UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SOARES ARAUJO, JULIO CESAR, Petitioner, v. MARKWAYNE MULLIN, in his Official Capacity, Secretary of the U.S. Department of Homeland Security; TODD BLANCHE, in his Official Capacity, Acting Attorney General of the United States; CAMMILLA WAMSLEY, in her Official Capacity as Philadelphia Office Director for Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement; J.L. JAMISON, in his Official Capacity as Warden of Federal Department of Corrections Philadelphia, Respondents	Case No. 26-2561 Judge: Hon. Timothy Savage **No Request for Oral Argument** **REPLY TO RESPONSE**

On April 22, the government submitted its Response to the Petition. It asserts that this case is a "*Hurtado*" case. *Response* at p 1. Notably, the Response states, "The government acknowledges that all courts in this district (and many more elsewhere) have reasoned that § 1225(b)(2)(A) requires that an 'applicant for admission' be actively 'seeking admission' at or near the border to fall within its scope." *Id*. at 5.

This case is no different from the hundreds of similar cases in the EDPA in which similarly situated Petitioners have been granted relief. As in those cases, we request that this Court Order IMMEDIATE RELEASE of Petitioner so he can await the adjudication of his pending marriage-based I-130.

Another possible remedy would be ordering a bond hearing in Immigration Court. We feel it would be an inadequate remedy. Sadly, Bond Hearings can no longer be said to occur before a "neutral immigration judge." IJ's who previously considered the facts and law and applied individualized judgment to each case now regularly respond to Habeas grants by reflexively denying bond or setting bond so high that no individual can pay.

Individuals who have been in the U.S. for 30 years with a potential 42B cancellation of removal application? Flight risk because no one can predict the future. Individuals who have a strong asylum claim with documented police and medical records? Flight risk because all forms of relief are speculative. A pending I-130 based upon marriage? Insufficient.

Perhaps more troubling, whereas IJ's used to set bond in reasonable amounts such as $5,000 or $8,000, many IJ's overseeing detained dockets seem to be in competition over which IJ can set the highest bond. Counsel has had clients and/or seen others attorneys' clients whose bond amounts have been set at $40,000. Bond Hearings have become, variously, denial factories and target practice for debtors' prison tactics. An increasing number of IJ's seem to be aware of

(and perhaps even embarrassed by?) their behavior. Many IJ's no longer allow all attorneys into their WebEx rooms at a time, as was the custom for the "cattle call" method of taking cases for Master Calendar and Bond Hearings. Instead, each attorney is let in one at a time, randomly when the particular case is called, over the course of several hours; no advance order is given so attorneys must sit and wait until they are abruptly admitted to the WebEx. When one's hearing concludes, they are removed and the next attorney is let in. In an atmosphere where IJ's are seeking to preserve their jobs, surely they are aware that they must demonstrate obeisance to the Executive Branch, lest they be the next IJ fired for "unfavorable" grant rates and replaced by a JAG attorney with zero training or experience in Immigration Law.

Through this method, IJ's are empowered to abuse their discretion without fear that there are witnesses. DHS and OPLA reflexively accuse any complaining attorney of being a "sore loser." How can one even seek to reveal what is happening at the macro level in Immigration Court when a veil of secrecy has been lowered. Famous for his quote "Sunshine is the best disinfectant," what would Supreme Court Justice Louis Brandeis say about this practice? Probably that darkness breeds rot. And he would be correct.

For these reasons, we believe only IMMEDIATE RELEASE can ensure that a grant of this Petition carries out the meaning of this Court's Order. If the result is that a Bond Hearing is ordered, it will invite another IJ to functionally defy this Court's Order.

We respectfully call for Petitioner's IMMEDIATE RELEASE.

Dated: April 22, 2026

Respectfully Submitted,

/s/ Eric Rosenfeld

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SOARES ARAUJO, JULIO CESAR, Petitioner v. MARKWAYNE MULLIN, in his Official Capacity, Secretary of the U.S. Department of Homeland Security; TODD BLANCHE, in his Official Capacity, Acting Attorney General of the United States; CAMMILLA WAMSLEY, in her Official Capacity as Philadelphia Office Director for Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement; J.L. JAMISON, in his Official Capacity as Warden of Federal Department of Corrections Philadelphia, Respondents	Case No. 26-2561 Judge: Hon. Timothy Savage **CERTIFICATE OF SERVICE** **REPLY TO RESPONSE**

CERTIFICATE OF SERVICE

On April 22, 2026, Undersigned Counsel filed the accompanying document through CM/ECF. All Respondents participate in CM/ECF.

Dated: April 22, 2026

Respectfully Submitted,

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