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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Leonie Lie Lie Aboko OFFIONG,

Petitioner,

v.

Christopher J. LAROSE, Warden, Otay Mesa Detention Center;
Daniel A. BRIGHTMAN, Field Office Director, San Diego Field Office, United States Immigration and Customs Enforcement;
Todd M. LYONS, Acting Director, United States Immigration and Customs Enforcement;
Markwayne MULLIN, Secretary of Homeland Security;
Todd BLANCHE, Acting Attorney General, in their official capacities,

Respondents.

Case No.: '26CV3265 RSH GC

PETITION FOR WRIT OF HABEAS CORPUS AND ORDER TO SHOW CAUSE WITHIN THREE DAYS AND COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

Petitioner Leonie Lie Lie Aboko Offiong petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2241 to remedy Respondents detaining her unlawfully, and states as follows:

INTRODUCTION

1. Petitioner Offiong is a noncitizen who seeks immediate release from custody because Respondents have held her at the Otay Mesa Detention Center for over 14 months—a prolonged and constitutionally unreasonable period—without any individualized custody hearing.

2. Petitioner challenges only her present physical confinement and seeks the traditional habeas remedy of release (or, at a minimum, a prompt individualized bond hearing). Petitioner seeks that relief under the federal habeas statute, 28 U.S.C. § 2241, which is the proper vehicle for challenging civil immigration detention. *See Doe v. Garland*, 109 F.4th 1188, 1194 (9th Cir. 2024) (noting that a noncitizen's challenge to his present confinement falls within the "core of habeas").

3. Petitioner's continued detention without a hearing as to flight risk and danger to the community violates the Due Process Clause of the Fifth Amendment. *See Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886) (Fifth and Fourteenth Amendments protect "all persons"); *Mathews v. Diaz*, 426 U.S. 67, 77 (1976) (due process applies even to those whose presence is "unlawful, involuntary, or transitory").

4. Petitioner respectfully requests that this Court issue the Writ of Habeas Corpus commanding Respondents to release her from custody and enjoin Respondents from re-detaining her without notice to her counsel and a pre-deprivation hearing before a neutral decision-maker at which Respondents must prove material changes in circumstances justify re-detention.

CUSTODY

5. Petitioner is currently in Respondents' legal and physical custody. 28 U.S.C. § 2241(c)(3).

6. Respondents are detaining her at the Otay Mesa Detention Center in San Diego, California. Petitioner is under Respondents' and their agents' direct control.

JURISDICTION

7. This Court has jurisdiction to consider this complaint under 28 U.S.C. § 1331; 28 U.S.C. § 2241; the Due Process Clause of the Fifth Amendment, U.S. Const. amend. V; and the Suspension Clause, U.S. Const. art. I, 2. Jurisdiction is not limited by a petitioner's nationality, immigration status, or any other classification. *See Boumediene v. Bush*, 553 U.S. 723, 747 (2008).

8. The historical "core" of habeas includes review of the legality of executive detention and, when appropriate, ordering release. *See INS v. St. Cyr*, 533 U.S. 289, 301 (2001) (at habeas's "historical core," the writ served to review the legality of "executive detention"); *see also Lopez-Marroquin v. Barr*, 955 F.3d 759, 759 (9th Cir. 2020) (citing *Singh v. Holder*, 638 F.3d 1196, 1211-12 (9th Cir. 2011)).

9. Petitioner's claim is a prototypical confinement challenge: she challenges only present detention and seeks release, which lies within the "core of habeas." *Doe*, 109 F.4th at 1194.

10. And federal courts are not stripped of jurisdiction under 8 U.S.C. § 1252. *See, e.g., Zadvydas v. Davis*, 533 U.S. 678, 687 (2001). No court has ruled on the legality of Petitioner's detention.

11. Section 1252(b)(9) is not a jurisdictional bar here because Petitioner does not seek review of removability, admission, or any order of removal; she challenges only prolonged physical detention and seeks release (or, alternatively,

a bond hearing). *See Jennings v. Rodriguez*, 583 U.S. 281, 294-95 (2018) (plurality opinion) (holding that, "[u]nder these circumstances, § 1252(b)(9) does not present a jurisdictional bar" to a prolonged-detention/bond-hearing challenge).

12. The Third Circuit recently applied *Jennings* and explained that § 1252(b)(9) channels into the petition-for-review process only those claims whose questions of law or fact are closely tied to removal—i.e., "inextricably linked" to the government's authority or basis to remove—while distinguishing "length- and conditions-of-confinement claims" as detention claims that are not channeled in the same way. *Khalil v. President of the United States*, Nos. 25-2162 & 25-2357, slip op. at 28-29 (3d Cir. Jan. 15, 2026).

13. Petitioner's claims fall squarely on the detention-specific side of that line: Petitioner does not contest removability or ask this Court to halt removal proceedings; she seeks only release (or a prompt bond hearing) because detention has become unreasonably prolonged without constitutionally adequate process. *See Jennings,* 583 U.S. at 294-95 (plurality opinion).

14. Moreover, courts have recognized that channeling detention claims away from district court would risk allowing the government to evade meaningful judicial review simply by delaying the entry of a final order for an extended period; *E.O.H.C.* recognized jurisdiction over a prolonged-detention claim in district court notwithstanding § 1252(b)(9). *See E.O.H.C. v. Sec'y U.S. Dep't of Homeland Sec.*, 950 F.3d 177, 185-86 (3d Cir. 2020) (interpreting *Jennings*, 583 U.S. at 293 (plurality opinion)).

VENUE

15. Venue is proper in this District under 28 U.S.C. § 1391 and 28 U.S.C. § 2242 because at least one Respondent is in this District, Petitioner is detained in this District, Petitioner's immediate physical custodian is located in this District, and a

substantial part of the events giving rise to the claims in this action have taken place in this District.

PARTIES

16. Petitioner is currently detained by the Respondents at the Otay Mesa Detention Center, an immigration detention facility in San Diego, California. She has been in Immigration and Customs Enforcement (ICE) custody since on or about March 17, 2025. Petitioner's case is currently pending appeal before the Board of Immigration Appeals (BIA).

17. Respondent Christopher J. LaRose is the Senior Warden at the Otay Mesa Detention Center, where Petitioner is being held. Respondent LaRose is Petitioner's immediate custodian. Petitioner sues him in his official capacity.

18. On information and belief, Respondent Daniel A. Brightman is the current Field Office Director responsible for the San Diego Field Office of ICE with administrative jurisdiction over Petitioner's immigration case. He is Petitioner's legal custodian. Petitioner sues him in his official capacity.

19. Respondent Todd M. Lyons is the Acting Director of ICE. ICE is a component of the U.S. Department of Homeland Security, 6 U.S.C. § 271, and an "agency" within the meaning of the Administrative Procedure Act, 5 U.S.C. § 701(b)(1). It is the agency responsible for enforcing immigration laws, and it is detaining Petitioner. Respondent Lyons has custodial authority over Petitioner, who names him in his official capacity.

20. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security (DHS). DHS is the federal agency responsible for enforcing immigration laws and granting immigration benefits. *See* 8 U.S.C. § 1103(a); 8 C.F.R. § 2.1. Respondent Mullin has ultimate custodial authority over Petitioner, who names him in his official capacity.

21. Respondent Todd Blanche is the Acting Attorney General of the United States. He is responsible for the Immigration and Nationality Act's implementation

and enforcement (*see* 8 U.S.C. §§ 1103(a)(1), (g)), and oversees the Executive Office for Immigration Review. Petitioner names him in his official capacity.

STATEMENT OF FACTS

22. Petitioner is a 35-year-old national and citizen of Cameroon. She was born there in in [redacted]

23. Petitioner entered the United States on or about March 17, 2025, at or near the San Ysidro Port of Entry in San Diego, California. *See* Exh. 1. She fled Ethiopia to seek asylum in the United States and has since been detained at the Otay Mesa Detention Center.

24. Petitioner was issued a Notice to Appear in immigration court on July 8, 2025, and had her initial hearing before an Immigration Judge (IJ) on July 21, 2025. *See id.*

25. Petitioner timely filed all applications for relief and evidence with the immigration court, and was subsequently scheduled for a merits hearing on March 13, 2026.

26. At the conclusion of her merits hearing, the IJ denied asylum and ordered Petitioner removed, but granted her application for withholding of removal to Cameroon under the INA. Exh. 2. Petitioner reserved her right to appeal the decision, and timely filed a Notice of Appeal with the BIA on April 10, 2026. *See id.*; *see also* Exh. 3.

27. The IJ denied asylum only because he found that Petitioner's manner and date of entry into the U.S. subjected her to the Circumvention of Lawful Pathways Rule (CLPR), which purported barred her application for that particular form of relief. Since the IJ's decision, the District Court for the Northern District of California has vacated the CLPR. *East Bay Sanctuary Covenant v. Trump*, No. 18-cv-06810-JST, 2026 WL 1256873, at *9 (N.D. Cal. May 7, 2026).

28. Petitioner's appeal currently pending at the Board of Immigration Appeals squarely challenges the legality of the CLPR. Exh. 4.

29. Petitioner's BIA appeal remains pending, and the BIA has yet to issue a briefing schedule. *See* Exh. 5.

30. Petitioner has been detained continuously since March 17, 2025—exceeding 14 months as of the filing of this Petition—without ever receiving a bond hearing before an immigration judge at which the government must justify continued detention based on flight risk or danger. *Zadvydas*, 533 U.S. at 718; *Kydrali v. Wolf*, 499 F. Supp. 3d 768 (S.D. Cal. 2020).

31. Immigration and Customs Enforcement (ICE) has not provided Petitioner with any meaningful process to challenge the necessity or duration of her detention.

32. Petitioner has not been convicted of any crime in the United States or elsewhere.

33. Petitioner does not pose a flight risk. She has identified a sponsor in the United States and demonstrated her willingness to comply with removal proceedings by appearing at every scheduled hearing.

34. Petitioner does not pose a danger to the community. There is no evidence in the record suggesting that she has engaged in any violent or dangerous conduct.

35. Despite the absence of any individualized determination regarding Petitioner's risk or dangerousness, Respondents continue to detain her indefinitely while her administrative appeal is pending before the BIA.

36. As of the filing of this Petition, there is no definite timeline for when the BIA will order a briefing schedule or issue a decision on Petitioner's appeal, and thus no definite end in sight to her detention.

EXHAUSTION OF REMEDIES

37. Exhaustion in habeas is prudential, not jurisdictional. *See Hernandez v. Sessions*, 872 F.3d 976, 988 (9th Cir. 2017).

38. A court may waive the prudential exhaustion requirement if "administrative remedies are inadequate or not efficacious, pursuit of administrative remedies

would be a futile gesture, irreparable injury will result, or the administrative proceedings would be void." *Id.* (*quoting Laing v. Ashcroft*, 370 F.3d 993, 1000 (9th Cir. 2004) (citation and quotation marks omitted)).

39. Exhaustion should be waived for futility because Respondents assert Petitioner is subject to mandatory detention and Immigration Judges in this procedural posture invariably conclude they lack authority to hold a custody redetermination hearing, rendering administrative efforts futile.

40. Moreover, every day that Petitioner remains detained causes her harm that cannot be repaired.

41. The Court must consider the effects of prolonged detention on Petitioner in its irreparable harm analysis. *See De Paz Sales v. Barr*, No. 19-CV-07221-KAW, 2020 U.S. Dist. LEXIS 9851, at *5, *10 (N.D. Cal. Jan. 21, 17 2020) (noting that the petitioner "continues to suffer significant psychological effects from his detention, including anxiety caused by the threats of other inmates and two suicide attempts," in finding that petitioner would suffer irreparable harm warranting waiver of exhaustion requirement).

LEGAL FRAMEWORK

Statutory Detention Authority

42. Petitioner is detained pursuant to 8 U.S.C. § 1225(b)(1)(B)(ii), which provides that noncitizens found to have a credible fear of persecution are subject to mandatory detention pending consideration of an asylum application.

Due Process Constraints on Immigration Detention

43. The Due Process Clause applies to noncitizens, and the Supreme Court has "long recognized that the Fifth and Fourteenth Amendments refer to all persons, not just citizens." *Yick Wo*, 118 U.S. at 369.

44. The Supreme Court has further held that "even one whose presence in this country is unlawful, involuntary, or transitory is entitled to that constitutional protection of the Due Process Clauses of the Fifth and Fourteenth Amendments."

Mathews, 426 U.S. at 77-78; *see also Plyler v. Doe,* 457 U.S. 202, 210 (1982); *Wong Wing,* 163 U.S. 228, 238 (1896).

45. And while the Supreme Court in *Department of Homeland Security v. Thuraissigiam,* 591 U.S. 103, 107 (2020), rejected a habeas petitioner's argument that the Due Process Clause conferred additional rights to challenge expedited removal beyond those Congress provided, and stated that "an alien at the threshold of initial entry cannot claim any greater rights under the Due Process Clause," *Thuraissigiam* does not foreclose a constitutional challenge to prolonged physical detention without an individualized bond hearing.

46. In *Thuraissigiam,* the Court reasoned that the political branches have plenary authority over admission and exclusion and that "an alien in respondent's position has only those rights regarding admission that Congress has provided by statute," (*id.* at 140), but courts have distinguished admission-related due process limitations from detention-related due process protections.

47. Consistent with that distinction, courts have recognized that "the Due Process Clause stands as a significant constraint on the manner in which the political branches may exercise their plenary authority—through detention or otherwise," and have concluded that "the holding in *Thuraissigiam* does not foreclose" due process claims seeking a bond hearing with procedural protections. *Hernandez v. Wofford,* No. 25-cv-986-KES-CDB HC, 2025 WL 2420390, at *6 (E.D. Cal. Aug. 21, 2025) (citations omitted); *Padilla v. ICE,* 704 F. Supp. 3d 1163, 1171-72 (W.D. Wash. 2023).

48. And as courts have explained, "[n]owhere in [*Thuraissigiam*] did the Supreme Court suggest that arriving aliens being held under § 1225(b) may be held indefinitely and unreasonably with no due process implications, nor that such aliens have no due process rights whatsoever." *A.L. v. Oddo,* 761 F. Supp. 3d 822, 825 (W.D. Pa. 2025).

Prolonged Detention Standard

49. Courts evaluating whether § 1225(b) detention has become unreasonably prolonged apply a fact-intensive balancing framework, including the six factors articulated in *Banda v. McAleenan*. *See Banda v. McAleenan*, 385 F. Supp. 3d 1099, 1106 (W.D. Wash. 2019) (citing *Jamal A. v. Whitaker*, 358 F. Supp. 3d 853, 858-59 (D. Minn. 2019)) (accord *Kydyrali*, 499 F. Supp. 3d at 773-74).

50. Under that six-factor framework, courts consider: "(1) the total length of detention to date (2) the likely duration of future detention (3) conditions of detention (4) delays in the removal proceedings caused by the detainee (5) delays in the removal proceedings caused by the government and (6) the likelihood that the removal proceedings will result in a final order of removal." *See Banda*, 385 F. Supp. at 1106 (internal citations omitted).

51. Courts in this District have similarly recognized that, at some point, prolonged mandatory detention under § 1225(b) without an individualized bond hearing violates due process. *See Kydyrali v. Wolf*, 499 F. Supp. 3d 768, 772-74 (S.D. Cal. 2020); *Rash v. LaRose*, No. 26v0008-LL-DEB, 2026 U.S. Dist. LEXIS 19033 at *13 (S.D. Cal. Jan. 30, 2026) ("Considering all the factors, the Court finds Petitioner's mandatory detention under § 1225(b) has become unreasonable and that due process requires that he be provided with a bond hearing." *See Rodriguez v. Robbins*, 715 F.3d 1127, 1144 (9th Cir. 2013) ("[W]e note that the discretionary parole system available to § 1225(b) detainees is not sufficient to overcome the constitutional concerns raised by prolonged mandatory detention.")); *Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 U.S. Dist. LEXIS 222822 at *11-*12 (S.D. Cal. Nov. 12, 2025); *Maksin v. Warden, Golden State Annex*, No. 1:25-cv-00955-SKO (HC), 2025 U.S. Dist. LEXIS 200588 at *8 (E.D. Cal. Oct. 9, 2025) ("Several courts including the Third, Sixth, and Ninth Circuit, as well as numerous district courts, have found that unreasonably long detention periods may violate the due process clause." (collecting cases)); *Abdul-Samed v.*

Warden of Golden State Annex Det. Facility, No. 1:25-CV-00098-SAB-HC, 2025 U.S. Dist. LEXIS 142973 at *16 (E.D. Cal. July 24, 2025) ("[E]ssentially all district courts that have considered the issue agree that prolonged mandatory detention pending removal proceedings, without a bond hearing, 'will—at some point—violate the right to due process.'" (quoting, *Martinez v. Clark*, No. C18-1669-RAJ-MAT, 2019 WL 5968089, at *6 (W.D. Wash. May 23, 2019), *report and recommendation adopted*, No. 18-CV-01669-RAJ, 2019 WL 5962685 (W.D. Wash. Nov. 13, 2019))).

Bond Hearing Requirements

52. Where mandatory detention has become unreasonably prolonged, due process requires that Petitioner receive "a prompt and individualized bond hearing." *See Banda*, 385 F. Supp. 3d at 1106.

53. At such a hearing, the Government must justify continued detention "by a showing of clear and convincing evidence that Petitioner would likely flee or pose a danger to the community if released." *See Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011), abrogated on other grounds by *Jennings v. Rodriguez*, 583 U.S. 281 (2018); *see also Martinez v. Clark*, 124 F.4th 775, 785-86 (9th Cir. 2024).

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

Fifth Amendment Due Process Violation - Prolonged Mandatory Detention Without Bond Hearing

54. Petitioner re-alleges and incorporates by reference paragraphs 1-53 above as if fully set forth herein.

55. Petitioner is detained pursuant to 8 U.S.C. § 1225(b)(1)(B)(ii) and has remained continuously detained since on or about March 17, 2025—now exceeding 14 months—without any individualized custody or bond hearing.

56. The Due Process Clause applies to noncitizens. *Yick Wo*, 118 U.S. at 369; *Mathews*, 426 U.S. at 77-78; *Plyler*, 457 U.S at 210; *Wong Wing*, 163 U.S. at 238.

57. *Thuraissigiam* does not foreclose this detention-based due process claim, because *Thuraissigiam* addressed admission-related limits on review of expedited removal screening rather than whether a person may be held for an unreasonably prolonged period without an individualized custody hearing. *See Padilla*, 704 F. Supp. 3d at 1171-72 (*Thuraissigiam* does not foreclose bond-hearing due process claims); *Hernandez v. Wofford*, No. 25-cv-986-KES-CDB HC, 2025 WL 2420390, at *3 (E.D. Cal. Aug. 21, 2025) (same).

58. Courts have likewise emphasized that *Thuraissigiam* does not suggest § 1225(b) detainees may be held "indefinitely and unreasonably with no due process implications." *A.L. v. Oddo*, 761 F. Supp. 3d at 825.

59. Whether § 1225(b) detention has become unreasonably prolonged is assessed under a fact-intensive balancing test considering (1) length of detention; (2) likely future duration; (3) conditions; (4) detainee-caused delay; (5) government-caused delay; and (6) likelihood of a final removal order. *Banda*, 385 F. Supp. 3d at 1106.

60. Applying these factors, Petitioner's detention has become unreasonably prolonged and arbitrary.

61. First, Petitioner has already been detained for over 14 months. Courts have found detentions of similar and shorter duration without a bond hearing weigh toward a finding that they are unreasonable. *See, e.g., Gao v. LaRose*, No. 25-CV-2084-RSH-SBC, 2025 U.S. Dist. LEXIS 190572, at *10 (S.D. Cal. Sept. 26, 2025) (over ten months); *Masood v. Barr*, No. 19-CV-07623-JD, 2020 U.S. Dist. LEXIS 4809, at *9 (N.D. Cal. Jan. 8, 2020) (nearly nine months); *Cabral v. Decker*, 331 F. Supp. 3d 255, 261 (S.D.N.Y. 2018) (over seven months); *Brissett v. Decker*, 324 F. Supp. 3d 444, 452 (S.D.N.Y. 2018) (over nine months).

62. Second, there is no definite end in sight to Petitioner's detention. Detention can continue for several more months or even years during the adjudication of her appeal to the BIA and, if unfavorable, appeal to the Ninth Circuit. *See Banda*, 385

F. Supp. 3d at 1119 (finding an appeal to the BIA and subsequent judicial review "may take up to two years or longer").

63. Third, Petitioner is detained at the Otay Mesa Detention Center, a jail-like detention center where she is confined with restricted liberty and limited contact with the outside world, including her counsel. The conditions are punitive in nature, despite the civil character of immigration detention. Every day of Petitioner's prolonged detention takes an incalculable toll on her mental and physical health.

64. Fourth, Petitioner has not caused any delays in her proceedings. She appeared at every scheduled hearing and cooperated with the removal proceedings process throughout.

65. Fifth, delays in Petitioner's proceedings causing her detention to become prolonged were caused by the government, not Petitioner. Nearly four months passed from Petitioner's entry into the U.S. and DHS's decision to initiate removal proceedings against her. Now, since filing a Notice of Appeal with the BIA, Petitioner awaits a briefing schedule from the BIA and, ultimately, a decision on her appeal, a process that is expected to take several more months at minimum.

66. Finally, Petitioner's pending appeal challenges the IJ's decision to deny her application for asylum because of the CLPR, a rule that was vacated by the Northern District of California on May 7, 2026. *East Bay Sanctuary Covenant*, 2026 WL 1256873, at *9, which will likely increase her odds of success on appeal. Moreover, Petitioner's application for withholding of removal has already been granted, which requires a higher burden of proof than asylum. Accordingly, Petitioner does not have an administratively final removal order and is likely to prevail on her appeal.

67. These factors overwhelmingly weigh in favor of finding Petitioner's detention unreasonable and unconstitutional.

68. Due process therefore requires a prompt individualized bond hearing. *See Banda*, 385 F. Supp. 3d at 1106.

69. At that hearing, the Government must justify continued detention by clear and convincing evidence that Petitioner is a flight risk or danger. *Singh*, 638 F.3d at 1203.

70. By continuing to detain Petitioner without providing that prompt individualized bond hearing with the Government bearing the clear-and-convincing burden, Respondents are violating Petitioner's rights under the Fifth Amendment's Due Process Clause. *Banda*, 385 F. Supp. 3d at 1106; *Singh*, 638 F.3d at 1203.

SECOND CAUSE OF ACTION
Fifth Amendment Due Process Violation - Arbitrary and Unreasonable Government-Caused Delay

71. Petitioner re-alleges and incorporates by reference paragraphs 1-53 above as if fully set forth herein.

72. Petitioner has been detained under 8 U.S.C. § 1225(b)(1)(B)(ii) since on or about March 17, 2025, and remains confined at the Otay Mesa Detention Center while her appeal remains pending before the BIA with no timeline for a decision.

73. Separate and apart from Petitioner's claim that prolonged mandatory detention without a bond hearing violates due process, Petitioner alleges here that Respondents and other government actors have affirmatively prolonged her detention through avoidable administrative delay, rendering continued confinement arbitrary and constitutionally unreasonable.

74. Government-caused delays are a central consideration in determining whether continued detention has become constitutionally unreasonable. *See Banda*, 385 F. Supp. 3d at 1106 (including "delays . . . caused by the government" as a factor in assessing whether detention has become unreasonably prolonged).

75. Petitioner has been detained for over 14 months, and the length of her detention has been driven largely by government-caused delay rather than any

action by Petitioner. DHS took nearly four months to initiate removal proceedings against the Petitioner and another eight to adjudicate her applications for relief. At the appellate stage, Petitioner timely filed a Notice of Appeal on April 10, 2026, and there is yet no stated timeline for a briefing schedule or BIA decision.

76. These government-driven delays have directly extended Petitioner's civil confinement under § 1225(b) while she has diligently pursued her claims and complied with all obligations, transforming continued detention into an arbitrary restraint on liberty in violation of the Fifth Amendment.

77. Because Petitioner's continued detention has been materially prolonged by government-caused delays—contrary to the BIA's expedited detained-appeal framework and without any individualized justification tied to danger or flight risk—Respondents are violating Petitioner's Fifth Amendment due process rights, and habeas relief is warranted. *See Banda*, 385 F. Supp. 3d at 1106.

PRAYER FOR RELIEF

Petitioner asks this Court to grant the following relief:

1. Assume jurisdiction over this matter;
2. Order Respondents to show cause why the writ should not be granted as to Petitioner within three days, and set a hearing on this Petition within five days of the return, as required by 28 U.S.C. § 2243;
3. Enjoin Respondents from transferring Petitioner out of the jurisdiction during the pendency of the habeas petition;
4. Issue a writ of habeas corpus requiring that Respondents immediately release Petitioner from immigration custody;
5. Alternatively, order Respondents to provide a prompt individualized bond hearing before a neutral adjudicator at which the Government bears the burden by clear and convincing evidence. *See Singh*, 638 F.3d at 1203;

6. Enjoin Respondents from further detaining Petitioner without providing notice to the Court and Petitioner's counsel, and a hearing at which Respondents prove changed circumstances regarding her dangerousness or risk of flight warrant her detention;

7. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment. *See Kydyrali*, 499 F. Supp. 3d at 772-74; and

8. Grant such further relief as this Court deems just and proper.

Dated: May 27, 2026

Respectfully submitted,

By: /s/ Zohaile Kakavand
Zohaile Kakavand
Casa Cornelia Law Center
Pro Bono Counsel for Petitioner

TABLE OF EXHIBITS

Exhibit 1: Form I-862, Notice to Appear, dated July 8, 2025

Exhibit 2: Order of the Immigration Judge, dated March 15, 2026

Exhibit 3: BIA Filing Receipt for Appeal, dated April 13, 2026

Exhibit 4: Excerpt of Notice of Appeal (Form EOIR-26, page 3) demonstrating the issue raised on appeal to the BIA

Exhibit 5: Screenshot of EOIR Case Portal demonstrating lack of current briefing deadline, *last accessed on May 27, 2026, at 5:04 p.m.*

VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner Ms. Leonie Lie Lie Aboko Offiong in these habeas corpus proceedings. I am submitting this verification on behalf of Petitioner because I am her attorney. I have reviewed with Petitioner the events described in this petition. Based on those discussions, I hereby verify that the information contained in the foregoing petition is true and correct to the best of my knowledge and belief.

Dated: May 27, 2026

Respectfully submitted,

By: /s/ Zohaile Kakavand
Zohaile Kakavand
Casa Cornelia Law Center
Pro Bono Counsel for Petitioner