**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF MINNESOTA**

MARIA FERNANDA VELASCO HURTADO, LUIS FERNANDO CHULCA CHILUISA, J[redacted], C[redacted], a minor, and V[redacted], a minor.

Petitioners,

v.

Pamela Bondi, Attorney General of the United States,

Kristi Noem, Secretary, U.S. Department of Homeland Security,

U.S. Department of Homeland Security,

Todd M. Lyons, Acting Director of Immigration and Customs Enforcement,

U.S. Immigration and Customs Enforcement, and

David Easterwood, Acting Director, St. Paul Field Office Immigration and Customs Enforcement,

Respondents.

Case No.

**VERIFIED PETITION FOR WRIT OF HABEAS CORPUS**

Expedited Handling Requested

## INTRODUCTION

1. Petitioners, Maria Fernanda Velasco Hurtado ("Maria"), Luis Fernando Chulca Chiluisa ("Luis"), J[redacted] and V[redacted] by and through counsel, hereby files this petition for a writ of habeas corpus

and a complaint for declaratory and injunctive relief to require U.S. Immigration and Customs Enforcement ("ICE") to release Petitioners from ICE detention or in the alternative to enjoin Petitioners' transfer to a facility outside of Minnesota and provide Petitioners with a bond hearing.

2. Maria is pregnant with her third child. On the way to work this morning, January 22, 2026, the car Maria was riding in was pulled over in Hennepin County, she was asked to step out, and when she stated "I have my papers" the ICE officers said they did not want to see them. ICE subsequently went to Maria's home and detained her husband (Jeremey), and her two minor sons, J[redacted] and V[redacted] In order to induce the family to come outside their home, ICE officers threatened to continue to pursue them because they know where they live.

3. ICE officers outside the family's house this morning **stated that the family would be moved to Texas by tomorrow**. Upon information and belief, this immediate removal of the family from the State of Minnesota is an attempt to deprive this court of jurisdiction.

## JURISDICTION AND VENUE

4. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331 (federal question); 28 U.S.C. § 1361 (federal employee mandamus action); 28 U.S.C. § 1651 (All Writs Act); 28 U.S.C. § 2241 (habeas corpus); Art. I, § 9, c. 2 of the U.S. Constitution ("Suspension Clause"); 5 U.S.C. § 702 (waiver of sovereign immunity); and 28 U.S.C. § 2201 (Declaratory Judgment Act).

5. Federal question jurisdiction exists because Petitioners seek to challenge Petitioners' custody as a violation of the Constitution and the Immigration and Nationality Act, 8 U.S.C. § 1101 et seq.

6. Federal district courts have jurisdiction under 28 U.S.C. § 2241 to hear habeas petitions by noncitizens challenging the lawfulness or constitutionality of their detention by the Department of Homeland Security ("DHS"). *Denmore v. Kim*, 538 U.S. 510 516-17 (2003); *Jennings v. Rodriguez*, 138 S. Ct. 830, 839-41 (2018); and *Nielsen v. Preap*, 139 S. Ct. 954, 961-63 (2019).

7. This Court has jurisdiction, even if Petitioners have been removed from the state of Minnesota, because "habeas jurisdiction attaches at the time of the Petitioner's apprehension," and is "not defeated by any subsequent decision by Respondents to transfer Petitioner to another state." Slip Op. 2–3, *Sue H. v. Donald Trump*, No. 26-cv-416 (D. Minn. Jan. 20, 2026).

8. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b), (e)(1)(B), and 2241(d) because Petitioners are detained within the District of Minnesota.

9. Venue is also proper in this Court pursuant to 28 U.S.C. § 1391(e)(1)(A), because Respondents are operating in this District.

## PARTIES

10. Petitioner Maria Fernanda Velasco Hurtado is a citizen of Ecuador and a resident of Hopkins, Hennepin County, Minnesota being detained by ICE in Minnesota. Petitioner Maria is under the direct control of the Respondents and has no scheduled release date. Petitioner Maria is detained under the jurisdiction of the U.S. Immigration and

Customs Enforcement St. Paul Field Office at Fort Snelling in Minnesota. Maria has been living peacefully in Minnesota for at least three years and has a pending asylum petition. Maria is currently applying for a U-Visa, and the Hennepin County Attorney's office signed a Form 918B on December 29, 2025.

11. Petitioner Luis Fernando Chulca Chiluisa is a citizen of Ecuador and a resident of Hopkins, Hennepin County, Minnesota being detained by ICE in Minnesota. Petitioner Luis is under the direct control of the Respondents and has no scheduled release date. Petitioner Luis is detained under the jurisdiction of the U.S. Immigration and Customs Enforcement St. Paul Field Office at Fort Snelling in Minnesota. Luis has been living peacefully in Minnesota for at least three years and has a pending asylum petition. Luis is currently applying for a U-Visa, and the Hennepin County Attorney's office signed a Form 918B on December 29, 2025.

12. Petitioner J[redacted] is a citizen of Ecuador and a resident of Hopkins, Hennepin County, Minnesota being detained by ICE in Minnesota. Petitioner J[redacted] is under the direct control of the Respondents and has no scheduled release date. Petitioner J[redacted] is detained under the jurisdiction of the U.S. Immigration and Customs Enforcement St. Paul Field Office at Fort Snelling in Minnesota. J[redacted] has been living peacefully in Minnesota for at least three years and has a pending asylum petition.

13. Petitioner V[redacted] is a citizen of Ecuador and a resident of Hopkins, Hennepin County, Minnesota being detained by ICE in Minnesota. Petitioner V[redacted] is under the direct control of the Respondents and has no scheduled release date. Petitioner V[redacted] is detained under the jurisdiction of the U.S. Immigration and Customs

Enforcement St. Paul Field Office at Fort Snelling in Minnesota. V[redacted] has been living peacefully in Minnesota for at least three years and has a pending asylum petition.

14. Respondent Pamela Bondi is being sued in her official capacity as the Attorney General of the United States and the head of the Department of Justice. Attorney General Bondi shares responsibility for implementation and enforcement of the immigration detention statutes, along with Respondent Noem. Attorney General Bondi is a legal custodian of Petitioners.

15. Respondent Kristi Noem is being sued in her official capacity as the Secretary of the Department of Homeland Security. In this capacity, Secretary Noem is responsible for the administration of the immigration laws pursuant to 8 U.S.C. § 1103(a), routinely transacts business in the District of Minnesota, supervises the Fort Snelling ICE Field Office, and is legally responsible for pursuing Petitioners' detention and removal. As such, Respondent Noem is a legal custodian of Petitioners.

16. Respondent U.S. Department of Homeland Security ("DHS") is a federal agency headquartered in Washington, DC, and the parent agency of U.S. Immigration and Customs Enforcement.

17. Respondent Todd M. Lyons is the Acting Director of U.S. Immigration and Customs Enforcement and is sued in his official capacity. Defendant Lyons is responsible for Petitioners' detention.

18. Respondent U.S. Immigration and Customs Enforcement ("ICE") is a component agency of DHS.

19. Respondent David Easterwood is being sued in his official capacity as the Acting Field Office Director for the Fort Snelling Field Office for ICE within DHS. In that capacity, Field Director Easterwood has supervisory authority over the ICE agents responsible for detaining Petitioners. The address for the St. Paul Field Office at Fort Snelling is 1 Federal Drive, Fort Snelling, Minnesota 55111.

## FACTUAL ALLEGATIONS AND PROCEDURAL HISTORY

20. Petitioners are represented in their immigration proceedings by attorney Thomas Anderson of Anderson & Anderson. Petitioners have each filed a claim for asylum upon entry into the United States. None of the Petitioners had violated any terms of their status in the United States nor missed any immigration hearings.

21. Petitioner Maria was detained on her way to work at a restaurant in downtown St. Paul from her home in Hopkins. She has been gainfully employed there and contributing to the Twin Cities community.

22. Petitioner J[redacted] has been attending [redacted] in Hopkins since Fall 2023. He has been a model student and an asset to his school community. J[redacted] helps translate for his mother as needed, including at his brother V[redacted] school.

23. Petitioner V[redacted] has been attending [redacted] in Hopkins since Fall 2023. He has been a model student and an asset to his school community. His principal states that he is a "great kid," doesn't stop smiling, is outgoing, and skips everywhere he goes. V[redacted] was scheduled to have a medical procedure this morning, which he will now miss due to his detention.

24. On January 22, 2026, while driving to work by a neighbor, Maria, who is currently pregnant with her third child, was detained by men believed to be agents of Respondent ICE. The men stopped the vehicle she was riding in. They identified her by name. Maria informed the men that she had papers, but the men refused to look at them, and instead took her into custody.

25. After Maria was taken into custody, other men believed to be ICE agents arrived at her house, where Luis, J[redacted], and V[redacted] were. They took Luis, J[redacted] and V[redacted] into custody.

26. These men are believed to be agents of Respondent ICE.

27. Upon information and belief, Petitioners were taken into custody to the Fort Snelling immigration building on 1 Federal Drive, St. Paul, Minnesota.

28. This arrest is part of an operation in Hennepin County and Ramsey County called "Operation Metro Surge." This operation has involved hundreds of masked, unidentified individuals in unmarked vehicles (many with illegally covered or mismatched license plates) holding themselves out as ICE agents but largely refusing to identify themselves by name or to present warrants, physically assaulting pedestrians, pepper spraying and arresting citizen observers, hitting passersby with vehicles, and generally attempting to take as many immigrants as possible into custody, regardless of the constitutionality of their actions. *See, e.g.*, Compl., *Tincher et. al. v. Noem*, No. 0:25-cv-04669. (D. Minn. 12/17/2025).

29. At the time of this filing, to the best of the undersigned's knowledge, Petitioners are in federal detention in Minneapolis, Minnesota. This understanding is based

on the last contact with Maria, at the time of her detention by ICE at approximately 7:00 a.m. Central on January 22, 2026, at which time Petitioners were still in Minnesota.

30. The undersigned attempted to use ICE's online detainee locator system to attempt to track whether Petitioners had been transferred. There is no location shown on ICE's locator for any Petitioner currently. *See* locator.ice.gov/odls/#/results.

31. Petitioners pose no risk to society and have strong connections to the community. They are a loving family who are well-liked in their community and have been the subject to the support of their neighbors in recent months.

32. Detaining Petitioners is an expensive and pointless endeavor. Petitioners respectfully seek the opportunity to return home and to continue following the legal processes set up by Congress and DHS for immigrants to seek status in this country.

33. Pending the adjudication of their Petition, Petitioners further seek an order restraining the Respondents from transferring Petitioners to a location outside of the State of Minnesota, so that Petitioners may remain within the jurisdiction of this Court and accessible to Petitioners' legal counsel and family support networks.

## STANDARD OF LAW

34. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The "Great Writ" has been referred to by United States Courts as "perhaps the most important writ known to the constitutional law of England, 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) (emphasis added). A petitioner may seek a writ of habeas corpus when their custody violates the US Constitution

or a federal law. 28 U.S.C. § 2241(c)(3). The writ should be granted if petitioner can show that their detention is unlawful by a preponderance of evidence. *Aditya W. H. v. Trump*, 782 F. Supp. 3d 691, 703 (D. Minn. 2025).

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

36. Detained immigrants petitioning under 28 U.S.C. § 2241 face no statutory exhaustion requirements. *Jose J.O.E. v. Bondi*, 797 F. Supp. 3d 957, 965 (D. Minn. 2025). Nor is a judicially imposed prudential exhaustion requirement appropriate where, as here: time is of the essence, facts are largely undisputed, and the parties' disagreement is based on a legal conclusion. *Id.* at 967-68.

37. In *Mayamu K. v. Bondi*, No. 25-3035 (JWB/LIB), 2025 U.S. Dist. LEXIS 260661 (D. Minn. Oct. 20, 2025) this Court held that: 1) 28 U.S.C. 1441 does not require exhaustion; 2) exhaustion "serves no purpose" because the Board of Immigration Appeals cannot decide constitutional questions; 3) the administrative process would be futile and risks irreparable harm because an appeal to the Board of Immigration Appeals is a "long, months-long process" and 4) administrative review would be futile "in light of the Board of Immigration Appeals' recent decision in *Matter of Yajure Hurtado* which held that immigration judges 'lack authority to hear bond requests or to grant bond to aliens who are present in the United States without admission. 29 I. & N. Dec. 216, 225 (B.I.A. 2025)."

38. Other courts within the Eighth Circuit have similarly declined to require prudential exhaustion when evaluating a detained immigrant's habeas corpus petition under similar circumstances—to address a question of statutory interpretation that does not require developing a factual record, and where the agency is demonstrably unlikely to reverse its course. *E.g.*, *Giron Reyes v. Lyons*, No. C25-4048, 2025 WL 2712427, at *3 (N.D. Iowa Sept. 23, 2025).

39. "[T]he Due Process Clause applies to all 'persons' within the United States, including [immigrants], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

40. Only under certain circumstances are immigrants subject to ongoing detention without a bond hearing. *See*, *e.g.*, 8 U.S.C. § 1226(c) (individuals with certain criminal convictions may be detained without a bond hearing for the pendency of removal proceedings[1]) *and* 8 U.S.C. § 1225(b)(2) (authorizing mandatory detention of immigrants seeking admission from outside the United States, who are "not clearly and beyond a doubt entitled to be admitted.").

41. In order to bring a detained individual under the purview of 8 U.S.C. § 1226(c), an individual's criminal conviction must be one enumerated in the INA under 8

[1] Even when detained under 1226(c), immigrants retain due process rights and are entitled to a hearing if the period of detention becomes unreasonable. *See*, e.g., *Pedro O v. Garland*, 543 F.Supp.3d 733 (D. Minn. 2021) (finding a year-long mandatory detention pursuant to 8 U.S.C. § 1226(c) without an individualized hearing to violate an immigrant's due process rights).

U.S.C. §§ 1182(a)(2), 1182(a)(3)(B), 8 U.S.C. §§ 1227(a)(2)(A)(i-iii), and 8 U.S.C. §§ 1227(a)(2)(B-D).

42. These specified offenses include crimes of moral turpitude, violations of laws regulating controlled substances, terroristic activities, firearm offenses, espionage, treason, and other serious crimes. *Id.* Crimes of moral turpitude do not apply in situations where the maximum sentence for the crime was less than one year, and the person was sentenced to less than six months of imprisonment. 8 U.S.C. § 1182(a)(2)(A)(ii)(III).

43. Upon information and belief, none of the Petitioners have ever been convicted of a crime that would bring Petitioners under the purview of 8 U.S.C. § 1226(c).

44. Otherwise, the "default rule" is that 8 U.S.C. § 1226(a) and its implementing regulations apply to immigrants "already present in the United States" and subject to pending removal proceedings. *Jennings v. Rodriguez*, 583 U.S. 281, 303 (2018). Under this default rule, immigrants are constitutionally entitled to a bond hearing. *R.E. v. Bondi*, No. 25-CV-3946 (NEB/DLM), 2025 WL 3146312 (D. Minn. Nov. 4, 2025).

45. Here, Petitioners fit the 'default rule': Petitioners have been in the United States for more than two years and do not have criminal convictions that fall under the purview of 8 U.S.C. § 1226(c). Thus, Petitioners are entitled to **release**.

46. Immigration detention is civil in nature, and as a result Congress must have expressly authorized it by statute, and the detention must be reasonably related to its statutory purpose. *Zadvydas v. Davis*, 533 U.S. 678, 687, 690 (2001) (quoting *Jackson v. Indiana*, 406 U.S. 715, 738 (1972)).

47. A noncitizen seeking only to challenge the legality of their detention, not the substance of their removal proceedings in immigration court, may properly ask a federal court to find jurisdiction over such a request pursuant to 28 U.S.C. § 2241. *See, e.g., Mohammed H. v. Trump*, 786 F. Supp. 3d 1149, 1154–55 (D. Minn. 2025).

48. Since Section 1225 does not apply to noncitizens who are in Petitioners' situation–who have been detained while residing within the United States for more than two years, as opposed to those who are detained while in the process of physically entering the United States, the law that Respondents are using to detain Petitioners simply does not apply so as to authorize Petitioners' detention. *See Eliseo A.A. v. Olson*, Civ. No. 25-3381 (JWB/DJF), 2025 WL 2886729 (D. Minn. Oct. 8, 2025); *Mayamu K. v. Bondi*, Civ. No. 25-3035 (JWB/LIB), 2025 WL 3641819 (D. Minn. Oct. 20, 2025); *Khalid B.Q. v. Bondi*, Civ. No. 25-4584 (JWB/DJF), Doc. No. 10 (D. Minn. Dec. 18, 2025); *Xuseen A. v. Bondi*, Civ. No. 25-4514 (JWB/DJF), Doc. No. 16 (D. Minn. Dec. 19, 2025); *Vedat C. v. Bondi*, Civ. No. 25-4642 (JWB/DJF), Doc. No. 9 (D. Minn. Dec. 19, 2025).

49. When a habeas petitioner's detention is without legal basis, the typical remedy is release. *Munaf v. Geren*, 553 U.S. 674, 693 (2008) (describing release as the "typical remedy" for "unlawful executive detention").

50. Respondents will no doubt argue, as they have in similar cases before this Court, that if the Court rules that Petitioners should have been detained pursuant to § 1226, instead of § 1225, then the remedy is a bond hearing as opposed to outright release. *See*, e.g., *Ahmed A.* Civ. No. 25-4776, Doc. No. 9. at 9-10. However, this Court rejected this argument, saying that:

> [A] bond hearing presupposes lawful detention authority under § 1226. Where that authority has not been invoked or established, ordering a bond hearing would treat the absence of statutory authority as a mere procedural irregularity rather than a substantive defect … Where the record shows Respondents have not identified a valid statutory basis for detention in the first place, the remedy is not to supply one through further proceedings.

*Id.* at Doc. No. 10 at 6.

51. Here, where detention is unlawfully based on 8 U.S.C. 1225, which does not apply to Petitioners, release is an appropriate remedy.

## CLAIMS FOR RELIEF

### COUNT ONE

### Fifth Amendment Due Process

*Petitioners are being deprived of an adequate and meaningful process to challenge his ongoing confinement.*

52. Petitioners reallege and incorporates by reference the allegations contained above.

53. Petitioners have due process rights as a resident of the United States. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

54. Federal courts use the three-part test in *Matthews v. Eldridge* to determine whether civil detention violates a detainee's due process rights. 424 U.S. 319 (1976). The elements of this test are: (1) the private interest that the official action affects; (2) the risk that the procedures used will result in an erroneous deprivation of the private interest, and the probable value, if any, of additional or substitute procedural safeguards; and (3) the Government's interest in following the existing procedures, both in achieving their objectives and in the potential burdens of an alternate procedure. *Id.* at 335.

55. Here, all three factors favor the Petitioners.

56. First, Petitioners have a significant private interest at stake. A person's interest in freedom from physical detention is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529, 124 S.Ct. 2633, 159 L.Ed.2d 578 (2004); see also *Zadvydas*, 533 U.S. at 690, 121 S.Ct. 2491 ("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."). Petitioners currently experience the gambit of deprivations that come with physical detention.

57. Second, Petitioners will continue to be deprived of this interest if the current procedure (detaining Petitioners without a hearing) is followed. Petitioners have a strong likelihood of meeting the criteria for being released on bond. 8 CFR §§236.1(c)(8), 1236.1(c)(8) (2020); *In re Adeniji*, 22 I. & N. Dec. 1102, 1113 (BIA 1999). Even if Petitioners are not subsequently released, Petitioners still have a legal and constitutional interest in the hearing itself, in being heard.

58. Lastly, the Government has no legitimate interest in refusing to follow its own rules. Petitioners pose no safety threats to the community. Releasing Petitioners, or holding a hearing to release Petitioners on bond, would in fact *save* the government the resources and expense of continuing to imprison Petitioners.

59. The placement of Petitioners in detention pending the resolution of his asylum proceedings violates his constitutional rights to due process guaranteed in the Fifth Amendment.

## COUNT TWO

### Immigration and Nationality Act, 8 U.S.C. § 1226

*Petitioners' Ongoing Detention, without the Opportunity for a Bond Hearing, Violates his Statutory Right to a Hearing as Guaranteed by 8 U.S.C. § 1226*

60. Petitioners reallege and incorporates by reference each and every allegation contained above.

61. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

62. Petitioners are not subject to 8 U.S.C. §§ 1225(b)(1), 1226(c), or § 1231.

63. Respondents' application of § 1225(b)(2) to Petitioners unlawfully mandates their continued detention and violates the INA.

## COUNT THREE
### Violation of the Administrative Procedure Act

64. Petitioners re-allege and incorporates by reference each allegation contained in the preceding paragraphs as if set forth fully herein.

65. The APA provides that a "reviewing court shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

66. The APA provides that a "reviewing court shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . without observance of procedure required by law." 5 U.S.C. § 706(2)(D).

67. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens could properly be detained under § 1226(a), but would then be eligible for release on bond unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

68. Nonetheless, the Board has adopted a policy and practice of applying § 1225(b)(2) to Petitioners and others in the same position.

69. Respondents through their recent administrative decision failed to articulate any reasoned explanations for new interpretation of the Act. The Board's decision represents a change in the agencies' policies and positions that negates the plain language of the Act, the will of Congress, and decades of administrative precedent.

70. The application of § 1225(b)(2) to Petitioners is arbitrary, capricious, and not in accordance with law, and as such, it violates the APA. See 5 U.S.C. § 706(2).

## REQUEST FOR ORDER TO SHOW CAUSE

71. Within three days, unless good cause for a delay is shown, "[a] court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears

from the application that the applicant or person detained is not entitled thereto." 28 U.S.C. § 2243.

72. Petitioners, by and through counsel, respectfully request that the Court issue an Order to Show Cause directing Respondents to file a return within three days of the Court's order, showing cause, if any, why a writ of habeas corpus should not be granted.

## PRAYER FOR RELIEF

WHEREFORE, Petitioners prays that this Court grant the following relief;

(1) Assume jurisdiction over this matter;

(2) Issue an immediate Order requiring Respondents not transfer Petitioners out of this District;

(3) Issue an Order to show cause as to why Petitioners should not be released immediately, or in the alternative afforded a bond hearing;

(4) Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioners unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven days; and

(5) Grant any other and further relief that this Court may deem just and proper.

DATED: January 22, 2026

/s/ Brian D. Clark
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**VERIFICATION PURSUANT TO 28 U.S.C. § 2242**

I am submitting this verification on behalf of Petitioners because their current detention makes them unable to submit one on their own behalf. On information and belief, I hereby verify that the factual statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

DATED: January 22, 2026

/s/ Brian D. Clark
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