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Attorney for Petitioner

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
CIVIL DIVISION

Ian Steven ROSAS GONZALEZ Petitioner, v. Brian MCSHANE, Field Office Director of Enforcement and Removal Operations, Philadelphia Field Office, Immigration and Customs Enforcement; Markwayne MULLIN, Secretary, U.S. Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; Todd BLANCHE, Acting U.S. Attorney General; The EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; and J.L. JAMISON as Warden of the Philadelphia Federal Detention Center Respondents.	Case No. **PETITION FOR WRIT OF HABEAS CORPUS**

PETITION FOR WRIT OF HABEAS CORPUS

1. This is a petition for a writ of habeas corpus filed on behalf of Ian Steven ROSAS GONZALEZ seeking relief to remedy his unlawful detention. Respondents are currently detaining Mr. Rosas Gonzalez subject to initiation of immigration proceedings.

INTRODUCTION

2. Petitioner, Ian Steven Rosas Gonzalez is in the physical custody of Respondents at the Philadelphia Federal Detention Center. He now faces unlawful detention as the Respondents, Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have placed into operation procedures which meaningfully deprive Petitioner of release.

3. Petitioner is a citizen and national of Mexico who entered the United States as a minor child approximately fifteen years ago. Since that time, petitioner has lived in the United States for the overwhelming majority of his life and has established deep family, and community ties.

4. On or about April 13, 2026, Petitioner was detained by immigration authorities. Petitioner had not previously been subject to immigration enforcement, nor had he previously been placed into immigration proceedings.

5. On or about May 10, 2024, while still a juvenile, Petitioner received two juvenile adjudications pursuant to the Pennsylvania statute for juvenile matters: a juvenile adjudication for misdemeanor charge for possession of a weapon; and juvenile adjudication for a felony charge, criminal attempt—murder of the first degree.[1] Following this disposition, Petitioner successfully completed a juvenile program and was discharged to the community on December 19, 2024.

[1] 42 Pa. Cons. Stat. ch. 63 (Juvenile Matters) (2024).

6. Since his release, Petitioner has complied with all conditions imposed by the juvenile court and probation authorities. Petitioner has had no further contact with the justice system. Petitioner has continued to thrive in school and at home. Petitioner's probation officer has reported that Petitioner has tested negative for illegal substances at every test and has abided by all conditions imposed by the probation department.

7. On March 30, 2026, Petitioner turned eighteen (18) years of age. Shortly thereafter, Petitioner received a call from his probation officer requesting that he report for an additional check-in. While traveling to meet with his probation officer, Petitioner was stopped in his car outside the building when he was surrounded by ICE agents and vehicles. Petitioner was immediately taken into custody.

8. Petitioner is not subject to mandatory detention under any provision of the Immigration and Nationality Act. Instead, Petitioner's detention is the result of Respondents' sweeping reinterpretation of detention authority, which has been widely challenged and repeatedly rejected by federal courts. As Petitioner is detained without statutory authority and without meaningful access to custody review, habeas relief is warranted.

9. Nevertheless, Respondents now seek to subject him to a sweeping mandatory detention framework more appropriately reserved—by statute and longstanding interpretation—for individuals who are entering at the border. Petitioner's detention is not an isolated deviation; it reflects a broader enforcement posture that courts across the country have repeatedly scrutinized and rebuked.

10. On January 20, 2025, the President issued several executive actions relating to immigration, including the Executive Order entitled "Protecting the American People Against Invasion," which articulated an expansive interior enforcement agenda. That Order directed

the Secretary of Homeland Security "to take all appropriate action to enable" ICE, CBP, and USCIS to prioritize civil immigration enforcement procedures, including through the use of mass detention.[2]

11. In late May 2025, the Secretary Kristi Noem and White House Deputy Chief of Staff Stephen Miller reportedly met with ICE leadership and imposed an arrest quota of 3,000 individuals per day, threatening job consequences if officials failed to meet arrest quotas.[3] Deputy Chief of Staff Miller remarked that "[u]nder President Trump's leadership, we are looking to set a goal of a minimum of 3,000 arrests for ICE every day, and President Trump is going to keep pushing to get that number up higher each and every single day."[4]

12. Following these directives, ICE personnel were reportedly instructed to "turn the creativity knob up to 11," to "push the envelope," and to pursue "collateral" arrests—stating that "[i]f it involves handcuffs on wrists, it's probably worth pursuing."[5]

13. When the executive branch has announced daily numerical arrest targets, encouraged aggressive collateral apprehensions, and reshaped detention classifications to maximize custody, the promise of neutral adjudication becomes illusory. Habeas corpus exists precisely to safeguard against such structural distortions of liberty.

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[2] Exec. Order No. 14,159, Protecting the American People Against Invasion, 90 Fed. Reg. 8,447 (Jan. 20, 2025); *Protecting the American People Against Invasion*, The White House (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/.

[3] Julia Ainsley, et al., A sweeping new ICE operation shows how Trump's focus on immigration is reshaping federal law enforcement, NBC News (June 4, 2025), https://www.nbcnews.com/politics/justicedepartment/ice-operation-trump-focus-immigrationreshape-federal-lawenforcement-rcna193494 (last visited Nov 26, 2025); Brittany Gibson & Stef W. Kight, Scoop: Stephen Miller, Noem tell ICE to supercharge immigration arrests, Axios (May 28, 2025), available at https://www.axios.com/2025/05/28/immigration-ice-deportations-stephen-miller (last visited Nov. 26. 2025).

[4] Hannity, Sean, "Stephen Miller says the admin wants to create the strongest immigration system in US History", FOX NEWS (May 28, 2025), https://www.foxnews.com/video/6373591405112 (last visited Nov. 26, 2025).

[5] Olivares, José , "US immigration officers ordered to arrest more people even without warrants," The Guardian (Jun 4, 2025) https://www.theguardian.com/us-news/2025/jun/04/immigration-officials-increased-detentions-collateral-arrests

14. Petitioner's continued detention must be evaluated within this broader context. When executive directives emphasize mass arrests, when long-settled statutory interpretations are recast to expand mandatory detention, when experienced immigration judges report institutional intimidation, and when sworn testimony raises concerns about constitutional compliance within enforcement ranks, meaningful relief before the agency becomes structurally compromised. Under these circumstances, habeas review by this Court is not merely appropriate—it is indispensable to ensure that executive detention tethered to statute, the Constitution, and the rule of law itself.

JURISDICTION

15. Petitioner is in the physical custody of Respondents. Petitioner is presently being held at the Philadelphia Federal Detention Center in Philadelphia, Pennsylvania.

16. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question jurisdiction), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause). This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

17. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.,* and the All Writs Act, 28 U.S.C. § 1651.

VENUE

18. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Eastern District of Pennsylvania, the judicial district in which Petitioner currently is detained.

19. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) as Respondent are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Eastern District of Pennsylvania.

REQUIREMENTS OF 28 U.S.C. § 2243

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

21. Habeas corpus is "perhaps the most important writ known to the constitutional law…affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

22. Petitioner Ian Steven Rosas Gonzalez is a citizen and national of Mexico who is presently in physical custody of Respondents. Following the arrest of Petitioner in Pennsylvania, ICE placed Petitioner into custody in the Philadelphia Federal Detention Center pending removal proceedings.

23. Respondent, Brian McShane is the Director of the Field Office of ICE's Enforcement and Removal Operations division which oversees the Philadelphia Office and immigrant detention at the Philadelphia Federal Detention Center. As such, Director McShane

is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

24. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security. He is responsible for the implementation and enforcement of the Immigration and Nationality Act ("INA"), and oversees ICE, which is responsible for Petitioner's detention. Secretary Mullin has ultimate custodial authority over Petitioner and is sued in his official capacity.

25. Respondent Department of Homeland Security ("DHS") is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

26. Respondent Todd Blanche is the Acting Attorney General of the United States. He is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. He is sued in his official capacity.

27. Respondent Executive Office for Immigration Review ("EOIR") is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redetermination in bond hearings.

28. Respondent J.L. Jamison, as Warden of the Philadelphia Federal Detention Center, where Petitioner is detained is named in their official capacity having immediate physical custody of Petitioner. He is sued in his official capacity.

LEGAL FRAMEWORK

29. Civil immigration detention must rest on lawful, individualized determination that detention is justified under the statutory framework as established by Congress. It cannot be

imposed as the byproduct of a generalized enforcement campaign or arbitrary numerical targets. Yet the circumstances surrounding Petitioner's arrest and detention strongly indicate that his custody is not the result of a particularized assessment, but rather flowed from a broader enforcement posture designed to maximize arrests and detention irrespective of individualized risk.

30. Even assuming arguendo that Petitioner's initial apprehension was lawful, his continued detention must still comport with the framework Congress enacted in the Immigration and Nationality Act ("INA"). That framework requires individualized custody determination and carefully distinguishes between discretionary and mandatory detention.

31. Rather than adhere to those statutory limits, DHS and EOIR have attempted to reclassify broad categories of long-term resident as "applicants for admission," thereby subjecting them to mandatory detention and stripping immigration judges of their traditional custody authority.

32. Understanding the structure of the INA's detention provisions is therefore essential, as it demonstrates that Petitioner's ongoing confinement is not only constitutionally suspect, but also contrary to the plain text, history, and settled application of the governing statute.

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

34. 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. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention. *See* 8 U.S.C. § 1226(c).

35. Critically, 8 U.S.C. § 1226(c) provides for mandatory detention for individuals of certain crimes, but Respondents likewise will find no cause for Petitioner's mandatory detention under this section of the INA.

36. Under longstanding immigration law, juvenile adjudications do not constitute convictions for immigration purposes. In *Matter of Devison*, 22 I&N Dec. 1362 (BIA 2000), the Board of Immigration Appeals held that juvenile delinquency adjudications do not constitute convictions under the INA.[6] The Board reaffired that juvenile delinquency proceedings are civil in nature, not criminal, and findings of delinquency do not constitute convictions for immigration purposes. Accordingly, Petitioner's juvenile adjudications do not render him subject to mandatory detention under 8 U.S.C. § 1226(c).

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

38. 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.[7]

39. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a).[8]

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[6] *See Matter of Devison-Charles*, 22 I. & N. Dec. 1362, 1365 (B.I.A. 2000) (holding that juvenile delinquency adjudications do not constitute convictions for immigration purposes).

[7] Pub. L. No. 119-1, 139 Stat. 3 (2025).

[8] *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).

40. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearing, unless their criminal history rendered them ineligible. 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.[9]

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

42. The new policy, entitled "Interim Guidance Regarding Detention Authority for Applicants for Admission," claims that all persons who entered the United States without inspection shall now be deemed "applicants for admission" under 8 U.S.C. § 1225, and therefore are subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended and affects those who have resided in the United States for months, years, or in the instant Petitioner's case, even decades.

43. In a May 22, 2025, unpublished decision from the Board of Immigration Appeals (BIA), EOIR adopted the same position. That decision holds that all noncitizens who entered the United States without admission or parole are considered applicants for admission and are ineligible for immigration judge bond hearings.

44. Section 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]."

[9] *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)).

45. On September 5, 2025, the Board of Immigration Appeals ("BIA") took this misapplication of law a step further, issuing a precedential decision, binding on all immigration judges, holding that the immigration judge does not have authority to consider bond redetermination requests to any individual who entered the United States without inspection.[10]

46. In effect, the BIA transformed the government's contested enforcement position into a categorical jurisdictional bar, foreclosing individualized custody determinations for a broad class of noncitizens historically deemed bond-eligible under § 1226(a).

47. Under DHS's current posture, even when a petitioner succeeds in obtaining a bond hearing and prevails before an Immigration Judge—often by establishing members in the generally recognized Bond Eligible Class and eligibility for discretionary detention under § 1226(a)—DHS responds by reflexively filing an appeal to the BIA.

48. This strategy does not reflect case-specific judgment, but rather, it presents yet another blanket policy by the Respondents to appeal bond grants in all cases where it has been ordered, circumventing the Immigration Judge's lawful authority and nullifying the effect of federal court relief recognizing bond eligibility. The Respondents have transformed discretionary appellate review into a mechanism of categorical detention—achieving through procedure what it cannot lawfully obtain through statute.

49. The cumulative effect of this regime acts to trap petitioners in a procedural loop: a lawful bond order is issued, DHS appeals as a matter of course, detention continues automatically, and the appeal is adjudicated by a body that has already endorsed DHS's position.

[10] *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

50. Habeas corpus exists precisely to address this type of structural deprivation of liberty. Where the government's coordinated use of stays, appeals, and binding precedent ensures continued detention regardless of individualized findings or federal court declarations, administrative remedies are not merely inadequate—they are illusory.

EXHAUTION AND FUTILITY OF ADMINISTRATIVE REMEDIES

51. Immigration judges are now uniformly instructed to refuse jurisdiction over custody proceedings despite the district court's ruling. This instruction renders any request for bond before the Immigration Court functionally meaningless. Where adjudicators are instructed in advance that they lack jurisdiction and must deny relief, exhaustion is excused because the outcomes is foreordained.[11]

52. Any appeal by Petitioner to the Board of Immigration Appeals is equally futile. The Board has already articulated its binding position in *Matter of Yajure-Hurtado*, which EOIR continues to enforce nationwide notwithstanding contrary federal district court rulings. There is no indication that the Board is reconsidering or retreating from that holding as it continues to overturn bond orders issued by immigration judges.

53. Thus, even if Petitioner were to navigate the procedural barriers to reach the Board, the governing precedent compels denial of relief. Exhaustion is not required where the agency's controlling precedent forecloses relief as a matter of law.[12]

54. Taken together, EOIR's directive that Immigration Judges lack jurisdiction to conduct bond hearings for individuals like Petitioner, DHS's systematic practice of staying and appealing any bond grants, and the Board's continued adherence to *Matter of Yajure-Hurtado*

[11] *See Franco-Gonzalez*, 767 F.Supp. 2d at 1059.
[12] *See El Rescate Legal Servs., Inc. v. EOIR*, 959 F.2d 742, 747 (9th Cir. 1991).

establish that administrative processes are incapable of providing Petitioner with timely or effective relief from detention.

55. Under these circumstances, further administrative pursuit of relief is not merely inadequate—it is futile.

56. Accordingly, this Court should expeditiously grant this petition, and order Petitioner's release from detention.

STATEMENT OF FACTS

57. Petitioner, Ian Steven Rosas Gonzalez is a citizen and national of Mexico who has been present in the United States for approximately fifteen (15) years. During this time, Petitioner has established deep family, economic, and community ties.

58. As stated above, Petitioner was called by his probation officer to present in person at an additional check-in following his eighteenth birthday. When arriving by vehicle, Petitioner was surrounded by vehicles driven by ICE officers and detained.

59. Prior to this arrest, Petitioner had not been the subject of any immigration enforcement action despite his long-term presence in the United States. Petitioner's criminal history disposition as a juvenile does not render him eligible for mandatory detention.

CLAIM FOR RELIEF

COUNT I

Violation of the INA:

Violation of the INA 8 U.S.C. § 1226

1. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

2. Where Respondents have seized and detained a noncitizen whom Respondents have previously released from an initial period of detention pursuant to INA § 1226, Respondents are required by § 1226 to make an individualized determination as to the noncitizen's risk of flight and danger to the community.

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

4. Respondents' failure to make individualized determinations regarding Petitioner's possible risk of flight, and possible danger to the community violates the Immigration and Nationality Act, 8 U.S.C. § 1226.

COUNT II

Violation of Due Process

1. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

2. 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, 121 S.Ct. 2491, 150 L.Ed.2d 653 (2001).

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

4. The government's detention of Petitioner without meaningful access to bond redetermination to determine whether he is a flight risk or danger to others violates his right to due process.

PRAYER FOR RELIEF

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

a. Assume jurisdiction over this matter;

b. Issue a writ of habeas corpus requiring that within one day, Respondents release Petitioner;

c. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

d. Grant any other and further relief that this Court deems just and proper.

DATED this 13th of April, 2026.

//s// Antonio A. Maturano, III
ANTONIO A. MATURANO
Attorney for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I, Antonio A. Maturano, III, submit this verification on behalf of the Petitioner as an attorney for Petitioner. I, or immigration counsel, have discussed with Petitioner's family the events described here-in. Based on those discussions, I hereby verify that the statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Date: April 13, 2026

//s// Antonio A. Maturano, III

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JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

IAN STEVEN ROSAS GONZALEZ

(b) County of Residence of First Listed Plaintiff PHILADELPHIA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
MATURANO & ASSOCIATES
616 Dekalb St., Ste. 1, Norristown, PA 19401

DEFENDANTS

BRIAN MCSHANE; MARKWAYNE MULLIN; TODD BLANCHE; US DHS; EOIR; J L JAMISON

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*
U.S. Attorney for Eastern District of Pennsylvania
615 Chestnut Street, Philadelphia, PA 19106

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☒ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
28 USC 2241

Brief description of cause:
Alien detained by Respondents without due process of law.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
04/13/2026

SIGNATURE OF ATTORNEY OF RECORD
//s// Antonio A. Maturano, III, Esq.

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: PHILADELPHIA, PA

RELATED CASE IF ANY: Case Number:_____ Judge:_____

1. Does this case involve property included in an earlier numbered suit? Yes ☐
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes ☐
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes ☐
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes ☐
5. Is this case related to an earlier numbered suit even though none of the above categories apply? If yes, attach an explanation. Yes ☐

I certify that, to the best of my knowledge and belief, the within case ☐ **is** / ☒ **is not** related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts)
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Wage and Hour Class Action/Collective Action
- ☐ 6. Patent
- ☐ 7. Copyright/Trademark
- ☐ 8. Employment
- ☐ 9. Labor-Management Relations
- ☐ 10. Civil Rights
- ☒ 11. Habeas Corpus
- ☐ 12. Securities Cases
- ☐ 13. Social Security Review Cases
- ☐ 14. Qui Tam Cases
- ☐ 15. Cases Seeking Systemic Relief ***see certification below***
- ☐ 16. All Other Federal Question Cases. *(Please specify)*:_____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (*Please specify*):_____
- ☐ 7. Products Liability
- ☐ 8. All Other Diversity Cases: *(Please specify)*_____

I certify that, to the best of my knowledge and belief, that the remedy sought in this case ☐ **does** / ☒ **does not** have implications beyond the parties before the court and ☐ **does** / ☒ **does not** seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

☒ Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of $150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

☐ None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.