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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRCT OF WASHINGTON

JIMMY PEREZ-BENITEZ, **Petitioner,** **v.** **BRUCE SCOTT,** Warden of Northwest ICE Processing Center, in his official capacity as well as his successors and assigns, and **TODD M. LYONS,** Acting Director, U.S. Immigration and Customs Enforcement, in his official capacity as well as successors and assigns, and **KRISTI NOEM,** Secretary for the U.S. Department of Homeland Security, in her official capacity as well as her successors and assigns, and **PAMELA BONDI**, Attorney General of the United States, in her official capacity as well as her successors and assigns, **Respondents.**	**CIVIL ACTION NO.** **PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241** **IMMIGRATION HABEAS CASE**

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

Petitioner Jimmy Perez-Benitez ("Mr. Perez-Benitez"), by and through his undersigned counsel, respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, challenging the legality of his detention at the Northwest Immigration and Customs Enforcement Processing Center ("NWIPC") pursuant to Respondents' erroneous application of the Immigration and Nationality Act ("INA").

INTRODUCTION

1. Mr. Perez-Benitez is a native and citizen of Mexico who entered—and remained—in the United States for over twenty years. *See* Copy of Pet'r's Cancellation App, **Exh. A**. Upon his arrival over twenty years ago, Mr. Perez-Benitez did not present himself at a port of entry, nor was he admitted or paroled in the United States by an immigration official. *See* Notice to Appear. **Exh. B**.

2. Over the years, Mr. Perez-Benitez diligently built a foundation for himself and his family here in the United States: he raised his children, steered clear of criminal behavior, and maintained employment. **Exh. A.** In fact, it was at the beginning of his day of work on December 18, 2025, when Immigration and Customs Enforcement ("ICE") officers detained Mr. Perez-Benitez.

3. Following ICE's swift and unwarranted arrest of Mr. Perez-Benitez, the government erroneously concluded that pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), Mr. Perez-Benitez is subject to mandatory detention. ICE has kept Mr. Perez-Benitez detained at the NWIPC for thirty-six days, during which the government has refused to afford Mr. Perez-Benitez with the relief he justly deserves. His ongoing detention runs afoul of both the INA and this Court's decision in *Rodriguez v. Bostock*, 802 F. Supp. 3d 1297, 1318 (W.D. Wash. 2025),

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and violates the Due Process Clause of the Fifth Amendment.

4. Mr. Perez-Benitez respectfully requests this Court issue a writ of habeas corpus ordering Mr. Perez-Benitez's release from ICE custody. Further, he respectfully requests this Court mandate ICE provide Mr. Perez-Benitez notice and opportunity to be heard should ICE seek to re-detain Mr. Perez-Benitez in the future.

JURISDICTION

I. Statutory Jurisdiction under 28 U.S.C. § 2241

5. This Court has jurisdiction over Petitioner's claims pursuant to 28 U.S.C. § 2241, which provides that "[w]rits of habeas corpus may be granted by the Supreme Court, any justice thereof, the district courts and any circuit judge within their respective jurisdictions" to individuals "in custody in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. § 2241(c)(3). The Supreme Court has long recognized that habeas corpus "is available to non-citizens challenging executive detention." *Heikkila v. Barber*, 345 U.S. 229, 234–35, 73 S.Ct. 603, 97 L.Ed. 972 (1953); *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268, 74 S.Ct. 499, 98 L.Ed. 681 (1954). The Ninth Circuit has reaffirmed that district courts possess habeas jurisdiction to review the legality of detention and removal in violation of statutory or constitutional protections. *Trinidad y Garcia v. Thomas*, 683 F.3d 952, 956 (9th Cir. 2012).

II. Jurisdiction Preserved by the Constitution and the Suspension Clause

6. Habeas jurisdiction is also preserved by the Constitution. Although the Constitution does not itself grant federal habeas jurisdiction, it expressly preserves the writ through the Suspension Clause. *Boumediene v. Bush,* 553 U.S. 723, 743–46, 128 S.Ct. 2229, 171 L.Ed.2d 41 (2008); *Ex Parte Bollman, 4 Cranch* 75, 94–95, 2 L.Ed. 554 (1807). As the Supreme Court has held:

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> "The Clause 'ensures that, except during periods of formal suspension, the Judiciary will have a time-tested device, the writ, to maintain the "delicate balance of governance" that is itself the surest safeguard of liberty' and 'protects the rights of the detained by affirming the duty and authority of the Judiciary to call the jailer to account.'" *Boumediene*, 553 U.S. at 745.

7. Congress may not "eliminate the writ without running afoul of the Suspension Clause" unless it "provides 'a collateral remedy which is neither inadequate nor ineffective to test the legality of a person's detention.'" *Singh v. Mukasey*, 533 F.3d 1103, 1106 (9th Cir. 2008) (quoting Swain v. Pressley, 430 U.S. 372, 381, 97 S.Ct. 1224, 51 L.Ed.2d 411 (1977)); see also *Perez v. Barr,* 957 F.3d 958, 963 (9th Cir. 2020).

8. Petitioner is in the custody of federal immigration authorities and challenges both the lawfulness of the government subjecting him to mandatory detention under 8 U.S.C. section 1225 on the grounds that such actions violate the Constitution, judicial precedent, and federal statutes. Petitioner's claims fall squarely within the scope of habeas corpus review under 28 U.S.C. § 2241, as recognized by controlling Ninth Circuit and Supreme Court authority. Accordingly, this Court has jurisdiction over Petitioner's habeas petition pursuant to 28 U.S.C. § 2241 and the Constitution.

VENUE

9. Venue is proper in this District pursuant to 28 U.S.C. § 1391(e)(1), because Mr. Perez-Benitez is a resident of Washington, who was detained by ICE, and then transferred to the NWIPC where he is currently being held.

PARTIES

10. Petitioner, Mr. Perez-Benitez, is currently detained at the NWIPC in Tacoma, Washington.

11. Respondent Bruce Scott is the Warden of the NWIPC, located in Tacoma, Washington. As facility leader, he is responsible for the custody, control, and care of detainees held at the NWIPC

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where Petitioner is detained. He is sued in his official capacity.

12. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs Enforcement. In this capacity, he is responsible for ICE's policies and operations, including oversight of Mr. Perez-Benitez's detention. He is sued in his official capacity.

13. Respondent Kristi Noem is the Secretary of the U.S. Department of Homeland Security. In this role, she is responsible for the enforcement and administration of the Immigration and Nationality Act ("INA") and oversees ICE. She has legal custody over Mr. Perez-Benitez and is sued in her official capacity.

14. Respondent Pamela Bondi is the U.S. Attorney General for the U.S. Department of Justice. In this role, she is responsible for overseeing the Immigration Courts, as well as the adjudication and administration of the INA in such courts and on appeal.

FACTUAL AND PROCEDURAL HISTORY

15. Mr. Perez-Benitez is a native and citizen of Mexico who has continuously resided in the United States for over twenty years. He is currently detained at the NWIPC where he has been subject to continuous, unlawful detention despite being eligible and deserving of bond.

16. On December 18, 2025, Mr. Perez-Benitez was pursuing employment outside of a Home Depot when ICE officers confronted Mr. Perez-Benitez, questioned his citizenship status, and immediately subjected him to detention.

17. That same day, The U.S. Department of Homeland Security ("DHS") initiated removal proceedings against Mr. Perez-Benitez by filing a Notice to Appear ("NTA"). **Exh. B**. Within the NTA, DHS did not allege that Mr. Perez-Benitez is "an arriving alien" but rather, alleged that Mr. Perez-Benitez is a noncitizen "present in the United States who has not been admitted or paroled."

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Id. DHS further charged Mr. Perez-Benitez as removable pursuant to 8 U.S.C. section 1182(a)(6)(A)(i) in that Mr. Perez-Benitez is *present* in the United States without having been admitted or paroled. *Id.*

18. On January 6, 2026, Mr. Perez-Benitez, through counsel, filed a Motion for Custody Redetermination Hearing with the Tacoma, Washington Immigration Court. *See* Custody Mot., **Exh. C**. In support of his motion, Mr. Perez-Benitez asserted that pursuant to 8 U.S.C. section 1226(a), Mr. Perez-Benitez is eligible for custody redetermination. Further, he asserted that he satisfies the requirements to be released from custody because (1) he does not pose a danger to society or national security, (2) he is not a flight risk, and (3) he warrants favorable discretion. *Id.* DHS did not file a response to Mr. Perez-Benitez's motion.

19. On January 15, 2026, Petitioner submitted an application for cancellation of removal for certain nonpermanent residents to the Tacoma Immigration Court. Petitioner's hearing on the merits of his application is currently scheduled for February 12, 2026.

20. On January 15, 2026, the Tacoma, Washington Immigration Court held a custody redetermination hearing for Mr. Perez-Benitez. At the conclusion of the hearing, the Immigration Judge issued an oral decision determining that pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), she lacked jurisdiction over Mr. Perez-Benitez's custody redetermination. In the alternative, the Immigration Judge granted bond in the amount of $10,000. *See* Decl. of Atty. Manuel, **Exh. D** (confirming the contents of the Immigration Judge's oral decision).

21. On January 19, 2026, the Immigration Judge issued what should have been a written order containing the contents of her January 15, 2026, oral decision. Order of the IJ, **Exh. E**. While the Immigration Judge again held that she lacked jurisdiction to consider Petitioner's custody

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redetermination, the Immigration Judge cited *Matter of M-S-*, 27 I&N Dec. 509 (A.G. 2019), and *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025) instead of *Hurtado*. **Exh. E**. In addition, the Immigration Judge's written decision no longer reflected an alternative grant of bond in the amount of $10,000 and instead, denied bond in the alternative.[1]

22. On January 23, 2026, Case Processing Assistant A. Gomez called the Tacoma, Washington Immigration Court to obtain a recording of Petitioner's January 15, 2026, custody redetermination hearing. Decl. of A. Gomez, **Exh. F**. The clerk informed Gomez, however, that it "did not retain a record of the Bond Hearing because the Court determined that it lacked jurisdiction." **Exh. F**, p. 3 ¶ 7. When CPA Gomez inquired as to the discrepancies between the oral and written orders, the clerk informed CPA Gomez that "the written order entered by the Court was correct." *Id.* at ¶ 11.

23. Following the Immigration Judge's legally flawed (and incompatible) decisions, Mr. Perez-Benitez remains in ICE custody at NWIPC in violation of his Due Process and this nation's immigration laws.

24. Absent immediate intervention by this Court, Mr. Perez-Benitez will be subject to continued, unlawful detention in violation of the nation's immigration laws and constitutional due process.[2]

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[1] Petitioner attempted to obtain the audio recordings from Petitioner's January 15, 2026 hearing. However, the recording incorrectly contains the audio from Petitioner's initial removal hearing—not his custody redetermination hearing. Petitioner is currently in contact with the Immigration Court to (1) determine whether the Immigration Court has the correct audio recording of Petitioner's custody redetermination hearing, and (2) have the Immigration Judge rectify their written order so that is reflects the oral decision given on January 15, 2026.

[2] While Respondents may attempt to claim that prudential exhaustion is required, "exhaustion is excused" in this instance, *Leonardo v. Crawford*, 646 F.3d 1157, 1160 (9th Cir. 2011), as both Respondents and the Executive Office for Immigration Review have demonstrated time and again, that their position on this issue remains unchanged. *See,* American Immigration Lawyers Association, *Practice Alert: EOIR Issues Nationwide Guidance on Maldonado Bautista*, issued

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RELEVANT LEGAL AUTHORITY

25. "Writs of habeas corpus may be granted by . . . the district courts. . . within their respective jurisdictions." 28 U.S.C. § 2241(a). A habeas petitioner must prove by the preponderance of the evidence that he is "in custody in violation of the Constitution or laws or treaties of the United States." *Davis v. Woodford*, 384 F.3d 628, 638 (9th Cir. 2004); 28 U.S.C. § 2241(c).

26. When it comes to custody determinations under the INA, there are two statutory provisions that authorize the detention of noncitizens prior to receiving a final removal order. The first is 8 U.S.C. section 1225, which explicitly applies to "arriving aliens." 8 U.S.C. § 1225(a)-(b). The second statutory provision is 8 U.S.C. section 1226.

I. Mandatory Versus Permissible Detention Under the 8 U.S.C. Sections 1225 and 1226

27. Relevant here, section 1225 proscribes mandatory detention of noncitizens *seeking admission* into the United States. *See Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018).

28. Specifically, when an "examining immigration officer determines that [a noncitizen] seeking admission is not clearly and beyond a doubt entitled to be admitted, the [noncitizen] *shall* be detained for a proceeding under section 1229a of this title." 8 U.S.C. § 1225(b)(2)(A) (emphasis added).

29. "A noncitizen detained under [s]ection 1225(b)(2) may be released only if he is paroled 'for urgent humanitarian reasons or significant public benefit' pursuant to 8 U.S.C. § 1182(d)(5)(A)." *Lepe v. Andrews*, 801 F. Supp. 3d 1104, 1111 (E.D. Cal. 2025) (citing *Gomes v. Hyde*, 25 Civ. 11571, 2025 WL 1869299, at *2 (D. Mass. July 7, 2025) (citation modified)).

January 16, 2026, available at https://www.aila.org/library/practice-alert-eoir-issues-nationwide-guidance-on-maldonado-bautista (last visited Jan. 23, 2026).

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30. "Other than this limited exception[,] ... detention under § 1225(b)(2) is considered mandatory ... [and] [i]ndividuals detained under § 1225 are not entitled to a bond hearing." *Lepe*, 801 F. Supp. 3d at 1111 (citing *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), —— F.Supp.3d ——, 2025 WL 2371588, at *3 (S.D.N.Y. Aug. 13, 2025)).

31. By contrast, section 1226 "authorizes the Government to detain certain [noncitizens] already in the country pending the outcome of removal proceedings." *Jennings*, 583 U.S. at 289 (emphasis added). The statute provides that: "[o]n a warrant issued by the Attorney General, [a noncitizen] may be arrested and detained pending a decision on whether the [noncitizen] is to be removed from the United States." During this time, "the Attorney General:

> (1) may continue to detain the arrested alien; and
> (2) may release the alien on—
> (A) bond []; or
> (B) conditional parole.

8 U.S.C. § 1226(a). Accordingly, "[s]ection 1226(a), therefore, establishes a discretionary detention framework." *Lepe*, 801 F. Supp. at 1111.

32. Put differently, the INA permits detention of noncitizens "awaiting removal from the United States." *Ortega-Rangel v. Sessions*, 313 F. Supp. 3d 993, 1000 (N.D. Cal. 2018).

33. While the initial determination to detain or release the noncitizen is up to an immigration officer, 8 U.S.C. § 1226(a), "a noncitizen may request a bond hearing before an immigration judge" any time thereafter. *Lepe*, 801 F. Supp. at 1111 (citing 8 C.F.R. § 1236.1(c)(8), (d)(1)).

34. During a bond hearing, "the burden is on the non-citizen to 'establish to the satisfaction of the Immigration Judge ... that he or she does not present a danger to persons or property, is not a threat to the national security, and does not pose a risk of flight.'" *Hernandez v. Sessions*, 872 F.3d 976, 982 (9th Cir. 2017) (citing *In re Guerra*, 24 I. & N. Dec. 37, 38 (BIA 2006)).

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II. *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025)

35. In September 2025, the Attorney General attempted to single-handedly rewrite the INA by alleging that noncitizens "who surreptitiously cross into the United States remain applicants for admission until and unless they are lawfully inspected and admitted by an immigration officer." *Matter of Yajure Hurtado*, 29 I&N Dec. 216, 228 (BIA 2025).

36. Under the Attorney General's newly-minted interpretation of the INA, regardless of whether a noncitizen is classified as inadmissible under 1225 or 1226, they are subject to mandatory detention. *Matter of Yajure Hurtado*, 29 I&N Dec. at 219, 228.

37. Thus, according to the Attorney General, a noncitizen "who establishes that he or she has been present in the United States for over 2 years," or 20 years, in Petitioner's case, "shall be detained." 29 I&N Dec. at 219.

38. Following *Matter of Yajure Hurtado*, Immigration Courts across the country began determining that they lacked jurisdiction to consider custody redetermination requests for noncitizens who are classified as inadmissible under section 1226 because they entered the United States without inspection, and were arrested within the boundaries of the United States.

III. *Rodriguez v. Bostock*, 802 F. Supp. 3d 1297, 1318 (W.D. Wash. 2025)

39. As a result, a multitude of litigation ensued in federal district courts across the country, including *Rodriguez v. Bostock*, 802 F. Supp. 3d 1297, 1318 (W.D. Wash. 2025).

40. In *Rodriguez v. Bostock*, this Court concluded that "the text of section 1226, canons of interpretation, legislative history, and longstanding agency practice demonstrate that they are governed by section 1226(a)'s 'default' rule for discretionary detention." 802 F. Supp. 3d at 1336 (citing *Jennings*, 583 U.S. at 289). And under the default rule, the government's process of

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subjecting noncitizens classified as inadmissible under section 1226, to detention "under section 1225(b)(2)'s mandatory detention provision violates the INA." *Id.*

41. In addition to concluding that the government violated the INA, this Court also granted class certification and declared the following individuals to be eligible class members:

> [A]ll noncitizens without lawful status detained at the Northwest ICE Processing Center who:
> (1) have entered or will enter the United States without inspection,
> (2) are not 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 noncitizen is scheduled for or requests a bond hearing.

802 F. Supp. 3d at 1336 (labeling the class as "the Bond Denial Class").

42. "The Court declare[d] that Bond Denial Class members are detained under 8 U.S.C. § 1226(a) and are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2)," and "that the Tacoma Immigration Court's practice of denying bond to Bond Denial Class members on the basis of § 1225(b)(2) violates the Immigration and Nationality Act. *Id.*

CLAIMS FOR RELIEF

I. Count I: Violation of the Due Process Clause of the Fifth Amendment and Unlawful Detention in Violation of 28 U.S.C. § 2241

43. Petitioner incorporates by reference all preceding paragraphs as if fully set forth herein.

44. Petitioner, a noncitizen who resided in the United States for over twenty years and thus, is a noncitizen who entered without inspection and is not an applicant seeking admission.

45. Indeed, in charging Petitioner as removable, the government intentionally chose *not* to label Petitioner as an "arriving alien" but instead, labeled Petitioner as a noncitizen "present in the United States who has not been admitted or paroled." **Exh. B**.

46. As a noncitizen who entered without inspection, Petitioner is not subject to mandatory

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detention under 8 U.S.C. section 1225. *Rodriguez v. Bostock*, 802 F. Supp. 3d at 1336.

47. The Immigration Court's refusal to recognize its jurisdiction over Petitioner's custody redetermination and resulting failure to consider Petitioner's bond constitutes an ongoing violation of Petitioner's constitutional due process rights. "Where these procedural mechanisms are not adopted, any continued detention is unlawful." See 28 U.S.C. § 2241; see also *Khouzam v. Hogan*, 497 F. Supp. 2d at 625.

48. Petitioner respectfully requests that the Court declare Petitioner a member of the Bond Denial Class pursuant to the parameters established in *Rodriguez v. Bostock*, 802 F. Supp. 3d at 1336.

49. Petitioner further request this Court declare the U.S. Department of Justice's refusal to recognize jurisdiction over Petitioner's custody redetermination unlawful.

50. Petitioner further requests this Court declare Petitioner's immediate release in accordance with the $1,500 bond established in 8 U.S.C. section 1226 or, at minimum, the provisions laid out in the Immigration Judge's January 15, 2026, Oral Decision.

51. Petitioner further request this Court declare Petitioner not subject to 8 U.S.C. section 1225's mandatory detention requirements, and enjoin the government from attempting to subject Petitioner to such process both present and in the future.

II. Count II: Declaratory Relief under 28 U.S.C. § 2201

52. Petitioner incorporates by reference all preceding paragraphs as if fully set forth herein.

53. Actual Controversy and the Government's Noncompliance with both the INA and this Court's Order in *Rodriguez v. Bostock*, 802 F. Supp. 3d at 1336.

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54. An actual controversy exists regarding the government's refusal to maintain jurisdiction over Petitioner's custody redetermination hearing as mandated under 8 U.S.C. section 1226.

55. As a Bond Denial Class member, Petitioner is categorically "detained under 8 U.S.C. § 1226(a)"; therefore, "the Tacoma Immigration Court's practice of denying bond to Bond Denial Class members on the basis of § 1225(b)(2) violates the Immigration and Nationality Act." *Id.*

56. Petitioner is therefore entitled to a declaration that the Tacoma Immigration Court maintains jurisdiction over Petitioner's custody redetermination proceedings.

57. Petitioner respectfully requests that the Court issue a declaration that:

(1) As a noncitizen who entered without inspection, Petitioner's removal proceedings are governed by 8 U.S.C. section 1226(a);

(2) Pursuant to 8 U.S.C. section 1226(a), the Tacoma Immigration Court is vested with jurisdiction over Petitioner's custody redetermination;

(3) Petitioner is entitled to a custody redetermination on the merits;

(4) The government cannot argue that Petitioner is subject to mandatory detention under 8 U.S.C. section 1225; and

(5) Any refusal or allegation that Petitioner is subject to mandatory under 8 U.S.C. section 1225 violates the Due Process Clause and federal law.

III. Count III. Injunctive Relief

58. Petitioner incorporates by reference all preceding paragraphs as if fully set forth herein

59. Absent immediate intervention by this Court, Petitioner faces imminent and irreparable harm in the form of unlawful and continued detention, in violation of his due process, this Court's precedential order, and this country's immigration laws. The harm Petitioner faces is not

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speculative; it is concrete and irreparable, as the Tacoma Immigration Court has already refused to maintain jurisdiction over Petitioner's custody redetermination request, and has continued to subject him to mandatory detention. **Exh. E**.

PRAYER FOR RELIEF

WHEREFORE, the Petitioner respectfully request that this Court enter judgment in his favor and grant the following relief:

1. HABEAS CORPUS. Issue a writ of habeas corpus under 28 U.S.C. § 2241 directing Respondents to immediately release Petitioner from ICE custody pursuant to the Immigration Judge's January 15, 2026 oral decision.

2. DECLARATORY JUDGMENT. Pursuant to 28 U.S.C. § 2201, declare that:

   a. The US Department of Justice's refusal to recognize jurisdiction over Petitioner's custody redetermination unlawful.

   b. Petitioner's immediate release in accordance with the $1,500 bond established in 8 U.S.C. section 1226 or, at minimum, the provisions laid out in the Immigration Judge's January 15, 2026, Oral Decision.

   c. Petitioner not subject to 8 U.S.C. section 1225's mandatory detention requirements.

   d. Any continued detention for the purpose of effectuating the Attorney General's decision in *Matter of Yajure Hurtado* an unlawful detention and unconstitutional.

3. INJUNCTIVE RELIEF. Pursuant to the Court's equitable powers, Fed. R. Civ. P. 65, and the All Writs Act, 28 U.S.C. § 1651, enter:

   a. Preliminary injunction immediately prohibiting Respondents, their agents, employees, and all persons acting in concert with them from detaining Petitioner

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pending his underlying removal proceedings and any relevant appeals;

b. A permanent injunction barring Respondents from attempting to subject Petitioner to 8 U.S.C. sections 1225's mandatory detention provision;

c. A permanent injunction barring Respondents from refusing to recognize jurisdiction over Petitioner's custody redetermination; and

d. An order retaining jurisdiction to monitor and enforce compliance with the foregoing injunctions.

4. FEES AND COSTS. Award Petitioner his reasonable attorneys' fees and litigation expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412, and any other applicable authority.

5. SUCH OTHER RELIEF. Grant such further legal or equitable relief as the Court deems just and proper.

Respectfully submitted on this 23rd of January, 2026.

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CERTIFICATE OF COMPLIANCE

Pursuant to LCR 7(e), I certify that this memorandum contains 3,816 words, in compliance with the Local Civil Rules." Counsel may rely on the word count of a word-processing system used to prepare the brief.

Respectfully submitted on this 23rd of January, 2026.

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