

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

JOSE DE JESUS CERVANTES
MORALES,

Petitioner,

v.

KEVIN RAYCRAFT, in his official
capacity as Acting Field Office Director
of Enforcement and Removal
Operations, Detroit Field Office,
Immigration and Customs Enforcement;
Kristi NOEM, in her official capacity as
Secretary, U.S. Department of Homeland
Security; U.S. DEPARTMENT OF
HOMELAND SECURITY; Pamela
BONDI, in her official capacity as U.S.
Attorney General; EXECUTIVE
OFFICE FOR IMMIGRATION
REVIEW,

Respondents.

Case No. 1:25-cv-13434

Hon. Thomas L. Luddington

Mag. Judge Patricia T. Morris

PETITIONER'S NOTICE OF CLASS ACTION MEMBERSHIP

1. On November 25, 2025, in *Maldonado Bautista v. Santacruz*, the U.S. District Court for the Central District of California granted nationwide class certification and partial summary judgment on behalf of the class rejecting *Matter of Yajure Hurtado* and the predecessor ICE policy applying 235(b)(2)(A) detention without bond to all persons who entered without admission/inspection. *Maldonado Bautista v. Santacruz*, 5:25-cv-01873 (C.D. Cal., November 25, 2025) (Order Granting Class Certification).
2. The class certification order expressly states: “When considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.” *Id.* at 14.
3. The Bond Eligible Class is thus nationwide and encompasses:

All noncitizens in the United States without lawful status who (1) have entered or will enter the United States without inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the Department of Homeland Security makes an initial custody determination.

Id. at 14.

4. In light of the above, Petitioner requests that this Court grant the habeas forthwith pursuant to 28 U.S. §2243, as Petitioner is a class member and a district court has now issued declaratory judgment in his favor demonstrating that his current detention is unlawful.

Respectfully submitted,

/s/ Sabrina Balgamwalla

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