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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Tigran GADYAN,

Petitioner,

v.

Kristi NOEM, Secretary, U.S. Department of Homeland Security; Pamela BONDI, U.S. Attorney General; Todd LYONS, Acting Director, Immigration and Customs Enforcement; Jaime RIOS, Acting Director, Los Angeles Field Office, Immigration and Customs Enforcement, Enforcement and Removal Operations; Fereti SEMAIA, Warden, Adelanto ICE Processing Center; IMMIGRATION AND CUSTOMS ENFORCEMENT; and U.S. DEPARTMENT OF HOMELAND SECURITY,

Respondents.

Case No. 25-cv-3219

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241; VERIFIED PETITION

PETITIONER'S DHS NO:

[redacted]

INTRODUCTION

1. Petitioner Tigran Gadyan ("Petitioner"), by and through undersigned counsel, files this petition for a writ of habeas corpus challenging the unlawful revocation of his release from Department of Homeland Security ("DHS") custody.

2. On July 9, 2001, when Petitioner was a minor, he attempted to enter the United States through the Los Angeles International Airport using a fraudulent entry document that he obtained from his uncle. Petitioner was detained by the legacy Immigration and Naturalization Service[1] ("INS") at the airport and paroled into the United States for removal proceedings. He was released to his father on July 11, 2001, after his father posted a bond for his son's release. On information and belief, INS determined that Petitioner was not a danger to the community and that the bond amount would mitigate any risk of flight before releasing him. On information and belief, Petitioner was released for the purpose of applying for asylum in the United States.

3. Concurrent with his detention on July 9, 2001, INS issued a Notice to Appear, commencing removal proceedings against Petitioner, charging him with removability pursuant to 8 U.S.C. §§ 1182(a)(4)(A) and (7)(A)(i)(I).

[1] The INS agency was dismantled in 2003 when its functions were transferred to agencies within the newly created Department of Homeland Security (DHS). Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002).

4. On March 29, 2002, Petitioner filed a Form I-589 Application for Asylum and Withholding of Removal in removal proceedings. On March 21, 2005, the Immigration Judge ("IJ") denied all of Petitioner's applications for relief and ordered his removal to Armenia. Petitioner timely appealed the IJ's decision to the Board of Immigration Appeals ("BIA"), which dismissed the appeal on August 25, 2006. Petitioner thereafter filed a timely Petition for Review ("PFR") with the Ninth Circuit Court of Appeals, which was denied on October 22, 2007.

5. Since his release on bond in 2001, Petitioner has established deep family roots in this country. On November 13, 2007, he sought to regularize his immigration status by filing an application for adjustment of status based on his marriage to his first wife, but that application was denied when Petitioner failed to appear for his interview.

6. After his marriage to his first wife deteriorated and the couple divorced in 2015, Petitioner met his current wife, whom he has been married to since April 2018. With the assistance of in vitro fertilization, Petitioner and his current wife have two U.S. citizen children – an infant boy and a 3-year-old son. Petitioner's wife had a complicated labor and delivered their youngest son via Cesarean section. Her recovery continues to this day, which has been aggravated by two broken toes and Petitioner's unlawful detention. Petitioner's infant son was just two weeks old when Petitioner was detained.

7. Petitioner has no violent criminal history. His criminal history includes a single felony conviction in 2019 for California Penal Code § 530.5(a) that resulted in a sentence of five years of probation. Petitioner also received citations for reckless driving (unrelated to alcohol) and driving without a license.

8. Petitioner was arrested by Immigration and Customs Enforcement ("ICE") in Chatsworth, California, on October 20, 2025, when he and his wife appeared at U.S. Citizenship and Immigration Services ("USCIS") for an interview on his application for adjustment of status under 8 U.S.C. § 1255(a). He is now in the physical custody of Respondents at the Adelanto ICE Processing Center in Adelanto, California.

9. On information and belief, prior to his detention, Petitioner was given no notice of ICE's intention to re-detain him, and he was not provided with any information about why his bond was revoked.

10. On information and belief, ICE has no individualized evidence that Petitioner is a danger to the community or a flight risk.

11. Petitioner is unlawfully detained. The Department of Homeland Security ("DHS") has improperly concluded that Petitioner is subject to mandatory detention, despite legacy INS having released him on bond in 2001 after determining that he did not present a safety or flight risk when he was released from custody, and DHS determining over 18 years ago that he was not subject to detention after his removal order became final due to the exhaustion of his appeals in 2007.

12. Petitioner's detention on this basis violates his rights under the U.S. Constitution. All individuals within the United States have constitutional rights. "[T]he Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). Petitioner's ongoing detention violates his Fifth Amendment substantive due process right under the U.S. Constitution because he is neither a flight risk nor a danger to the community. In addition, his re-detention violates his procedural due process rights because his bond was revoked without any notice or any opportunity to contest his detention before a neutral arbiter. Finally, Petitioner's detention violates 8 U.S.C § 1231(a)(2) and its implementing regulations because he was re-detained beyond the 90-day removal period mandated in the statute even though he did "not pose a danger to the public or a risk of flight" as required by 8 C.F.R. § 241.13(b)(1).

13. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be immediately released from custody and to enjoin Respondents from re-detaining him: (1) absent further order of this Court; or (2) absent the provision of a pre-deprivation hearing before a neutral arbiter, at which Respondents will bear the burden of proving by clear and convincing evidence that he is a flight risk or a danger to the community.

JURISDICTION

14. Jurisdiction is proper and relief is available pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 1346 (original jurisdiction), 5 U.S.C. § 702 (waiver

of sovereign immunity), 28 U.S.C. § 2241 (habeas corpus jurisdiction), and Article I, Section 9, clause 2 of the United States Constitution (the Suspension Clause).

15. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

16. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493- 500 (1973), venue lies in the United States District Court for the Central District of California, the judicial district in which Petitioner is currently detained.

17. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims brought herein occurred in the Central District of California.

REQUIREMENTS OF 28 U.S.C. § 2243

18. The Court must grant a petition for writ of habeas corpus or order Respondents to show cause "forthwith," unless a petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, Respondents must file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

19. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a swift and imperative remedy in all cases of illegal

restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

Petitioner

20. Petitioner, Tigran GADYAN (DHS No. [redacted] was arrested by ICE agents on October 20, 2025, in Chatsworth, California. He has been in immigration detention since that date. After arresting Petitioner, ICE did not set bond.

Respondents

21. Respondent Kristi NOEM is the Secretary of DHS. She is responsible for the implementation and enforcement of the Immigration and Nationality Act and oversees ICE, which is responsible for Petitioner's detention. Secretary Noem has ultimate custodial authority over Petitioner. She is sued in her official capacity.

22. Respondent Pamela BONDI is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the BIA and immigration court system it operates, is a component agency. She is sued in her official capacity.

23. Todd LYONS is the Acting Director of ICE, a federal law enforcement agency within DHS. ICE's responsibilities include operating the immigration detention system. In his capacity as ICE Acting Director, Respondent Lyons exercises control

over and is a custodian of persons held at ICE facilities nationally. He is Petitioner's immediate custodian and is responsible for Petitioner's detention. He is sued in his official capacity.

24. Respondent Jaime RIOS is the Acting Director of the Los Angeles Field Office of ICE's Enforcement and Removal Operations division. As such, he is the custodian of all persons held at the ICE facilities within the Los Angeles Field Office. He is Petitioner's immediate custodian and is responsible for Petitioner's detention. He is sued in his official capacity.

25. Respondent Fereti SEMAIA is the Warden of the Adelanto ICE Processing Center, Adelanto, California, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

26. Respondent Department of Homeland Security ("DHS") is the federal agency responsible for implementing and enforcing the Immigration and Nationality Act ("INA"), including the detention and removal of noncitizens.

27. Respondent Immigration and Customs Enforcement ("ICE") is the agency within DHS responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

LEGAL FRAMEWORK

28. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings conducted pursuant to 8 U.S.C. § 1229a.

29. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in § 1229a removal proceedings before an IJ. Individuals covered by § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while certain noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention. *See* 8 U.S.C. § 1226(c).

30. Second, the INA provides for mandatory detention of noncitizens subjected to an Expedited Removal order imposed pursuant to 8 U.S.C. § 1225(b)(1) and for certain other noncitizen applicants for admission to the U.S. who are deemed not clearly entitled to be admitted. *See* 8 U.S.C. § 1225(b)(2).

31. Last, the INA provides for detention of noncitizens who have been ordered removed. *See* 8 U.S.C. § 1231(a)–(b). The statute directs ICE to detain such individuals for 90 days while carrying out a removal order. *See* 8 U.S.C. § 1231(a)(2). This 90-day removal period begins when the removal order becomes final. If ICE cannot remove a person within the 90-day removal period, they are released from custody. 8 U.S.C. § 1231(a)(3).

32. The Constitution establishes due process rights for "all 'persons' within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Hernandez v. Sessions*, 872 F.3d 976, 990 (9th Cir. 2017) (quoting *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)). These due process rights are both substantive and procedural.

33. First, "[t]he touchstone of due process is protection of the individual against arbitrary action of government," *Wolff v. McDonnell*, 418 U.S. 539, 558 (1974), including "the exercise of power without any reasonable justification in the service of a legitimate government objective." *Cnty. of Sacramento v. Lewis*, 523 U.S. 833, 846 (1998).

34. These protections extend to noncitizens facing detention, as "[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." *United States v. Salerno*, 481 U.S. 739, 755 (1987). Accordingly, "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas*, 533 U.S. at 690.

35. Substantive due process thus requires that all forms of civil detention—including immigration detention—bear a "reasonable relation" to a non-punitive purpose. *See Jackson v. Indiana*, 406 U.S. 715, 738 (1972). The Supreme Court has recognized only two permissible non-punitive purposes for immigration detention: ensuring a noncitizen's appearance at immigration proceedings and preventing danger to the community. *Zadvydas*, 533 U.S. at 690–92; *see also Demore v. Kim*, 538 U.S. 510, 519–20, 527–28, 31 (2003).

36. Second, the procedural component of the Due Process Clause prohibits the government from imposing even permissible physical restraints without adequate procedural safeguards.

37. Generally, "the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property." *Zinermon v. Burch*, 494 U.S. 113, 127 (1990). This is so even in cases where that freedom is lawfully revocable. *See Hurd v. D.C., Gov't*, 864 F.3d at 683 (citing *Young v. Harper*, 520 U.S. 143, 152 (1997) (re-detention after pre-parole conditional supervision requires pre-deprivation hearing)); *Gagnon v. Scarpelli*, 411 U.S. 778, 782 (1973) (same, in probation context); *Morrissey v. Brewer*, 408 U.S. 471 (1972) (same, in parole context).

38. After an initial release from custody on conditions, even a person paroled following a conviction for a criminal offense for which they may lawfully have remained incarcerated has a protected liberty interest in that conditional release. *Morrissey* at 408 U.S. at 482. As the Supreme Court recognized, "[t]he parolee has relied on at least an implicit promise that parole will be revoked only if he fails to live up to the parole conditions." *Id.* "By whatever name, the liberty is valuable and must be seen within the protection of the [Constitution]." *Id.*

39. This reasoning applies with equal if not greater force to people who bonded out from civil immigration detention and were not apprehended shortly after their removal order became final, like Petitioner. After all, noncitizens living in the United States, like Petitioner, have a protected liberty interest in their ongoing freedom from confinement. *See Zadvydas*, 533 U.S. at 690. "Given the civil context [of immigration detention], [the] liberty interest [of noncitizens released from custody]

is arguably greater than the interest of parolees in *Morrissey*." *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019) (citing *Morrisey*, 408 U.S. at 487).

40.

FACTS

41. Petitioner has resided in California since July 11, 2001 when he was 17 years old. He fled to the United States at the urging of his parents due to the family's history of persecution in Armenia. He attempted to enter the United States through the Los Angeles International Airport using a fraudulent entry document that he had been given by his uncle. He was paroled into the country for removal proceedings and detained by INS for approximately two days before he was released to his father's custody. Petitioner's criminal history includes a single felony conviction for California Penal Code § 530.5(a), false personation. His criminal history does not trigger mandatory detention pursuant to 8 U.S.C. § 1226(c) or on any other basis.

42. Concurrent with his parole entry to the United States, Petitioner was placed in removal proceedings before the Immigration Court in Los Angeles pursuant to 8 U.S.C. § 1229a. INS charged Petitioner with being inadmissible under 8 U.S.C. §§ 1182(a)(4)(A) and (a)(7)(A)(i)(I) as someone who is likely to become a public charge and who lacked proper entry documents at the time he was seeking admission. The charge under 8 U.S.C. § 1182(a)(4)(A) was later abandoned by INS.

43. Petitioner appeared at all scheduled removal hearings and exhausted appeal rights all the way up to the Ninth Circuit Court of Appeals, which denied his petition

for review on October 22, 2007. Since his removal order became final in 2007, there is no evidence that anyone from DHS has sought Petitioner to initiate the process to execute his removal order.

44. Due to materially changed country conditions and eligibility for a new form of relief, Petitioner filed a motion to reopen with the BIA on November 17, 2025. As of this filing, the motion remains pending with the BIA.

45. Petitioner has been married to his U.S. citizen wife since February 17, 2019. On December 13, 2024, his wife filed a family petition for her husband with U.S. Citizenship and Immigration Service ("USCIS"), and Petitioner filed an accompanying application for adjustment of status to become a lawful permanent resident. The couple have a 3-year-old son together and his wife recently gave birth to their infant son on October 7, 2025.

46. Despite the recent birth of their son, Petitioner and his wife appeared for a scheduled interview related to the filed applications at USCIS in Chatsworth, California, on October 20, 2025. Instead of moving forward with the interview on that day, USCIS separated Petitioner from his wife and ICE detained Petitioner. Petitioner is now detained at the Adelanto Detention Facility in Adelanto, California.

47. Petitioner was not provided a pre-deprivation hearing prior to or concurrent with arrest and transfer to the Adelanto Detention Facility.

FIRST CLAIM FOR RELIEF

Violation of the Fifth Amendment to the United States Constitution

(Substantive Due Process – Detention)

48. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

49. The Due Process Clause of the Fifth Amendment protects all "person[s]" from deprivation of liberty "without due process of law." U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas*, 533 U.S. at 690.

50. Immigration detention is constitutionally permissible only when it furthers the government's legitimate goals of ensuring the noncitizen's appearance during removal proceedings and preventing danger to the community. *See id.*

51. Petitioner is not a flight risk or danger to the community. Respondents' detention of Petitioner is therefore unjustified and unlawful. Accordingly, Petitioner is being detained in violation of the Due Process Clause of the Fifth Amendment.

52. Moreover, Petitioner's detention is punitive as it bears no "reasonable relation" to any legitimate government purpose. *Id.* (finding immigration detention is civil and thus ostensibly "nonpunitive in purpose and effect"). Here, the purpose of Petitioner's detention is not to protect against risk of flight or dangerousness.

SECOND CLAIM FOR RELIEF

Violation of the Fifth Amendment to the United States Constitution

(Procedural Due Process – Detention)

53. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

54. As part of the liberty protected by the Due Process Clause, Petitioner has a weighty liberty interest in avoiding re-detention after his release. *See Young v. Harper*, 520 U.S. 143, 146–47 (1997); *Gagnon v. Scarpelli*, 411 U.S. 778, 781–82 (1973); *Morrissey*, 408 U.S. at 482–83; *see also Ortega*, 415 F. Supp. 3d at 969–70 (holding that a noncitizen has a protected liberty interest in remaining out of custody following an IJ's bond determination).

55. Accordingly, "[i]n the context of immigration detention, it is well-settled that due process requires adequate procedural protections to ensure that the government's asserted justification for physical confinement outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Hernandez*, 872 F.3d at 990 (cleaned up); *Zinermon*, 494 U.S. at 127 (Generally, "the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property."). In the immigration context, for such hearings to comply with due process, the government must bear the burden to demonstrate, by clear and convincing evidence, that the noncitizen poses a flight risk or danger to the

community. *See Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011); *see also Martinez v. Clark*, 124 F.4th 775, 785, 786 (9th Cir. 2024).

56. Petitioner's re-detention without a pre-deprivation hearing violated due process. Over 24 years after he was released on bond and almost 18 years after his removal order became final, Respondents re-detained Petitioner with no notice, no explanation of the justification for his re-detention, and no opportunity to contest his re-detention in front of a neutral adjudicator before being taken into custody.

57. Petitioner has a profound personal interest in his liberty. *See Alvarenga Matute v. Wofford*, 2025 WL 2996577, * 4 (E.D. Ca. Oct. 24, 2025) (confirming that noncitizen with an outstanding removal order had a protected liberty interest due to his previous conditional release).

58. Because he received no procedural protections, the risk of erroneous deprivation is high. When Respondents released Petitioner on bond after his attempted entry into the country in 2001, they did so because they determined he was not a danger to the community and the bond mitigated his flight risk. *See e.g.*, *Marin v. Andrews*, 2025 WL 317 1484, *4 (E.D. Ca. Nov. 13, 2025) (citing *Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1196 (9th Cir. 2022) and quoting 8 C.F.R. § 236.1(c)(8)). Prior to his re-detention in October 2025, Petitioner had no notice of Respondents' intention to re-detain him and no opportunity to contest that action. Because the private interest in freedom from immigration detention is substantial, due process requires the government to bear the burden of proving by clear and convincing

evidence that Petitioner is a flight risk or danger to the community before re-detaining him. *See e.g.*, *Rodriguez Diaz v. Kaiser*, 2025 WL 3011852, *11 (N.D. Ca. Sep. 16, 2025).

59. The government has no legitimate interest in detaining Petitioner without a hearing. *See e.g.*, *Peters v. Wofford*, 2025 WL 2299801, *7 (E.D. Ca. Aug. 8, 2025) (finding that "the government's asserted interest is hinged on mere speculation about [the noncitizen's] risk of flight or dangerousness" given that noncitizen was complying with terms of his probation when detained); *Noori*, 2025 WL 2800149 at *11 ("Respondents did not provide Petitioner individualized notice and reasoning prior to his arrest and detention on June 12, 2025 and have presented no legitimate reason for why those decisions were made. Any governmental interest of efficient administration of immigration laws . . . does not outweigh these first two factors."). Bond hearings are a routine part of immigration court proceedings, imposing a minimal cost to the government. *See Doe v. Becerra*, --- F.Supp.3d ----, 2025 WL 691664, *6 (E.D. Ca. March 3, 2025). Nothing in Petitioner's record suggests that he would abscond or endanger the community before a bond hearing could be carried out. *See, e.g.*, *Jorge M.F. v. Wilkinson*, 2021 WL 783561 *3 (N.D. Cal. Mar. 1, 2021); *Vargas v. Jennings*, 2020 WL 5074312, *3 (N.D. Cal. Aug. 23, 2020) (finding that "the government's concern that delay in scheduling a hearing could exacerbate flight risk or danger is unsubstantiated in light of petitioner's strong family ties and his continued employment during the pandemic as an essential agricultural worker"). In

fact, Petitioner is represented by counsel and has a demonstrated record of attendance at his immigration proceedings. There is no reason to think that his compliance will change if he is released pending a pre-deprivation custody hearing.

THIRD CLAIM FOR RELIEF

Unlawful Detention Without Individualized Determination of Flight Risk or Danger

(8 U.S.C. § 1231(a))

60. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

61. Detention violates 8 U.S.C. § 1231(a) directs DHS to detain individuals for 90 days while carrying out a removal order. 8 U.S.C. § 1231(a)(2). This 90-day removal period begins when the removal order becomes final. Absent an applicable exception, if DHS cannot remove a person within the 90-day period, they are released from custody subject to supervision. 8 U.S.C. § 1231(a)(3).

62. 8 U.S.C. § 1231(a)(6) permits detention beyond the normal 90-day removal period, but even those exceptions do not authorize indefinite detention. *See Zadvydas v. Davis*, 533 U.S. 678, 689 (2001) (limiting ICE's detention authority to a period "reasonably necessary" to carry out removal and deeming detention impermissible when removal is not "reasonably foreseeable").

63. The regulations permit release of a non-citizen subject to a removal order after the 90-day period has elapsed if ICE determines that the non-citizen "would not pose

a danger to the public or a risk of flight, without regard to the [non-citizen's] removal in the reasonably foreseeable future." 8 C.F.R. § 241.13(b)(1).

64. Detention violates 8 U.S.C. § 1231 unless it is reasonably related to the government's purpose of preventing flight and protecting the community. *Zadvydas v. Davis*, 533 U.S. at 690-91. Before being re-detained, Petitioner lived in the community for twenty-four years. During that time, he married, ran a successful business, and became a father to two young boys. Petitioner received no process to determine if his re-detention is warranted.

65. Petitioner was and is entitled to an individualized determination by impartial adjudicators as to whether detention is justified based on danger and flight risk.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully ask that this Court assume jurisdiction over this matter and grant the following relief:

a. Order that Petitioner shall not be transferred outside of the Central District of California while this petition is pending;

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

c. Issue a Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from custody;

d. Declare that Petitioner's detention is unlawful;

e. Enjoin Respondents from re-detaining Petitioner unless his re-detention is ordered at a custody hearing before a neutral arbiter in which the government bears the burden of proving, by clear and convincing evidence, that Petitioner is a flight risk or danger to the community;

f. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

g. Grant any other and further relief that this Court deems just and proper.

DATED: December 1, 2025

s/ Keli M. Reynolds
KELI M. REYNOLDS
Olmos & Reynolds Law Group, LLP
Attorney for Petitioner

VERIFICATION

I, Keli M. Reynolds, declare as follows:

I am an attorney admitted to practice law in the State of California.

Because many of the allegations of this Petition require a legal knowledge not possessed by the Petitioner, I am making this verification on his behalf.

I have read the foregoing Petition for Writ of Habeas Corpus and know the contents thereof to be true to my knowledge, information, or belief.

I certify under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 1, 2025.

s/ Keli M. Reynolds
KELI M. REYNOLDS
Olmos & Reynolds Law Group, LLP
Attorney for Petitioner