Mr. Robinson incorporates and realleges all paragraphs as if fully set forth here.

35. Respondents' theory that Mr. Robinson is subject to mandatory detention under 8 U.S.C. § 1225(b) rests on their mistaken recent reinterpretation of the Immigration and Nationality Act's detention provisions at 8 U.S.C. §§ 1225(b) and 1226(a). At least three reasons demonstrate the incorrectness of the Respondents' position.

36. First, the Respondents' theory conflicts with the Supreme Court's opinion in *Jennings v. Rodriguez*, 583 U.S. 281 (2018).

37. In *Jennings*, the Supreme Court instructed that 8 U.S.C. § 1225(b) "applies primarily to aliens seeking entry into the United States ('applicants for admission' in the language of

the statute)." *Id.* at 297. Section 1226, on the other hand, applies to aliens already present in the United States." *Id.* at 303. "Section 1226(a) creates a default rule for those aliens by permitting—but not requiring—the Attorney General to issue warrants for their arrest and detention pending removal proceedings." *Id.* "Section 1226(a) also permits the Attorney General to release those aliens on bond . . ." *Id.*

38. Mr. Robinson has been in the United States for over 18 years. By any measure, he is "already present in the United States." *Jennings*, 583 U.S. at 303. Under these circumstances, *Jennings* instructs that the authority to detain Mr. Robinson does not stem from 8 U.S.C. § 1252(b)(2)(A). The Respondents' reinterpretation of §§ 1225(b)(2)(A) and 1226(a) conflicts with *Jennings* so it must be rejected.

39. Second, the Respondents' reinterpretation of §§ 1225(b)(2)(A) and 1226(a) "conflict[s] with the statute's broader structure." *Quispe-Ardiles v. Noem*, 2025 U.S. Dist. LEXIS 194069, at *15 (E.D. Va. Sept. 30, 2025).

40. It is settled that a "statute should be construed so that effect is given to all its provisions, so that no part will be inoperative or superfluous, void or insignificant . . . ." *Hibbs v. Winn*, 542 U.S. 88, 101 (2004) (internal quotations omitted)). The Respondents' "theory of § 1225(b) — that the provision applies to all persons who have not been admitted into the United States — would render multiple provisions of § 1226 superfluous." *Quispe-Ardiles*, 2025 U.S. Dist. LEXIS 194069, at *16. "For instance, § 1226(c)(1)(A), (D), and (E) already require mandatory detention of certain categories of inadmissible noncitizens. Indeed, Congress added § 1226(c)(1)(E)—which requires detention for certain inadmissible noncitizens charged with crimes including burglary, theft, and larceny—just this year through the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025)." *Quispe-*

Ardiles, 2025 U.S. Dist. LEXIS 194069, at *16. "If § 1225(b) already required mandatory detention of all noncitizens who have not been admitted, these provisions would be meaningless." *Id.*

41. Third, the Respondents' reinterpretation of the detention provisions "would upend decades of practice. Indeed, mandatory detention for all applicants has only been the official policy of the Department of Homeland Security ("DHS") . . . since July 8, 2025, when Acting Director of U.S. Immigration and Customs Enforcement, Todd M. Lyons, issued an internal memorandum explaining that the agency had revisited its legal position" *Martinez v. Hyde*, 2025 U.S. Dist. LEXIS 141724, at *12 (D. Mass. Jul. 24, 2025) (internal quotation omitted).

42. The novelty of the Respondents' new theory of immigration detention is underscored by the conflicting pronouncements of it by the Respondents themselves. In an August 4, 2025, order, the Attorney General determined that foreign nationals arrested in the interior of the United States (other than at a port of entry) are entitled to bond hearings and are detained under 8 U.S.C. § 1226. She did this by designating as precedent "in all proceedings involving the same or similar issues" the Board's decision in *Matter of Akhmedov*, 29 I. & N. Dec. 166 n.1 (BIA 2025).

43. In *Akhmedov*, the Board considered the Department of Homeland Security's appeal of an Immigration Judge's grant of bond to a foreign national arrested in the interior of the United States. *See* 29 I. & N. Dec. at 166, 168. The Board's decision - as adopted by the Attorney General – could hardly be clearer: "The respondent's custody determination is governed by the provisions of section 236(a) of the Immigration and Nationality Act, 8 U.S.C. § 1226(a) (2018)." *Id.* at 166.

44. Just like the foreign national in *Matter of Akhmedov*, Mr. Robinson was arrested by immigration officers in the interior of the United States. Just like the foreign national in *Matter of Akhmedov*, Mr. Robinson is, at a minimum, entitled to a bond hearing.

45. Under pertinent regulation, "[t]he Board shall be governed by the provisions and limitations prescribed by applicable law, regulations, and procedures, and by decisions of the Attorney General (through review of a decision of the Board, by written order, or by determination and ruling pursuant to section 103 of the Act)." 8 C.F.R. § 1003.1(d)(1)(i).

46. By statute, the Attorney General's determinations and rulings on all questions of law pertaining to the Immigration and Nationality Act bind the Executive Branch. *See* 8 U.S.C. § 1103(a)(1).

47. On September 5, 2025, the Board of Immigration Appeals issued its decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). In that case, the Board determined that a foreign national who has not been admitted to the United States is not entitled to a bond hearing and is detained under 8 U.S.C. § 1225(b)(2)(A). *See id.* at 220. *Yajure Hurtado* cannot be reconciled with the Attorney General's decision in *Akhmedov* (decided a month earlier) where the Attorney General determined that 8 U.S.C. § 1226(a) governs foreign nationals who enter the United States unlawfully and who immigration officers later encounter. *See Matter of Akhmedov*, 29 I. & N. Dec. at 166.

48. The Board's attempt to reconcile the Attorney General's decision in *Akhmedov* with its own decision in *Yajure Hurtado* underscores this point. *See* 29 I. & N. Dec. at 226. In *Hurtado*, the Board articulated no reasoning for its disagreement with the Attorney General other than to state its opinion that a foreign national's presence in the United States "does not somehow eviscerate or nullify section 235(b)(2)(A) of the INA, 8 U.S.C.

§ 1225(b)(2)(A), or vest the Immigration Judge with authority over the respondent's bond request." *Id.* at 226.[2] But the Attorney General's decision controls the Board. *See* 8 U.S.C. § 1103(a)(1); 8 C.F.R. § 1003.1(d)(1)(i).

49. The Board's observation in *Yajure Hurtado* that 8 U.S.C. § 1225(b) was not before the Attorney General in *Akhdemov* does not give license to the Board to act contrary to both statutory and regulatory authority declaring that the Attorney General – and not the Board – speaks for the Executive Branch with respect to "all questions of law." 8 U.S.C. § 1103(a)(1); *see* 8 C.F.R. § 1003.1(d)(1)(i). Nor can it vitiate the Attorney General's determination that custody determinations of foreign nationals arrested in the United States interior are "governed by the provisions of section 236(a) of the Immigration and Nationality Act, 8 U.S.C. § 1226(a) (2018)."

COUNT TWO

Violation of Fifth Amendment Right to Due Process

50. Mr. Robinson incorporates and realleges all paragraphs as if fully set forth here.

51. It is settled that the Fifth Amendment's Due Process Clause applies to all "persons" within the United States. *See Matthews v. Diaz*, 426 U.S. 67, 77 (1976). Mr. Robinson has been in the United States for over eighteen years.

52. The term "persons" includes foreign nationals such as Mr. Robinson. *See id.*

53. It is equally well settled that freedom from confinement is a core liberty interest and violation of that liberty interest raises a colorable substantive due process claim. S*ee, e.g., Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (citing *Foucha v. Louisiana*, 504 U.S. 71,

[2] It bears noting that the Board panel in *Yajure Hurtado* was apparently unaware that the Attorney General had designated *Matter of Akhmedov* as precedent. *See Yajure Hurtado*, 29 I. & N. Dec. at 226 (referencing "[t]he Board's statement" in *Matter of Akhmedov*).

80 (1992)); *Reno v. Flores*, 507 U.S. 292, 301 (1993) (collecting cases); *see also Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004) (bodily freedom is the "most elemental of liberty interests").

54. As such, Mr. Robinson also has a right to procedural due process. Immigration proceedings are civil and they are intended to be "nonpunitive in purpose and effect." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Over a century of Supreme Court precedent instructs that the Fifth Amendment entitles foreign nationals to procedural due process. *See Reno*, 507 U.S. at 306 (citing *The Japanese Immigrant Case*, 189 U.S. 86, (1903). A failure to provide any process whatsoever contravenes over a century of Supreme Court precedent interpreting the Due Process Clause as applying to foreign nationals such as Mr. Robinson. *See, e.g., Matthews v. Eldridge,* 424 U.S. 319, 335 (1976).

55. "To determine whether civil detention violates a detainee's Fifth Amendment procedural due process rights, courts apply the three-part test articulated in *Matthews v. Eldridge*, 424 U.S. 319 (1976)." *Quispe-Ardiles*, 2025 U.S. Dist. LEXIS 194069, at * 22. "Under that test, courts must weigh (1) 'the private interest that will be affected by the official action'; (2) 'the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards'; and (3) 'the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.'" *Id.* (quoting *Matthews*, 424 U.S. at 335).

56. Mr. Robinson invokes "'the most elemental of liberty interests'; '[t]he interest in being free from physical detention.'" *Quispe-Ardiles*, 2025 U.S. Dist. LEXIS 194069, at *17

(quoting *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)) (alterations in original). To be sure, the Respondents' refusal to provide any process whatsoever creates significant risk that Mr. Robinson will be deprived of that interest.

57. The Government's interest in implementing its novel reinterpretation of 8 U.S.C. § 1225(b)(2)(A) is minimal. This new "approach attempts to upend decades of immigration practice." *Hasan*, 2025 U.S. Dist. LEXIS 184734, at *24. "Indeed, mandatory detention for all applicants has only been the official policy of the Department of Homeland Security ("DHS") . . . since July 8, 2025, when Acting Director of U.S. Immigration and Customs Enforcement, Todd M. Lyons, issued an internal memorandum explaining that the agency had "revisited its legal position. . . ." *Martinez*, 2025 U.S. Dist. LEXIS 141724, at *12. In contrast, the resumed application of decades of agency practice will satisfy the Government's interest in enforcement of the immigration laws.

58. In Mr. Robinson's case, all three *Matthews* factors weigh heavily in favor of holding that the Respondents' refusal to provide him any process whatsoever violates his right to procedural due process. The Court should grant the petition for a Writ of Habeas Corpus for this reason as well. Rob

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

(1) Assume jurisdiction over this matter;

(2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.

(3) Declare that the Respondents' detention of Mr. Robinson under 8 U.S.C. § 1225(b)(2)(A) is unlawful under the Immigration and Nationality Act, and in violation of the Due Process Clause of the Fifth Amendment;

(4) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately or, alternatively, order that a neutral and impartial adjudicator conduct a bond hearing pursuant to 8 U.S.C. § 1236(a);

(5) Enjoin Respondents from transferring Mr. Robinson outside of this district; and

(6) Grant any further relief this Court deems just and proper.

Respectfully submitted,

/s/ Naveed Ahmed
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Motion for Admission Pro Hac Vice Forthcoming

Attorneys for Petitioner

Dated: October 28, 2025

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

I represent Petitioner, Marin Gomez Robinson Medardo, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this twenty-eighth day of October, 2025.

/s/ Naveed Ahmed
Naveed Ahmed, Esq.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

CERTIFICATE OF SERVICE

I, Naveed Ahmed, hereby declare that, pursuant to Federal Rule of Civil Procedure 4(i), on October 28, 2025, I directed to be served the following documents in the above-captioned matter:

- Petition for Writ of Habeas Corpus;
- Notice of appearance; and
- Civil Cover Sheet

I directed the aforementioned documents to be served by USPS certified mail, return receipt requested, at the following addresses:

Lindsey Halligan, U.S. Attorney
U.S. Attorney's Office
Justin W. Williams United States Attorney's Building
2100 Jamieson Ave
Alexandria, VA 22314

Jeffrey Crawford
Warden
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Office of the Attorney General
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Kristi Noem, Secretary of Homeland Security
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245 Murray Lane, SW
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Washington, DC 20528-0485

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 28, 2025, at Arlington, Virginia.

/s/ Naveed Ahmed
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Dated: October 28, 2025