UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Nika KHABURZANIA Petitioner, v. Kristi NOEM, Secretary of the U.S. Department of Homeland Security, Kevin RAYCRAFT, Field Office Director - Detroit, Immigration and Customs Enforcement, Pam BONDI, the Attorney General Of the United States, Daren K. MARGOLIN, Director of Executive Office of Immigration Review, and Teresa RILEY, Chief Immigration Judge of Executive Office of Immigration Review Respondents.	Case No. 1:26-cv-756 Agency Case No. [redacted]

PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR EMERGENCY INJUNCTIVE RELIEF

The Petitioner, Nika KHABURZANIA, by and through his own and proper person and through his attorneys, JENNIFER I. PEYTON, of KRIEZELMAN BURTON & ASSOCIATES, LLC, and hereby petition this Honorable Court to again issue a Writ of Habeas Corpus to review his unlawful detention during his pending removal proceedings, in violation of his constitutional and statutory rights.

Introduction

1. Petitioner submitted a Petition for Writ of Habeas Corpus to this Court on December 29, 2025 to this Honorable Court, arguing that Petitioner was detained in violation of law and his constitutional rights.

2. This Petition was styled as *Khaburzania v. Breckon*, Case Number 1:25-cv-01927, and was assigned to Judge Hala Y. Jarbou.
3. This Honorable Court granted this Habeas on January 14, 2026, and as set forth in the Claim for Relief, ordered that the Respondents would provide Petitioner with a bond hearing with five days.
4. Should Respondents have failed to hold the individualized bond hearing within five days, this Honorable Court ordered that the Petitioner should be immediately released from custody. Dkt. 6 at p. 3.
5. Petitioner, a citizen of Georgia, continues to be detained at the North Lake Processing Center, in Baldwin, Michigan.
6. Petitioner is represented in immigration removal proceedings by counsel.
7. Pursuant to this Court's direct order, a bond hearing was held on February 24, 2026. At that bond hearing, the Petitioner was inexplicably and without reason denied bond in a sham process.
8. Petitioner respectfully asks this Court to issue a temporary restraining order directing Petitioner's release and enjoin Respondents' continued detention of Petitioner to ensure his due process rights.
9. In the alternative, Petitioner respectfully requests the Court order Respondents to show cause why this Petition should not be granted within three days. *See* 28 U.S.C. § 2243.

Jurisdiction and Venue

10. The action arises under the Constitution of the United States, the Immigration and Nationality Act of 1952, as amended ("INA"), 8 U.S.C. § 1101 *et seq.*, and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701 *et seq.*

11. This Court has habeas corpus jurisdiction pursuant to 28 U.S.C. § 2241, and Article I, section 9, clause 2 of the United States Constitution (the "Suspension Clause"), as Petitioner is presently subject to immediate detention and custody under color of authority of the United States government, and said custody is in violation of the Constitution, law or treaties of the United States.

12. This action is brought to compel the Respondents, officers of the United States, to accord Petitioner the due process of law to which he is entitled under the Fifth and Fourteenth Amendments of the United States Constitution.

13. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgments Act, 28 U.S.C. § 2201 *et seq.*, 28 U.S.C. § 1331 (federal question jurisdiction), 28 U.S.C. § 1361 (mandamus), and the All Writs Act, 28 USC § 1651.

14. Venue is proper in the Western District of Michigan because Petitioner is presently detained by Respondents at North Lake Detention Center in Baldwin, Michigan – which is located within this jurisdiction. 28 U.S.C. § 1391(b), (e)(1).

Parties

15. Petitioner Nika KHABURZANIA is a native and citizen of Georgia. Petitioner is presently detained at North Lake Detention Center in Baldwin, Michigan.

16. Respondent KRISTI NOEM is being sued in her official capacity only. Pursuant to the Homeland Security Act of 2002, Pub. L. 107-296, Defendant NOEM, through her delegates, has broad authority over the operation and enforcement of the immigration laws.

17. Respondent Kevin RAYCRAFT is being sued in his official capacity only, as the Field Office Director of the Detroit Field Office of ICE. As such, he is charged with the detention and removal of aliens which fall under the jurisdiction of the Detroit Field Office.

18. Respondent PAM BONDI is being sued in her official capacity only. PAM BONDI is the Attorney General of the United States. The Immigration Judges who decide removal cases and applications for relief from removal do so as her designees.

19. Respondent Daren K. MARGOLIN is being sued in his official capacity only. Respondent MARGOLIN is the Director of the Executive Office for Immigration Review (EOIR). MARGOLIN provides guidance and direction to the immigration judges who decide bond and removal cases.

20. Respondent Teresa RILEY is being sued in her official capacity only. Respondent RILEY is the Chief Immigration Judge. At the direction of Respondents MARGOLIN and BONDI, RILEY provides guidance and direction to the immigration judges who decide bond and removal cases.

Custody

21. Petitioner Nika KHABURZANIA is being unlawfully detained by ICE and he is not likely to be removed in the reasonably foreseeable future.

Factual and Procedural Background

22. Petitioner Nika KHABURZANIA is a native and citizen of Georgia. He has been present in the United States since October 2023.

23. Petitioner entered into the U.S. without inspection on October 29, 2023 near San Ysidro, California. Petitioner entered, and then was held in custody, and released.

24. On December 14, 2023, Petitioner filed an application for asylum with the Immigration Court based on his fear of returning to Georgia.

25. On December 11, 2025, Petitioner was driving a commercial vehicle with a lawfully issued commercial driver's license. He passed through a weigh station in Ohio, and was encountered by Respondents, and then held in custody. He was eventually transferred to North Lake Detention Center in Baldwin, Michigan, where he is presently detained in custody.

26. On January 14, 2026, this Honorable Court granted the Petition for Writ of Habeas Corpus. Id. At Dkt. 4.

27. Pursuant to this Court's order, a bond hearing was held on January 20, 2026.

28. As confirmed by Petitioner's immigration attorney, a bond hearing was held on January 20, 2026. Dkt. 11. *See,* Exhibit 1, Sworn Statement of Attorney Maia Phiphia. During that bond hearing, notwithstanding the clear Judgment of this Court, the Immigration Judge chose to proceed placing the burden on the Department of Homeland of Security, to establish by clear and convincing evidence that Petitioner is a danger or a flight risk.

29. On behalf of the Petitioner, Attorney Maia Phiphia submitted evidence to support the bond request, evidence supporting residence, community ties (no flight risk), no criminal record, and a pending application for relief. *See* Exhibit 2, Respondent's Notice of Submission.

30. As noted, at the beginning of the bond hearing, inexplicably, the Immigration Judge invited the Department of Homeland Security to set forth its case. In support of its case, Respondents submitted the I-213, an unsworn narrative statement. *See*, Exhibit 3. The I-213 confirms that Petitioner was initially encountered at the Southern Border on

October 30, 2023, released from custody, and later filed an application for relief. Additionally, this confirms that the Petitioner was encountered while driving with a lawfully issued license. This also confirms that Petitioner is employed as a truck driver for over two years out of a business located in in Brooklyn, New York. *Id.* The Department, in turn, argued that Petitioner's bond should be denied.

31. At the conclusion of the bond hearing, the Immigration Judge issued a perfunctory bond decision, denying bond with no analysis or review of the common sense factors that establish Petitioner is not danger or a flight risk. His entire decision was reduced to these conclusory statements:

> The Court finds that the Department of Homeland Security has proven by a preponderance of the evidence that the Respondent is a flight risk and there are no conditions or combination of conditions that would reasonably assure the Respondent's future appearances at immigration proceedings.

See, Exhibit 4, Bond Decision of the Immigration Judge. This decision is contrary to justice, due process, common sense, and this Court's Order granting the Writ of Habeas Corpus.

32. Petitioner's continued detention deprives him of liberty, prohibits him from his lawful employment, and inhibits his removal defense in many ways, including by making it difficult to communicate with witnesses, gather evidence, and afford legal representation, among other related harm.

33. Petitioner's continued detention, without having had a full and fair bond hearing, separates him from his supporters, community and legal counsel, prohibits him from being able to financially provide for his family, and inhibits his removal defense in many ways, including by making it difficult to communicate with witnesses, gathering evidence, and afford legal representation, among other related harm.

34. Over the last year, Respondents BONDI and NOEM have targeted immigration judges for termination who do not comply with their directives.

35. BONDI and NOEM have unilaterally implemented a mandatory detention in effect by directing their subordinates to violate due process, arrest non-citizens without administrative warrants in blatant racial profiling, and intimate and bully immigration judges into finding otherwise bond eligible non-citizens such as Petitioner, not eligible for bond, and therefore essentially subjecting them to mandatory detention.

36. Respondent BONDI has authorized an advertisement for "deportation judges" to intimidate immigration judges presently hearing cases, and to emphasize the need to eradicate due process as relates to immigrations and other matters.

37. Since this administration's inauguration, detention of non-citizens has exponentially increased.

38. Petitioner asserts that the actions of Respondent, as set forth herein, have created an *ipso facto* mandatory detention for all non-citizens, even those non-citizens otherwise eligible for bond.

39. The Petitioner was released from DHS custody shortly after his October 29, 2023 entry. Petitioner resided and worked (pursuant to lawfully issued employment authorization) and grew into a contributing member of society. From his entry in October 2023, until his encounter at the weigh station on December 11, 2025, he had no criminal record, and no adverse factors, yet, inexplicably he was denied bond, and remains in custody.

40. Because Respondent's removal proceedings are pending, there is little likelihood that Petitioner's removal will occur in the reasonably foreseeable future.

Legal Framework

Following the 1996 enactment of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), the Immigration and Naturalization Service (INS) adopted new regulations, 8 C.F.R. § 236.1(c)(2)–(8). Under those regulations, "the alien must demonstrate to the satisfaction of the officer that such release would not pose a danger to property or persons, and that the alien is likely to appear for any future proceeding." *Id.* § 236.1(c)(8). The new regulations concerned an initial custody decision by an officer *upon arrest*; however, the BIA found it reasonable to apply the standard set forth in 8 C.F.R. § 236.1(c)(8) to § 1226(a) custody redetermination hearings, placing "[t]he burden ... on the alien to show to the satisfaction of the Immigration Judge that he or she merits release on bond." *In Re Guerra*, 24 I.& N. Dec. 37, 40 (BIA 2006). Under that standard, the government "need not show anything to justify incarceration for the pendency of removal proceedings, no matter the length of those proceedings." *Velasco Lopez v. Decker*, 978 F.3d 842, 849 (2d Cir. 2020).

While the Supreme Court nor the Seventh Circuit has addressed whether applying this burden of proof at the bond redetermination hearing comports with the requirements of due process, numerous other courts have examined this issue and confirmed it is in fact the government's burden "by a preponderance of the evidence that [the noncitizen] poses a flight risk." *Hernandez-Lara v. Lyons*, 10 F. 4th 19, 41 (1st Cir. 2021); *Soto-Medina v. Lynch*, 2026 WL 161002 (W.D. Mich. Jan. 21, 2026); *Ochoa Ochoa v. Noem*, 2025 WL 2938779 (N.D. Ill. Oct. 16, 2025); *Lopez-Alvarez v. Ripa*, 2025 WL 2691828 (W.D. Tex. Sept. 22, 2025) (ordering a bond hearing within seven day or release); *Kostak v. Trump*, 2025 WL 2472136 (W.D. La. Aug. 27, 2025) (same); *Roman v. Noem*, 2025 WL 2710211 (D. Nev. 23, 2025). "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at

the heart of the very liberty that [the Due Process Clause] protects." *Soto-Medina v. Lynch*, 2026 WL 161002 (W.D. Mich. Jan. 21, 2026) (citing *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001)).

The Fifth Amendment's Due Process Clause extends to all persons, regardless of status. *See A.A.R.P. v. Trump*, 605 U.S. 91 (2025). Thus, noncitizens, such as Petitioner, are entitled to its protections. *See id.* While detention pending removal is "a constitutionally valid aspect of the deportation," such detention must comport with due process. *See Demore v. Kim*, 538 U.S. 510, 523, 123 S.Ct. 1708, 155 L.Ed.2d 724 (2003). In the context of the Due Process Clause, requiring a particular "standard of proof 'serves to allocate the risk of error between the litigants' and reflects the 'relative importance attached to the ultimate decision.' " *German Santos v. Warden Pike Cnty. Corr. Facility*, 965 F.3d 203, 213 (3d Cir. 2020) (quoting *Addington v. Texas*, 441 U.S. 418, 423 (1979)). Thus, the Supreme Court has repeatedly reaffirmed that "due process places a heightened burden of proof *on the State* in civil proceedings in which the 'individual interests at stake ... are both particularly important and more substantial than mere loss of money.'" *Cooper v. Oklahoma,* 517 U.S. 348, 363 (1996) (alterations in original; emphasis added) (quoting *Santosky v. Kramer,* 455 U.S. 745, 756, 102 S. Ct. 1388, 71 L.Ed.2d 599 (1982)); *see also Foucha v. Louisiana,* 504 U.S. 71, 80, 112 S. Ct. 1780, 118 L.Ed.2d 437 (1992) (requiring clear and convincing evidence to justify civil commitment because "[f]reedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause"). "The individual should not be asked to share equally with society the risk of error when the possible injury to the individual is significantly greater than any possible harm to the state." *Addington*, 441 U.S. at 427, 99 S.Ct. 1804.

The Supreme Court, therefore, upheld the application of the "clear and convincing" standard for civil commitment proceedings because "the individual's interest in the outcome of a

civil commitment proceeding is of such weight and gravity that due process requires *the state to justify confinement* by proof *more substantial than a mere preponderance of the evidence.*" *Id.* (emphasis added); *see also United States v. Salerno*, 481 U.S. 739, 751 (1987) (holding that pretrial detention will be permitted under the Due Process Clause "[w]hen the Government proves by clear and convincing evidence that an arrestee presents an identified and articulable threat to an individual or the community"). The Supreme Court has made clear that "civil commitment for *any* purpose constitutes a significant deprivation of liberty that requires due process protection." *Addington*, 441 U.S. at 427 (emphasis added).

Given the government's failure to provide a bond hearing that complies with all regulations and requirements under due process, the appropriate remedy at this juncture is the immediate release of Petitioner. Courts have consistently held that the proper remedy is release for unlawful detention. *Beltran Barrera v. Tindall*, 2025 WL 2690565, at *7 (W.D. Ky. Sep. 19, 2025); *Roble v. Bondi*, --- F.Supp.3d ---, 2025 WL 2443453, at *5 (D. Minn. Aug. 25, 2025) (ordering petitioner's "release from custody as a remedy for ICE's illegal re-detention"); *Munaf v. Geren*, 553 U.S. 674, 693 (2008); *see also Espinoza*, 2025 WL 2675785, at *11; *Ramirez Clavijo v. Kaiser*, 2025 WL 2419263, at *6 (N.D. Cal. Aug. 21, 2025); *Munoz Materano v. Arteta*, --- F.Supp.3d ---, 2025 WL 2630826, at *20 (S.D.N.Y. Sept. 12, 2025). Here, the Immigration Judge erroneously relied on exaggerated and incorrect information to deny bond, misunderstood the burden, and failed to provide any analysis of his determination of why the Petitioner should remain in custody. *See*, Exh. 4. The Immigration Judge failed to act as a neutral adjudicator in consideration of Petitioner's bond request. He found that Petitioner was both a flight risk and a danger to the community. In sum, the Immigration Judge denied bond without following this Court's order or binding regulations.

This denial is an affront to justice, this Honorable Court's order, and yet another example of the unspoken directive from the Executive Office of Immigration Review ("EOIR") to hold otherwise bond-eligible non-citizens under an unspoken yet clearly understood directive implementing mandatory detention for all detained non-citizens. Respondents herein have targeted immigration judges for termination who do not comply with their directives, and as such, the same judges have implemented a unilateral mandatory detention *ipso facto* for otherwise bond eligible non-citizens such as Petitioner, not eligible for bond, and therefore essentially subjecting them to mandatory detention.

Shortly after this Petition for Writ of Habeas Corpus was originally filed, on January 13, 2026, Chief Immigration Judge Teresa L. Riley issued nationwide guidance instructing all immigration judges that "*Maldonato Bautista* is not a nationwide injunction and does not purpose to vacate, stay or enjoin Yajure Hurtado." *See*, Exhibit 5, Practice Alert: District Court Vacates Yajure Hurtado. This guidance from the Chief Immigration Judge is in conflict with the United States District Court, Central District of California, *Maldonado Bautista v. Santacruz*, 5:25-cv-01873, Dkt. 116, which identified a nationwide class of Bond Eligible Class members. Of note, this Petitioner purportedly is a Bond Eligible Class Member. *See*, Exhibit 6, Order Granting Plaintiff Petitioners' Motion to Enforce Judgment. This is another example of this administration's actions defying the district court's judgments to perpetuate a class of mandatorily detained non-citizens. All of these actions have resulted in the exponential increase in detained noncitizens, all to further the Respondents' directives.

Furthermore, this ruling is inconsistent with historical bond practices before the Immigration Courts across the country spanning more than a decade. *See* Exhibit 7, Affidavits. As the enclosed affidavits, provided by both private bar attorneys and a former

immigration judge, explain the standard for bond proceedings, prior to these last couple months, had always been that it was rare for bond to be denied solely based on flight risk. *See id.* Further, a higher bond amount could be imposed to ensure the person's appearance at future hearings. *Id.* In particular, one former Immigration Judge attests that in his experience "bond was not denied solely due to a person's manner of entry into the United States or because they had not yet applied for relief before being encountered by immigration officials." Ex. 7, Affidavit of Honorable Lawrence Burman ¶ 12-13. Such factors were never the main reason for denial, and generally not considered at all," and it is "extremely rare to see a bond denial based on flight risk where the alien had a fixed address, a job, a proposed application for relief, or family ties to the United States." *Id.* Here, in an unreasonable and unrealistic consideration, the Immigration Judge provided no analysis to continue to deprive the Petitioner of his liberty. Deprivation of a fundamental liberty interest can only be justified if narrowly tailored to serve a compelling government interest. *Flores v. Reno*, 507 U.S. 292, 302 (1993). The Due Process Clause asks whether the government's deprivation of a person's life, liberty, or property is justified by a sufficient purpose. Here, there is no question that the government has deprived Petitioner of his liberty by encouraging and intimidating immigration judges to hold non-citizens such as Petitioner to an erroneously high standard for bond eligibility, such that the hearing becomes a legal farce.

In determining whether due process has been violated, the Court should weigh: (1) the private interest affected by the government action; (2) the risk that current procedures will cause an erroneous deprivation of the private interest, and the extent to which that risk could be reduced by additional safeguards; and (3) the government's interest in maintaining the current

procedures, including the governmental function involved and the fiscal and administrative burdens that the substitute procedural requirement would entail. *Mathews*, 424 U.S. 319 at 335. As to the first *Mathews* factor, the private interest affected by the government action, "Petitioner's liberty interest in remaining free from governmental restraint is of the highest constitutional import." *Zavala*, 310 F.Supp.2d at 1076; *see also Ashley*, 288 F.Supp.2d at 670-71 (same) (quoting *St. John v. McElroy*, 917 F.Supp. 243, 250 (S.D.N.Y. 1996)). Petitioner has been detained since December 11, 2025, preventing him from seeing his family, going to work, and participating in his community.

As to the second *Mathews* factor, this Court must look at the risk that current procedures will cause an erroneous deprivation of the private interest, and the extent to which that risk could be reduced by additional safeguards. As explained above, the current procedures cause an erroneous deprivation of Petitioner's liberty interest in remaining free from detention.

As to the third *Mathews* factor, the government's interest in maintaining the "current" procedure is minimal here, given their violations of the regulations and case law related to the burden of proof in bond proceedings and the requirement that Petitioner be provided a bond hearing that comports with due process. Petitioner's continued detention is actual prejudice. Given that Petitioner's continued detention is in violation of due process and the Immigration and Nationality Act, Petitioner requests that the Court enforce the January 14, 2026 and order Respondents to immediately release Petitioner or to schedule a bond hearing before a *neutral* factfinder. It is evident that the government's detention of Petitioner is unjustified. Respondents have not demonstrated that Petitioner needs to be detained. There is no credible argument that Petitioner is a flight risk or unable to be safely released back to his community. In essence, there is no rational connection between the

facts presented and the decision made.

Claims for Relief

FIRST CAUSE OF ACTION

Violation of the Due Process Clause of the Fifth Amendment
of the United States Constitution

41. Petitioner repeats and incorporates by reference all allegations above as though set forth fully herein.

42. The government's detention of Petitioner is unjustified. Respondents have not demonstrated that Petitioner needs to be detained. *See Zadvydas*, 533 U.S. at 690 (finding immigration detention must further the twin goals of (1) ensuring the noncitizen's appearance during removal proceedings and (2) preventing danger to the community). There is no credible argument that Petitioner cannot be safely released back to his community.

43. The Due Process Clause asks whether the government's deprivation of a person's life, liberty, or property is justified by a sufficient purpose. Here, there is no question that the government has deprived Petitioner of his liberty by encouraging and intimidating immigration judges to hold non-citizens such as Petitioner to an erroneously high standard for bond eligibility, such that the hearing becomes a legal farce. This is especially concerning for the instant Petitioner, as this administration has increased detention of non-citizens, initiating operations in Chicago and Minneapolis that encourage racial profiling and warrantless arrests. The Respondents then intimidate judges into denying bond by firing judges without reason and eviscerating the immigration court system.

44. By keeping Petitioner detained today, his detention is unconstitutional as applied to him

and in violation of his due process rights. Petitioner had a bond hearing before what should have been a neutral immigration judge; however, due to the outright pressure and influences of this administration, Petitioner argues that Respondents coached and encouraged Immigration Judges to deny bond for otherwise eligible non-citizens, including Petitioner herein.

45. Further, given Respondents' repeated failure to comply with fundamental Constitutional due process protections and Petitioner has already experienced a severe liberty deprivation, Respondents should be ordered to immediately release Petitioner. *See, e.g.*, *Hernandez-Lara v. Lyons*, 10 F.4th 19, 27–28 (1st Cir. 2021); *Velasco Lopez v. Decker*, 978 F.3d 842 (2d Cir. 2020); *Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011); *J.G. v. Warden, Irwin Cnty. Det. Ctr.*, 501 F. Supp. 3d 1331, 1335 (M.D. Ga. 2020).

46. For these reasons, Petitioner's detention violates the Due Process Clause of the Fifth Amendment.

SECOND CAUSE OF ACTION

Violation of the Immigration and Nationality Act

47. Petitioner repeats and incorporates by reference all allegations above as though fully set forth fully herein.

48. Petitioner has been detained and has not been afforded the opportunity to have a full and fair bond redetermination hearing before an Immigration Judge.

49. 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. Mandatory detention 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) and are eligible for release on bond, unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

50. The internal pressures set forth by these Respondents have influenced immigration judges to deny bond to individuals otherwise bond eligible. The unlawful application of § 1225(b)(2) to Petitioner violates the INA.

THIRD CAUSE OF ACTION
Administrative Procedure Act
Arbitrary and Capricious Bond Denial

51. Petitioner re-alleges and incorporates all preceding paragraphs as if fully set forth herein.

52. Under Section 706(a) of the APA, final agency action can be set aside if it is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law," 5 U.S.C. § 706(2)(A), including if it fails to make "a rational connection between the facts found and the [determination] made. *Cook Cnty., Illinois v. Wolf,* 962 F.3d 208, 229 (7th Cir. 2020) (quoting *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43, 103 S. Ct. 2856, 2866, 77 L. Ed. 2d 443 (1983).

53. Petitioner entered the United States in October 2023, was detained and released to enter the interior of the United States.

54. Petitioner was denied of a full and fair bond hearing.

55. The influence exerted by Respondents NOEM and BONDI and MARGOLIN and RILEY have resulted in a disproportionate higher number of detained non-citizens, to benefit the political goals of the administration, in an arbitrary and capricious manner,

and not in accordance with the law. There is no rational connection between the facts presented and the decision made.

56. The bond denial and continued detention of Petitioner, therefore, violate the APA.

Prayer for Relief

WHEREFORE, Petitioner respectfully request that this Honorable Court:

A. Accept jurisdiction over this action;

B. Order the immediate release of Petitioner pending these proceedings;

C. Alternately, order the release of Petitioner upon payment of an immigration bond in the amount of $2,500;

D. Order that Petitioner's identity documents, including any state issued driver's license, identification card, and/or employment authorization documents and any other lawfully issued identification card be returned to Petitioner;

E. Order Respondents not to transfer Petitioner out of the Western District of Michigan during the pendency of these proceedings to preserve jurisdiction and access to counsel;

F. Declare that Respondents' actions to detain Petitioner violate the Due Process Clause of the Fifth Amendment, violates the Immigration and Nationality Act and is *ultra vires*;

G. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and order Respondents to release Petitioner, or alternatively, to hold a neutral bond hearing for Petitioner's removal proceedings within 5 days of the order with the burden on the government to prove by clear and convincing evidence that Petitioner is a danger to the community or flight risk;

H. Award reasonable attorneys' fees and costs for this action; and

Grant such further relief as the Court deems just and proper.

Dated: March 9, 2026

Respectfully Submitted,

/s/ Jennifer Peyton

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