IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Muhammadjon MARUFOV
***Petitioner*,**
v.

Robert HAGAN, Field Office Director, Denver Field Office, Immigration and Customs Enforcement, in his official capacity;

Juan BALTAZAR, in his official capacity as Warden of the Denver Contract Detention Facility;

TODD LYONS,
In his official capacity as Acting Director, U.S. Immigration and Customs Enforcement,

Respondents.

Civil Action No.

File No.

EMERGENCY VERIFIED PETITION FOR WRIT OF HABEAS CORPUS AND INCORPORATED MEMORANDUM OF LAW

PRELIMINARY STATEMENT

1. Petitioner respectfully requests this Honorable Court to issue a writ of habeas corpus **immediately releasing** him from detention.

2. Petitioner's detention categorically violates the Fourth and Fifth Amendments of the U.S. Constitution, 8 U.S.C. § 1226(a), 8 U.S.C. § 1357(a)(2), and 8 C.F.R. § 287.8, Section 236 of the INA.

3. This detention-first and hearing sometime-later practice finds no support in the Constitution. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process Clause] protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

4. The Constitution does not tolerate what would be plainly unlawful in the criminal context simply because the detention is labeled "civil." Nor does the Constitution withhold its protections when a person is an immigrant.

5. These statutory errors reinforce the conclusion that Petitioner's ongoing detention violates the Fifth Amendment and **must end**. See *Mata Velasquez v. Kurzdorfer*, No. 25-CV-493-LJV (W.D.N.Y. July 16, 2025) (where a noncitizen detainee's due process was violated, his detention is unlawful and he must be released).

6. Petitioner is an asylum seeker from Tajikistan who entered the United States without inspection on February 8, 2024. *See* Ex. A, I-213.

7. When Respondents released Petitioner after his initial apprehension, they determined that Petitioner was neither a flight risk nor a danger to the community.

8. On or about August 7, 2025, Petitioner was re-detained by Respondents while he was in compliance with his ICE Check-in appointment at the Denver Field Office. *Id.*

9. Petitioner also has a pending Special Immigration Juvenile Status. *See* Ex. B, I-360 Receipt.

10. Despite longstanding practice and clear statutory language, both DHS and the Department of Justice ("DOJ") now insist that all persons who entered without inspection are detained pursuant to 8 U.S.C. § 1225(b)(2) and therefore subject to mandatory detention. This misclassification is contrary to almost 30 years of settled law and practice, and it is unlawfully premised solely upon the manner in which a person initially entered the country.

11. Because Petitioner's current detention is based entirely on a statute that does not apply to him, his custody lacks legal basis. Consequently, the violation cannot be cured by a bond hearing under a different statute; rather, the Court must exercise its habeas power to order immediate release.

12. Petitioner respectfully requests that this Court order Respondents to show cause why this Petition should not be granted within three days. *See* 28 U.S.C. § 2243.

13. Petitioner further requests that the Court compel Respondents to produce any "Warrant of Arrest" issued at the time of detention, if any such warrant exists.

THE PARTIES

14. Petitioner is seeking asylum in the United States. He is not an arriving alien, nor is he seeking admission. for Respondents to justify re-detaining Petitioner.

15. Petitioner is currently in Immigration and Customs Enforcement ("ICE") custody at the Denver Contract Detention Facility.

16. Respondent Todd Lyons is the Acting Director of Immigration and Customs Enforcement (ICE). He is sued in his official capacity. As the head of ICE, he is responsible for decisions related to the detention and removal of certain noncitizens, including Petitioner. As such, he is also the legal custodian of Petitioner.

17. Robert Hagan is the Director of the Denver Field Office of ICE's Enforcement and Removal Operations division. As such, Robert Guadian is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is sued in his official capacity.

18. Petitioner Juan Baltazar is the Warden of the Denver Contract Detention Facility He is sued in his official capacity. In that capacity, he is the custodian of detained non-citizens, including Petitioner, housed at the Denver Contract Detention Facility.

JURISDICTION & VENUE

19. This action arises under the Constitution of the United States, and the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101 et seq., as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), Pub. L. No. 104 - 208, 110 Stat. 1570.

20. This Court has jurisdiction under 28 U.S.C, § 2241, Art. I, § 9, el. 2 of the Constitution of the United States (the Suspension Clause) and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of the authority of the United States, and such custody is in violation of the Constitution, laws, or treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. § 2241, 5 U.S.C. § 702, the All Writs Act, 28 U.S.C. § 1651 and the Court's equitable habeas authority.

21. Under 28 U.S.C. § 2241 and § 1391(b), (e), venue is proper in this district. Venue is proper because Petitioner is in Respondents' custody in the District of Colorado. Venue is further proper because a substantial part of the events or omissions giving rise to Petitioner's claims occurred in this district, where Petitioner is now in Respondent's custody. Venue is also proper in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States

EXHAUSTION OF REMEDIES

22. No statutory requirement of administrative exhaustion applies to Petitioner's challenge to the unlawfulness of her detention. Moreover, the judicially created "general rule that parties exhaust prescribed administrative remedies before seeking relief from the federal courts" does not apply to Petitioner's present challenge, as there are no prescribed administrative remedies to which he could resort.

McCarthy v. Madigan, 503 U.S. 140, 144–45 (1992), superseded by statute on other grounds as recognized in *Woodford v. Ngo*, 548 U.S. 81 (2006).

23. DHS has taken the position that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225. *See Matter of Yajure Hurtado,* 29 I&N Dec. 216 (BIA 2025). Accordingly, there are no administrative remedies that Petitioner could exhaust before seeking habeas relief.

24. Further, neither an immigration judge nor the Board of Immigration Appeals can rule on a petitioner's constitutional claims. *See Matter of R-A-V-P-*, 27 I. & N. Dec. 803, 804 n.2 (B.I.A. 2020) (holding that IJs and the BIA lack any authority to consider the constitutionality of the statutes or regulations governing immigration detention that they administer and are bound to follow); *Matter of C--*, 20 I. & N. Dec. 529, 532 (B.I.A. 1992) ("[I]t is settled that the immigration judge and this Board lack jurisdiction to rule upon the constitutionality of the Act and the regulations."); *see also Gonzalez v. O'Connell*, 355 F.3d 1010, 1017 (7th Cir. 2004) (noting that "the BIA has no jurisdiction to adjudicate constitutional issues").

FACTS

25. Petitioner is a citizen of Tajikistan who entered the United States without inspection on or about February 8, 2024 and was subsequently released on his own recognizance. *See* Ex. A, I-213.

26. Petitioner was placed into removal proceedings pursuant to 8 U.S.C. § 1229a. As relief from removal, Petitioner filed an application for asylum with the immigration court, that application remains pending and has a valid work permit through this application.

27. August 7, 2025, Respondents abruptly arrested and re-detained him after previously determining that he was eligible for release. Respondents provided no individualized reason or explanation for this new detention and are denying Petitioner any opportunity for a custody redetermination.

PETITIONER IS BEING UNLAWFULLY DETAINED BASED UPON THE GOVERNMENT'S MISAPPLICATION OF THE STATUTORY FRAMEWORK

28. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

29. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an Immigration Judge (IJ). *See* 8 U.S.C. § 1229a.

30. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under § 1225(b)(2).

31. Finally, the INA also provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings, see 8 U.S.C. § 1231(a)–(b).

32. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

33. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104–208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226 was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

34. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without admission or parole were not detained under § 1225 but instead under § 1226(a). *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

35. In the nearly three decades following, most people who entered without admission or parole and who were placed in standard removal proceedings received bond hearings, unless their criminal history rendered them ineligible for release. That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed "arriving" were entitled to a custody hearing before

an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply "restates" the detention authority previously found at § 1252(a)).

36. On July 8, 2025, ICE, "in coordination with" the Department of Justice, announced a new policy that rejected this well-established understanding of the statutory framework and abruptly reversed decades of practice.

37. The new policy, entitled "Interim Guidance Regarding Detention Authority for Applicants for Admission," claims that all persons who entered the United States without admission or parole shall now be deemed "applicants for admission" under 8 U.S.C. § 1225, and therefore subject to mandatory detention under § 1225(b)(2)(A). The policy applies regardless of when a person was apprehended and applied those who have been in the United States for months, years, and even decades.

38. On September 5, 2025, the BIA adopted this same position in *Matter of Yajure Hurtado,* 29 I&N Dec. 216 (BIA 2025). There, the Board held that all noncitizens who entered the United States without admission or parole are considered applicants for admission who are seeking admission and therefore subject to mandatory detention.

39. In recent months federal district courts have overwhelmingly rejected Respondents' new interpretation of the INA's detention authorities.[1]

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[1] See, e.g., *Quituizaca v. Bondi*, No. 6:25-CV-6527-EAW, 2025 WL 3264440 (W.D.N.Y. Nov. 24, 2025); *Alvarez Ortiz v. Freden*, No. 25-CV-960-LJV, 2025 WL 3085032, at *10 (W.D.N.Y. Nov. 4, 2025); *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025). *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*, No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), report and recommendation adopted, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133 (D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); Jose J.O.E. v. Bondi, No. 25-CV-3051 (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v. Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025);

40. Subsection 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." These removal hearings are held under § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]." The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without admission or parole. *See* 8 U.S.C. § 1226(c)(1)(E). As the *Rodriguez Vazquez* court explained, "[w]hen Congress creates 'specific exceptions' to a statute's applicability, it 'proves' that absent those exceptions, the statute generally applies." *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)).

41. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

42. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies "at the Nation's borders and ports of entry, where the Government must determine whether a[] [noncitizen] seeking to enter the country is admissible." *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

43. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to people like Petitioner who, at the time of his apprehension, had already entered the country and were living within the United States.

Vasquez Garcia v. Noem, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D. Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass. Sept. 9, 2025); see also, e.g., *Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025) (noting that "[t]he Court tends to agree" that § 1226(a) and not § 1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same).

44. Individuals who have been conditionally released from detention, like Petitioner who was initially released into the U.S. by Respondents, have a protected interest in their "continued liberty." *Herrera v. Tate*, No. H-25-3364, 2025 U.S. Dist. LEXIS 189999, at *31 (S.D. Tex. Sep. 26, 2025) (quoting *Young v. Harper*, 520 U.S. 143, 147, (1997).

A. Procedural Requirements to Detain Noncitizens Under 8 U.S.C. § 1226(a)

45. Government may detain noncitizens under 8 U.S.C. § 1226(a). However, while Section 1226(a) authorizes the discretionary detention of any alien within the country, it also expressly mandates that such an arrest be predicated on a validly issued warrant. In the absence of a warrant, the detention is statutorily unauthorized.

46. The "[a]pprehension and detention of aliens" is governed under 8 U.S.C. § 1226, which provides that:

> **On a warrant issued by the Attorney General**, an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States. Except as provided in subsection (c) and pending such decision, **the Attorney General ... may release the alien on bond of at least $1,500 with security approved by, and containing conditions prescribed by, the Attorney General.**

8 U.S.C. § 1226(a)(2)(A) (emphasis added).

47. The regulations provide that, to detain a person under 8 U.S.C. § 1226(a), the Department **must issue an I-200 to take a person into custody**. The regulation states:

> (b) Warrant of arrest—
>
> (1) In general. At the time of issuance of the notice to appear, or at any time thereafter and up to the time removal proceedings are completed, **the respondent may be arrested and taken into custody under the authority of Form I–200, Warrant of Arrest.** A warrant of arrest may be issued only by those immigration officers listed in § 287.5(e)(2) of this chapter and may be served only by those immigration officers listed in § 287.5(e)(3) of this chapter.
>
> (2) If, after the issuance of a warrant of arrest, a determination is made not to serve it, any officer authorized to issue such warrant may authorize its cancellation.

(c) Custody issues and release procedures—

(1) In general.

(i) After the expiration of the Transition Period Custody Rules (TPCR) set forth in section 303(b)(3) of Div. C of Pub.L. 104–208, no alien described in section 236(c)(1) **of the Act may be released from custody during removal proceedings except pursuant to section 236(c)(2) of the Act.**

8 C.F.R. § 236.1(b). (emphasis added).

48. Under the governing regulations, to take a person into custody under Section 1226(a), the Department must issue a **Form I-200, Warrant of Arrest**. *See* 8 C.F.R. § 236.1(b)(1) (emphasis added). "[I]ssuance of a warrant is a necessary condition to justify discretionary detention under section 1226(a)." *See* Ex. A, *Roseline K. N. v. Bondi*, No. 26-cv-540 (KMM/SGE), (D. Minn. Jan. 25, 2026) (quoting *Cristian Z. v. Bondi*, No. 26-CV-157 (ECT/ECW), 2026 WL 123116, at *2 (D. Minn. Jan. 16, 2026)).

49. Neither Petitioner nor Counsel has been able to verify whether Respondents issued a Warrant of Arrest (Form I-200) at the time of the arrest by Respondents. Consequently, Petitioner respectfully requests that this Court compel Respondents to produce any warrant or legal instrument used to authorize the detention.

50. If Respondents cannot produce a valid Form I-200 (Warrant of Arrest) issued at the time of the arrest, the detention is unauthorized under 8 U.S.C. § 1357(a)(2). *See Roseline K. N. v. Bondi,* No. 26-CV-540 (KMM/SGE), 2026 WL 185069 , at *2 (D. Minn. Jan. 25, 2026) (quoting *Ahmed M. v. Bondi et al.,* 25-CV-4711 (ECT/SGE), 2026 WL 25627, at *3 (D. Minn. Jan. 5, 2026)). In the absence of both a valid warrant and a valid mandatory detention statute, there is no legal basis to justify Petitioner's continued detention.

51. Even if Respondents produce a valid Form I-200, the detention remains unlawful because Respondents invoked 8 U.S.C. § 1225(b)(2) as their authority. By its plain text, § 1225(b)(2) applies only

to "applicants for admission." Petitioner is not an applicant for admission, and § 1225(b)(2) provides no authority for his detention.

52. Lacking valid statutory authority, Petitioner's detention violates the statutory authority and Due Process. Immediate release is the only proper remedy.

CLAIMS FOR RELIEF

COUNT 1: VIOLATION OF 8 U.S.C. § 1225(b)(2)

53. Petitioner re-alleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein and does so for all additional counts.

54. 8 U.S.C. § 1225(b)(2)(A), specifically, cannot apply as it only applies to those "applicants for admission" who are "seeking admission" at the time of detention and Petitioner was neither an "applicant for admission," nor was he "seeking admission" at the time he was detained, nor is he doing so now. 8 U.S.C. § 1225(b)(2)(A).

55. As Respondents assert authority to detain Petitioner under 8 U.S.C. § 1225(b)(2)(A), and no such authority exists under that provision, he requests that he be immediately released.

COUNT 2: VIOLATION OF 8 U.S.C. § 1226(a)

56. Petitioner re-alleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein and does so for all additional counts.

57. Section 1226 of Title 8 of the U.S. Code allows the government to detain noncitizens "pending a decision on whether the alien is to be removed from the United States," but only "[o]n a warrant issued by the Attorney General." 8 U.S.C. § 1226(a).

58. Absent such a warrant of arrest, detention is unlawful and immediate request is required.

COUNT 3: VIOLATION OF DUE PROCESS

59. Petitioner re-alleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein, and does so for all additional counts.

60. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

61. Petitioner has a fundamental interest in liberty and being free from official restraint.

62. The government's re-detention of Petitioner without any pre-deprivation process was unlawful.

63. The government's re-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.

64. Petitioner has a substantial liberty interest in remaining free from physical detention. *Velasco Lopez v. Decker*, 978 F.3d 842, 851 (2d Cir. 2020) (citing *Hamdi v. Rumsfeld*, 542 U.S. 507, 529, 124 S.Ct. 2633, 159 L.Ed.2d 578 (2004)). Having determined that Petitioner was neither a flight risk nor a danger at the time of his initial release, the Government cannot re-detain him on without a reasoned explanation or evidence of changed circumstances.

65. The "purpose" of Petitioner's release was to allow him to remain in the United States while pursuing his applications for asylum and withholding of removal. Because Petitioner's asylum claim remains pending and he is still in removal proceedings under 8 U.S.C. § 1229a, the purpose of his conditional parole has not been served. *See Y-Z-L-H v. Bostock*, 792 F. Supp. 3d 1123, 1145 (D. Or. 2025). Consequently, any attempt to return Petitioner to physical custody before the adjudication of his asylum claim violates his due process rights without showing any justifiable cause.

66. Because of Petitioner's profound legal interest in his liberty as a noncitizen, his detention violates his due process rights. *See generally Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (requiring notice and an opportunity to be heard before deprivation of a legally protected interest).

67. Petitioner's detention violates the Due Process Clause of the Fifth Amendment.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that the Court grant the following relief:

(1) Assume jurisdiction over this matter;

(2) Order that Respondents not transfer the Petitioner outside of this District during the pendency of this Petition;

(3) Expedite consideration of this action pursuant to 28 U.S.C. § 1657 because it is an action brought under 28 U.S.C. § 153;

(4) Order the Petitioner's immediate release from custody; or

(5) Declare ICE's July 8 policy and the BIA's *Matter of Yajure Hurtado* decision unlawful;

(6) Order Respondents to immediately return all of Petitioner's seized personal property, including but not limited to any government-issued identification or immigration documents, such as a state driver's license or Employment Authorization Document (EAD) to the extent such items were seized and remain in Respondents' possession;

(7) Enjoin Respondents from re-detaining Petitioner based on the same factual or legal grounds asserted in these proceedings, unless a significant and material change in circumstances occurs that warrants such action under the law;

(8) Fashion such additional relief as is necessary and appropriate, including declaratory relief or other interim relief necessary to vindicate Petitioners' rights under U.S. and international law;

(9) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment.

Respectfully submitted.

Dated: March 10, 2026

/s/ Mehmet Turkoglu
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VERIFICATION BY PETITIONER'S COUNSEL PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: March 10, 2026

/s/ Mehmet Y. Turkoglu
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