IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENSYLVANIA

LUIS ALMONTE PEREZ, *Petitioner,* v. WARDEN OF FEDERAL DETENTION CENTER PHILADELPHIA, et al., *Respondents.*	CIVIL ACTION No. 2:26-cv-00977

RESPONDENTS' SUPPLEMENTAL BREIFING
PURSUANT TO THE COURT'S FEBRUARY 23, 2026 ORDER

In accordance with the Court's February 23, 2026 Order (ECF No. 4), Respondents submit this supplemental briefing to respond to the Court's inquiries as follows:

a. Where did U.S. Border Patrol encounter Mr. Perez on December 29, 2022?[1]

Mr. Perez was located 6 miles south of Eagle Pass which is in the Del Rio sector of Texas.

b. What was the statutory basis for Mr. Perez's release from custody on or around December 29, 2022?

Mr. Perez was released on humanitarian parole under 212(d)(5).

[1] The Court's inquiries, as set forth in its February 23, 2026 Order, are set forth in **"bold"** typeface.

(Continuation of inquiry "b") What reasons were provided for his release? Pursuant to the attached 2022 I-213, Mr. Perez was released due to a lack of detention capacity in the U.S. Border Patrol Del Rio Sector. *See* Ex. A, 2022 I-213.

c. If Mr. Perez was granted humanitarian parole or another form of conditional release, was this parole or release renewed and/or extended at any time?

Pursuant to the 2022 I-213,[2] and 2026 I -213,[3] Mr. Perez was paroled on 12/30/2022 through 02/28/2023 and served a Notice to Appear, Form I-862[4] charging him under Section 212(a)(6)(A)(i) of the INA. Once he was released from custody U.S. Border Patrol instructed him to report to the closest ICE office near his intended residence. However, the U.S. Border Patrol failed to properly upload a Notice to Appear into the Electronic Court Administration System (ECAS) to initiate his immigration proceedings. Thus, his parole terminated "automatically" and without written notice when the authorized period of parole expired on 02/28/2023. *See* 8 C.F.R. § 212.5(e)(1).

---

2 Ex. A.
3 Ex. B.
4 Ex. C.

(Continuation of Inquiry "C") Was this parole or release terminated or revoked at any time, and if so, what was the reason for doing so and how was this communicated to Mr. Perez?

His parole terminated on 02/28/2023 automatically by operation of law. *See* 8 C.F.R. § 212.5(e)(1). Mr. Perez was already on notice upon entry that his grant of parole would expire pursuant to the notation on the I-94 he received upon release. There is no indication Perez requested to renew his previous grant of parole or apply for parole again once his previous term of parole had terminated. Thus, where parole had terminated, the alien "shall be restored to the status that he or she had at the time of parole." *See* 8 C.F.R. 212.5(e)(2)(1)-(2); INA § 212(d)(5)(A) (providing that upon termination of a noncitizen's parole, the alien "shall forthwith be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States"). In Mr. Perez's case, he reverted to an applicant for admission who entered the United States without admission or parole or required legal entry documents.

d. What was the basis for detaining Mr. Perez?

Mr. Perez was detained because a charging document was executed to initiate removal proceedings against him (the NTA),[5] he lacked

[5] *See* Ex. C.

immigration status and is removable under U.S. immigration law, and he affirmatively admitted he had no status or legal right to remain in the United States;

(Continuation of inquiry "d") and what warrants administrative or judicial — did the government possess regarding Mr. Perez's detention at the time of his detention? Perez was arrested upon the issuance of an I-200, Warrant for Arrest of Alien, issued pursuant to Sections 236 and 287 of the Immigration and Nationality Act and part 287 of 8 C.F.R. which permits the serving of warrants of arrest for immigration violations.

(Continuation of inquiry "d") Please file with this court any such warrants.

The I-200, Warrant for Arrest of Alien is attached as Exhibit D.

e. Please explain the process ICE undertook in detaining Mr. Perez in February 2026.

Pursuant to the 2026 I-213, Ex. B, Perez appeared for his check-in with ICE at which time ICE confirmed Perez's identity, alienage, and removability and served him a with a Notice to Appear, Form I-862,[6] charging him under Section 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (INA).

---

[6] Ex. C.

f. With reference to specific examples and dates, please explain whether the Department of Homeland Security (DHS) has, prior to 2025, invoked Section 1225 of the INA as the authority for detaining individuals previously released on humanitarian parole or other conditional release.

Prior to 2025, ICE used INA § 1225(b) to detain individuals previously released on humanitarian parole or conditional release in cases of parole revocation, expiration, non-compliance, re-encounter, policy shifts, pending protection claims, and court orders. Specifically, where the following circumstances exist:

(1) Re-Encounter at the Border or Port of Entry: If an individual who was previously released on parole or conditional release attempts to re-enter the United States or is encountered again at a port of entry, ICE may use INA § 1225 as the authority to detain them as an arriving alien.

(2) Parole Termination Due to Criminal Activity or Security Concerns: If ICE or CBP determines that the individual poses a threat to public safety or national security, parole may be terminated and the individual detained under INA § 1225(b).

(3) Administrative Review or Policy Changes: If DHS changes its parole policy or conducts an administrative review of parole cases,

individuals whose parole is rescinded may be detained under INA § 1225(b).

(4) Failure to Comply with Immigration Proceedings: If an individual released on parole or conditional release fails to attend required immigration hearings, interviews, or check-ins, ICE may detain them under INA § 1225(b).

(5)Pending Asylum or Other Protection Claims: Arriving aliens who have pending asylum or other protection claims may be detained under INA § 1225(b)(1) or (b)(2) while their claims are adjudicated, especially if they do not meet criteria for continued parole.

(6) Transfer from CBP to ICE Custody: Individuals initially released by CBP on parole may be transferred to ICE custody for detention under INA § 1225 if their status changes or further review is required.

(7) Compliance with Court Orders: ICE may detain individuals under INA § 1225 in response to federal court orders requiring detention of certain classes of arriving aliens, such as during litigation over parole or detention practices.

(Continuation of Inquiry "f") If Section 1225 of the INA historically has not been invoked for the detention of such individuals, please explain the statutory bases upon which DHS has detained such individuals.

It is impossible to provide specific dates and examples where these occurrences have happened hundred of thousands of times across the United States for more than 20 years. Additionally, even if it were possible to pin-point particular aliens, disclosure of their identities and the status of their removal proceedings is prohibited by law without written consent as noted above.

(Continuation of Inquiry "f") If Section 1225 of the INA historically has not been invoked for the detention of such individuals, please explain the statutory bases upon which DHS has detained such individuals.

It has been invoked as noted herein.

g. Has Mr. Perez filed any applications for immigration relief, and if so, what is the status of those applications and what procedures have been undertaken to adjudicate such applications? For example, has there been a determination regarding Mr. Perez's eligibility for asylum? If so, (1) who made that determination; (2) what reasons were provided for this determination; and (3) how was this determination communicated to Mr. Perez?

Pursuant to the 2026 I-213, Perez did not file any applications for relief from removal during his time in the United States. He still has not where he has not yet had his first master calendar hearing or had the

opportunity to retain counsel in his removal proceedings. *See* response to inquiry "h" herein. Additionally, when dealing with inquiries such as these from the court, please note that 8 C.F.R. § 208.6 prohibits disclosure of information related to fear-based applications for relief from removal, including the fact that an individual has applied. *See* 8 C.F.R. § 208.6 ("...information relating to an asylum application may be disclosed to a court in the United States or to other parties to litigation, if the applicant consents in writing to such disclosure as part of the litigation.")

h. What is the present status of Mr. Perez's removal proceedings?

On February 13, 2026, Enforcement and Removal Operations (ERO) lodged a Notice to Appear, Ex. C, with the Executive Office of Immigration Review (EOIR) charging him as removable pursuant to Immigration and Nationality Act (INA) section 212(a)(6)(A)(i) in that he was an alien present in the United States without having been admitted or paroled and section 212(a)(7)(A)(i)(I) as an alien who at the time of application for admission was not in possession of a valid visa, reentry permit, border crossing card, or other valid entry document required by the INA. Mr. Perez has his first master calendar hearing on 02/25/2026. Per the Immigration Court Practice Manual, Chapter 4, Section 4.15(a) - A respondent's first appearance before an Immigration Judge in removal

proceedings is at a master calendar hearing. Master calendar hearings are held for pleadings, scheduling, and other similar matters.

Respectfully submitted,

DAVID METCALF
United States Attorney

Dated: February 26, 2026

/s/ *Colin M. Cherico*
COLIN M. CHERICO
Assistant United States Attorney
United States Attorney's Office
Eastern District of Pennsylvania
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106
Phone: (215) 861-8788
Email: Colin.Cherico@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused a true and correct copy of the foregoing supplemental briefing to be served via electronic court filing (ECF).

Dated: February 26, 2026

/s/ *Colin M. Cherico*
COLIN M. CHERICO
Assistant United States Attorney

U.S. Department of Homeland Security Subject ID : [redacted]

Record of Deportable/Inadmissible Alien

Family Name (CAPS)	First	Middle
ALMONTE-PEREZ, LUIS ALEJANDRO		

Sex	Hair	Eyes	Cmplxn
M	BLK	BRO	MED

Country of Citizenship	Passport Number and Country of Issue	File Number
DOMINICAN REPUBLIC		[redacted]

Height	Weight	Occupation
69	178	

U.S. Address

Scars and Marks

Date, Place, Time, and Manner of Last Entry	Passenger Boarded at
12/29/2022 15:00, EGP, PWA / AFOOT	

F.B.I. Number [redacted]

☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated

Number, Street, City, Province (State) and Country of Permanent Residence

Method of Location/Apprehension: PB

Date of Birth	Date of Action	Location Code	At/Near	Date/Hour
[redacted] Age: 24	12/30/2022	EGS	, , , ,	12/29/2022 15:15

City, Province (State) and Country of Birth	AR ☒	Form : (Type and No.) Lifted ☐ Not Lifted ☐	By
DOMINICAN REPUBLIC			FELICIA CELEDON

NIV Issuing Post and NIV Number	Social Security Account Name	Status at Entry	Status When Found

Date Visa Issued	Social Security Number	Length of Time Illegally in U.S.

Immigration Record	Criminal Record
NEGATIVE	

Name , Address, and Nationality of Spouse (Maiden Name, if Appropriate)	Number and Nationality of Minor Children
	None

Father's Name, Nationality, and Address, if Known	Mother's Present and Maiden Names, Nationality, and Address, if Known
ALMONTE, LEONANDO NATIONALITY: DOMINICAN REPUBLIC	PEREZ, SANTA NATIONALITY: DOMINICAN REPUBLIC

Monies Due/Property in U.S. Not in Immediate Possession	Fingerprinted? ☒ Yes ☐ No	Systems Checks	Charge Code Words(s)
None Claimed		See Narrative	See Narrative

Name and Address of (Last)(Current) U.S. Employer	Type of Employment	Salary	Employed from/to
		Hr	

Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)

FIN: [redacted]

Left Index fingerprint

[redacted]

Right Index fingerprint

[redacted]

Father:ALMONTE, LEONANDO is a citizen of DOMINICAN REPUBLIC.
Mother:PEREZ, SANTA is a citizen of DOMINICAN REPUBLIC.
Spouse:Subject is not married.
Child:Subject does not have children or dependents.

CURRENT CRIMINAL CHARGES

12/29/2022 - 8 USC 1182 - ALIEN INADMISSIBILITY UNDER SECTION 212 ...(CONTINUED ON I-831)

Alien has been advised of communication privileges _____ (Date/Initials)

MARK KIRLEY
Border Patrol Agent
(Signature and Title of Immigration Officer)

Distribution:

A-FILE

G-23

Received: (Subject and Documents) (Report of Interview)

Officer: MARK KIRLEY

on: December 30, 2022 (time)

Disposition: Paroled

Examining Officer: SANTIAGO, JORGE

Form I-213 (Rev. 08/01/07)

U.S. Department of Homeland Security **Continuation Page for Form I-213**

Alien's Name	File Number	Date
ALMONTE-PEREZ, LUIS ALEJANDRO	[redacted] Event No: [redacted]	12/30/2022

CURRENT ADMINISTRATIVE CHARGES

12/29/2022 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs)

RECORDS CHECKED

CIS checked on 12/30/2022 with Negative result.ABIS checked on 12/30/2022 with Negative result.EARM checked on 12/30/2022 with Negative result.NCIC checked on 12/30/2022 with Negative result.TECS checked on 12/30/2022 with Negative result.NGI checked on 12/30/2022 with Negative result.

FUNDS IN POSSESSION

United States Dollar 260.00

RECORD OF DEPORTABLE/EXCLUDABLE ALIEN:

Subject was encountered by Border Patrol Agents in the brush in the Del Rio Sector area of operations. After a brief interview, it was determined that this subject was not a citizen or resident of the United States. Subject was placed under arrest, transported to a Border Patrol Station for further processing, and advised of their rights.

US POC:
Name: Elvis Almonte
Phone Number: [redacted]
Address: [redacted]

DISPOSITION:
Subject was Paroled due to a lack of detention capacity in the USBP Del Rio Sector.
Subject was released with an I-94 as an Alternate to Detention as a Condition of the Parole.

OTHER IDENTIFYING NUMBERS

ALIEN-[redacted]

Signature	Title
MARK KIRLEY	Border Patrol Agent

U.S. Department of Homeland Security Subject ID : [redacted]

Record of Deportable/Inadmissible Alien

Family Name (CAPS)	First	Middle
ALMONTE-PEREZ, LUIS ALEJANDRO		

Sex	Hair	Eyes	Cmplxn
M	BLK	BRO	MED

Country of Citizenship	Passport Number and Country of Issue	File Number
DOMINICAN REPUBLIC		[redacted]

Height	Weight	Occupation
69	178	UNR

U.S. Address: [redacted]

Scars and Marks: None Visible - NONE

Date, Place, Time, and Manner of Last Entry	Passenger Boarded at
12/29/2022 15:15, EGP,	MEXICO

F.B.I. Number: [redacted] ☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated

Number, Street, City, Province (State) and Country of Permanent Residence

Method of Location/Apprehension: NCA

Date of Birth	Date of Action	Location Code	At/Near	Date/Hour
[redacted] Age: 27	02/13/2026	PHI/PHI	See I-831	02/13/2026 13:24

City, Province (State) and Country of Birth	AR ☒	Form : (Type and No.) Lifted ☐ Not Lifted ☐	By
DOMINICAN REPUBLIC			ALTON FEASTER

NIV Issuing Post and NIV Number	Social Security Account Name	Status at Entry	Status When Found

Date Visa Issued	Social Security Number	Length of Time Illegally in U.S.

Immigration Record	Criminal Record
NEGATIVE	

Name , Address, and Nationality of Spouse (Maiden Name, if Appropriate)	Number and Nationality of Minor Children
	None

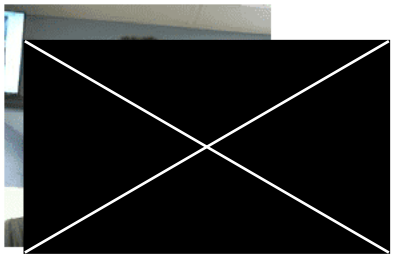
Father's Name, Nationality, and Address, if Known	Mother's Present and Maiden Names, Nationality, and Address, if Known
ALMONTE, LEONANDO NATIONALITY: DOMINICAN REPUBLIC	PEREZ, SANTA NATIONALITY: DOMINICAN REPUBLIC

Monies Due/Property in U.S. Not in Immediate Possession	Fingerprinted? ☒ Yes ☐ No	Systems Checks	Charge Code Words(s)
None Claimed		See Narrative	See Narrative

Name and Address of (Last)(Current) U.S. Employer	Type of Employment	Salary	Employed from/to
	Unemployed or Retired	Hr	

Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)

FIN: [redacted] Left Index fingerprint Right Index fingerprint



FAMILY INFORMATION

Father:ALMONTE, LEONANDO is a citizen of DOMINICAN REPUBLIC.
Mother:PEREZ, SANTA is a citizen of DOMINICAN REPUBLIC.
Spouse:Subject is not married.
Child:Subject does not have children or dependents.

SUBJECT HEALTH STATUS

The subject claims good health. ...(CONTINUED ON I-831)

Alien has been advised of communication privileges _____ (Date/Initials)

ALTON FEASTER
Deportation Officer
(Signature and Title of Immigration Officer)

Distribution:

Received: (Subject and Documents) (Report of Interview)

Officer: ALTON FEASTER

on: February 13, 2026 (time)

Disposition: Warrant of Arrest/Notice to Appear

Examining Officer: DEMURGUIONDO, ASD8132

U.S. Department of Homeland Security **Continuation Page for Form I-213**

Alien's Name	File Number	Date
ALMONTE-PEREZ, LUIS ALEJANDRO	[redacted] Event No: [redacted]	02/13/2026

CURRENT ADMINISTRATIVE CHARGES

02/13/2026 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs)02/13/2026 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA

RECORDS CHECKED

EARM checked on 02/13/2026 with Negative result.NCIC checked on 02/13/2026 with Negative result.O checked on 02/13/2026 with Negative result.O checked on 02/13/2026 with Negative result.

ARRESTED AT/NEAR
---
114 N 8TH STREET,, PHILADELPHIA, PENNSYLVANIA, 19107, UNITED STATES

RECORD OF DEPORTABLE/EXCLUDABLE ALIEN:

213
Luis ALMONTE PEREZ is subject to President Donald Trump's Executive Order, titled "Protecting the American People Against Invasion," signed on January 20, 2025.

Encounter:
On February 13, 2026, Luis ALMONTE PEREZ, [redacted] a native and citizen of Dominican Republic reported to the Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) Philadelphia Field Office for his scheduled check-in appointment. The Philadelphia Non-Detained Unit confirmed ALMONTE PEREZ's identity, alienage, and removability and served him a with a Notice to Appear, Form I-862, charging him under Section 212a6Ai and 212a7AiI of the Immigration and Nationality Act (INA).

Alienage & Removability:
ALMONTE PEREZ is a citizen of Dominican Republic and a national of Dominican Republic by virtue of birth, who entered the United States illegally without being admitted or paroled by an immigration officer. Numerous checks using databases with the Department of Homeland Security (DHS) and the Department of Justice (DOJ) show no pending appeals, waivers, or petitions.

Family/ Derivative Citizenship:
ALMONTE PEREZ has not asserted any claim to United States citizenship, nor do any records indicate that he has obtained or derived such citizenship.

Immigration History:
The U.S. Border Patrol (USBP) encountered ALMONTE PEREZ on December 29, 2022, near Eagle Pass, TX, while attempting to illegally enter the United States without inspection by an immigration officer at a time and place other than as designated by the Secretary of Homeland Security. The USBP served ALMONTE PEREZ with a Notice to Appear, Form I-862 charging him under Section 212a6Ai of the INA. The USBP released him from custody and instructed him to report to the closest ICE office near his intended residence. The USBP failed to properly upload an NTA into ECAS for ALMONTE PEREZ to initiate his immigration proceedings.

Numerous checks using databases with the Department of Homeland Security (DHS) and the Department of Justice (DOJ) show no pending appeals, waivers, or petitions.

Criminal History:
ALMONTE PEREZ has no previous criminal record and does not have any outstanding wants or

Signature	Title
ALTON FEASTER	Deportation Officer

U.S. Department of Homeland Security **Continuation Page for Form I-213**

Alien's Name	File Number	Date
ALMONTE-PEREZ, LUIS ALEJANDRO	[redacted] Event No: [redacted]	02/13/2026

warrants.

Health & Humanitarian:
ALMONTE PEREZ denied any significant humanitarian concerns.

ALMONTE PEREZ answered questions and signed a sworn statement.

ALMONTE PEREZ made a 5-minute phone call to his wife, Leidi Tatiana at [redacted]

ALMONTE PEREZ declined his right to speak with the Dominican Republic Consulate. Consular notifications are not mandatory.

ALMONTE PEREZ claimed a fear of removal to Dominican Republic.

ALMONTE PEREZ does not claim any medical concerns, nor does he require medication.

ALMONTE PEREZ claims he is married, and his wife lives with him.

ALMONTE PEREZ claims to have one child, who lives in the Dominican Republic.

ALMONTE PEREZ stated that he did not serve in the United States Military.

Foreign Identity and Travel Documents:
At the time of arrest, ERO was able to obtain ALMONTE PEREZ's foreign identity/travel documents: Dominican Republic Cedula, [redacted].

Disposition:
ICE served ALMONTE PEREZ with a Notice to Appear, Form I-862 and a Warrant of Arrest, Form I-200. A Sworn Statement was conducted by ICE Philadelphia. Subject's NTA uploaded into ECAS.

I-77: [redacted]
DHS-[redacted]

OTHER IDENTIFYING NUMBERS

ALIEN-[redacted]

Signature	Title
ALTON FEASTER	Deportation Officer

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [redacted]
Event

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [redacted]

File No: [redacted]

In the Matter of:

Respondent: LUIS ALEJANDRO ALMONTE-PEREZ currently residing at:

[redacted]
(Number, street, city, state and ZIP code) (Area code and phone number)

☐ You are an arriving alien.

☒ You are an alien present in the United States who has not been admitted or paroled.

☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;

2. You are a native of DOMINICAN REPUBLIC and a citizen of DOMINICAN REPUBLIC;

3. You entered the United States at or near EAGLE PASS, TX, on or about December 29, 2022;

4. You were not then admitted or paroled after inspection by an Immigration Officer.ORAt that time you arrived at a time or place other than as designated by the Attorney General.
See Continuation Page Made a Part Hereof

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

See Continuation Page Made a Part Hereof

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

625 EVANS ST, RM 148A, ELIZABETH, NEW JERSEY 07201. ELIZABETH - VIDEO HEARINGS
(Complete Address of Immigration Court, including Room Number, if any)

on February 24, 2026 *(Date)* at 1:00 pm *(Time)* to show why you should not be removed from the United States based on the charge(s) set forth above.

SDDO
(Signature and Title of Issuing Officer)

Date: February 13, 2026 PHILADELPHIA, PA
(City and State)

EOIR – 1 of 4

Uploaded on: 02/13/2026 at 08:02:20 PM (Eastern Standard Time) - Base City: FLZ

Notice to Respondent

Warning: *Any statement you make may be used against you in removal proceedings.*

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at http://www.ice.gov/contact/ero, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before: _____

_____ *(Signature of Respondent)*

_____ Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on February 13, 2026, in the following manner and in compliance with section 239(a)(1) of the Act.

☒ in person ☐ by certified mail, returned receipt # _____ requested ☐ by regular mail

☐ Attached is a credible fear worksheet.

☒ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

_____ _____

(Signature of Respondent if Personally Served) *(Signature and Title of officer)*

EOIR – 2 of 4

Uploaded on: 02/13/2026 at 03:02:20 PM (Eastern Standard Time) Base City: FLZ

Privacy Act Statement

Authority:
The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:
You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:
For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at https://www.dhs.gov/system-records-notices-sorns. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at https://www.justice.gov/opcl/doj-systems-records. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:
Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

Uploaded on: 02/13/2026 at 03:02:20 PM (Eastern Standard Time) - Base City: ELZ

U.S. Department of Homeland Security **Continuation Page for Form I-862**

Alien's Name	File Number	Date
ALMONTE-PEREZ, LUIS ALEJANDRO	[redacted] Event No: [redacted]	02/13/2026

THE SERVICE ALLEGES THAT YOU:

5. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act; and/or

6. You are an immigrant not in possession of a valid unexpired passport, or other suitable travel document, or document of identity and nationality.

ON THE BASIS OF THE FOREGOING, IT IS CHARGED THAT YOU ARE SUBJECT TO REMOVAL FROM THE UNITED STATES PURSUANT TO THE FOLLOWING PROVISION(S) OF LAW:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

Signature	Title
[signature]	SDDO

EOIR - 4 of 4

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

File No. [redacted]

Date: 02/13/2026

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that ALMONTE-PEREZ, LUIS is removable from the United States. This determination is based upon:

☒ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☒ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☒ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

ERO SDDO

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at Philadelphia, PA (Location)

on ALMONTE-PEREZ, LUIS (Name of Alien) on February 13, 2026 (Date of Service), and the contents of this notice were read to him or her in the SPANISH (Language) language.

ALTON FEASTER

Deportation Officer

Name and Signature of Officer

null

Name or Number of Interpreter (if applicable)