UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

OSCAR RENE GARCIA-ACOSTA, [redacted]

Petitioner,

v.

ACTING FIELD OFFICE DIRECTOR of the New York City Field Office, U.S. Immigration and Customs Enforcement, in his/her official capacity;

WARDEN of Brooklyn MDC Correctional Facility in his/her official capacity;

MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security, in his official capacity;

Respondents.

Civil Action No. _____

PETITION FOR WRIT OF HABEAS CORPUS (28 U.S.C. § 2241)

PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR INJUNCTIVE RELIEF

Petitioner OSCAR RENE GARCIA-ACOSTA ("Petitioner"), [redacted], by and through undersigned counsel, respectfully petitions this Court pursuant to 28 U.S.C. § 2241 for a writ of habeas corpus challenging the legality of his civil immigration detention. Petitioner also moves on an emergency basis for: (1) a temporary restraining order and preliminary injunction staying removal; (2) an anti-transfer injunction prohibiting Respondents from transferring him outside the New York City metropolitan area; and (3) an order directing Respondents to show cause why Petitioner should not be released immediately or, at minimum, provided a prompt individualized bond or custody hearing with the Government bearing the burden of proof to continue Petitioner's

detention. Petitioner is a resident of Suffolk County, State of New York and is presently detained within the Eastern District at the Brooklyn Metropolitan Detention Center.

Petitioner has lived in the United States from the time of his last entry into the country as of April of year 1998. He is a native and citizen of El Salvadore and was born on [redacted]. He is married to Rosa Velasquez, a lawful permanent resident of the United States, having been married to her on March 23, 1987. He is further the father of four children, three of which are U.S. Citizens. To wit: Gary Rene Garcia (age 22), Vicky Melissa Garcia Valasquez (age 30), Jose Nilson Garcia Valasquez (age 34) and [redacted] Garcia (age 17). USCIS approved the Petitioner's Form I-130 "Petition for Alien Relative" brought by Petitioner's U.S. citizen son Gary Rene Garcia by 'I-797 Notice of Action' dated February 4, 2026 as under Section 201(b) of the Immigration and Nationality Act (Parent of a U.S. Citizen). Petitioner further filed his I-485 Application to Adjust his Status to Lawful Permanent Resident on the basis of the successful I-130 Petition as filed and acknowledged by USCIS via its Form I-797C 'Notice of Action' dated April 16, 2026.

In the normal course of business and as standard procedure, the Petitioner herein was noticed for his 'green card interview' via USCIS notice dated April 16, 2026 for an interview scheduled for May 21, 2026. On May 21, 2026 – the Petitioner appeared as directed by USCIS with attorney Eduardo Villacorata, Esq. at the USCIS office in Holtsville, NY and answered all questions. The interview was completed. Upon completion of the interview and with no notice, there was a 'knock at the door' of the examiner's room and Petitioner was then arrested by ICE on a removal order issued in abstentia approximately 40 years ago. He has been in custody since May 21, 2026.

The Government is now attempting to detain and remove Petitioner based upon a four decades old in absentia exclusion order issued over 40 years ago between years 1984 and 1985. We do not even have a copy of the order which was issued but the Government purports to act thereunder this old A number and proceeding. It was a pre-1996 decision.

This case presents an urgent custody and access-to-courts problem. Petitioner has an approved I-130 petition, has been a resident of the United States for 28 years after being paroled into the United States on Humanitarian grounds in 1998. He has a long term marriage of 39 years to a lawful U.S. permanent resident spouse having been married in year 1987. Petitioner has a serious adjustment pathway upon an already approved I-130 and a pending I-485 adjustment application and a completed interview and biometrics. Petitioner appeared at USCIS for his 'green-card interview' because the Government ordered him to appear and he seeks to adjust his status and has done through in compliance with application statutes and procedures. Transfer or removal before judicial review would irreparably impair his access to counsel, his ability to pursue adjustment-related relief, and this Court's ability to provide meaningful habeas relief[1].

Respondent had previously appeared in separate immigration proceedings over 10 years prior to his last entry into the United States which was brough under the separate A number [redacted]. Upon information and belief, these proceedings were ultimately terminated in or about May of 2014 at a hearing the Petitioner, upon information and belief, did not have notice of which resulted in an 'in abstentia' order of removal. Upon information and belief, DHS elected to initiate new immigration proceedings rather than re-institute or re-issue the prior order or proceeding. The DHS decision to commence new proceedings, which were also later terminated, weighs strongly in favor of re-opening and terminating the older proceedings albeit he is being removed under the year 1984-1986 removal proceeding.

Petitioner is further [redacted] under medication therefore.

Granting relief herein furthers the interests of justice and Petitioner has significant positive equity factors mitigating his release him being 30 years present in the United States with three U.S.

[1] Counsel for the undersigned immediately filed an "Emergency Motion to Reopen, Stay Removal and Terminate Removal proceedings before the United States Department of Justice Executive Office of Immigration Review before the Immigration Court of Houston, TX which remains pending. Petitioner has thus already been in detention for approximately 6 weeks with a pending adjustment of status petition.

citizen children, an almost 40 year marriage to his lawful permanent resident spouse with a pending adjustment of status proceeding upon an I-130 application brought by Petitioner's U.S. Citizen son. Judicial economy, administrative economy, his ongoing medical treatment, an approved family based application all equitably support the relief sought herein.

And a pending termination of proceedings,

EXHIBIT LIST

A. Petitioner's ultimately approved I-130 application in entirety with exhibits;

B. Copy of USCIS 'Notice of Action' approving the I-130 application for Petitioner's benefit brought by his son with exhibits;

C. Copy of USCIS receipt acknowledging receive of Petitioner I-485 application to adjust status to lawful permanent resident;

D. Copy of Petitioner's El Salvadorean Passport;

E. Copy of Petitioner's son's New York State Birth Certificate and U.S. Passport;

F. Copy of Petitioner's spouse's Lawful Permanent Residence Card;

G. Medical letter attesting to, inter alia, Petitioner's Type 2 Diabetic condition;

H. A full copy with Exhibits of Respondents Emergency Motion to Reopen[2], Stay Removal and To Terminate Removal Proceedings currently pending before the Immigration Courts;

I. Petitioner's notice to appear for immigration interview set for May 21, 2026;

J. Copy of Petitioner I-485 Adjustment of Status Application.

K. Petitioner's I-94 form dated April 28, 1998 showing parole into the United States on April 28, 1999.

L. The automated case information showing that the removal order for the prior proceeding was issued on October 7, 1985.

[2] As of the date of this application, the Government has not filed any written opposition or response thereto.

I. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241(c)(3), which authorizes federal district courts to grant writs of habeas corpus to prisoners held in custody in violation of the Constitution, laws, or treaties of the United States.

2. This Court also has authority under 28 U.S.C. § 1651 and its inherent equitable powers to issue orders necessary to preserve its jurisdiction, including an order prohibiting transfer of a habeas petitioner where transfer would impair meaningful review. See Rumsfeld v. Padilla, 542 U.S. 426, 434-35 (2004); Calderon v. Sessions, 330 F. Supp. 3d 944, 952-53 (S.D.N.Y. 2018).

3. Venue is proper in this District because Petitioner is currently detained at the Brooklyn Metropolitan Detention Center located within the Eastern District of New York and because the material events occurred in this District and the relevant ICE and USCIS actions were taken by officials operating within this District. The proper primary respondent is Petitioner's immediate custodian. See Padilla, 542 U.S. at 435-36.

4. This Court's emergency intervention is necessary because DHS and ICE frequently transfer immigration detainees from the New York City area to distant detention facilities shortly after arrest. Transfer before this Court can act would impair the Court's habeas jurisdiction, frustrate access to counsel, and prevent Petitioner's United States citizen spouse and other family members from assisting with custody and merits proceedings.

II. PARTIES

5. Petitioner Oscar Rene Garcia-Acosta, [redacted], is a native and citizen of El Salvador. Government records reflect that he was born on [redacted], and that his nationality is El Salvadorean. Petitioner has lived in the United States since 1998.

6. Petitioner is married to Rosa Norma Velasquez De Garcia. The parties were married in El Salvador on March 23, 1987. She is a lawful permanent resident of the United States citizen as of December 10, 2025.

7. Respondent Warden of the Brooklyn Metropolitan Detention Center is the immediate custodian of Petitioner and is the proper primary respondent in this habeas action.

8. Respondent Acting Field Office Director of the ICE New York City Field Office is responsible for ICE custody decisions affecting Petitioner, including detention, transfer, and removal decisions.

9. Respondent Markwayne Mullin is the Secretary of Homeland Security and is named in his official capacity only.

III. STATEMENT OF FACTS

A. Entry, I-94 Issuance, and the Old Exclusion Order

10. Petitioner entered the United States on April 29, 1998 and paroled for one year through April 28, 1999. The Government's own immigration record includes a Notice to Applicant for Admission, dated April 29, 1998, identifying Petitioner as Oscar Garcia, a citizen of El Salvador, Spanish-speaking, with an arrival date of April 29, 1998.

11. This I-94 evidence is central because it shows that the Government issued Petitioner an I-94 and processed him through an inspection/admission-related procedure.

12. Petitioner does not overstate the I-94 as automatically dispositive of every issue. However, the I-94 is powerful documentary evidence that must be reconciled with the Government's current position that Petitioner may be detained and removed under a decades-old exclusion order without a meaningful present custody determination.

13. The Government's record also includes a Notice to Alien Ordered Excluded by Immigration Judge, Form I-**296, dated March 30, 1995**, under file number [redacted]. That document states that an immigration judge ordered Petitioner excluded from admission to the United States and deported from the United States.

14. The Government is now using that old exclusion order as the basis for Petitioner's detention and threatened removal. Petitioner contends that the order and the Government's current reliance on it are legally and constitutionally defective, especially given the I-94 evidence, the age of the order, the absence of any current individualized custody hearing, and Petitioner's strong family and adjustment equities.

B. Marriage, Family Ties, Approved I-130, and Adjustment Eligibility

15. Petitioner's son Gary Rene Garcia, born in the United States who is presently 23 years of age, Petitioner for his father via I-130 on behalf of the Petitioner.

16. Mr. Garcia's (the son) reflects that he was born on [redacted] at Southside Hospital, Islip, NY. He is the petitioner on the approved I-130.

17. USCIS approved the Form I-130 Petition for Alien Relative for Petitioner on February 4, 2026. The approval notice identifies receipt number [redacted], priority date September 16, 2025. The notice type is "Approval Notice," and the classification is "Parent of U.S. Citizen, 201(b) INA."

18. As the parent of a United States citizen, Petitioner is an immediate relative under 8 U.S.C. § 1151(b)(2)(A)(i), meaning he is not subject to numerical visa limitations. His adjustment claim is therefore not speculative in the ordinary sense; it rests on an already-approved immediate-relative I-130.

19. Petitioner has three United States citizen children.

C. The 2024 I-485 Filing and USCIS Interview History

20. On September 12, 2025, Petitioner filed Form I-485, Application to Register Permanent Residence or Adjust Status, receipt number [redacted], based on the approved parent-child based immigrant petition. USCIS issued an I-485 receipt notice dated September 17, 2025.

21. The subject I-485 receipt notice states that USCIS received the application and was processing it.

22. USCIS issued an interview notice dated April 16, 2025, directing Petitioner to appear for an initial I-485 interview at the USCIS Holtzville Field Office, 30 Barrets Ave, Holtzville, New York on May 21, 2026 at 7:30 a.m. That notice identifies case type I-485, receipt number [redacted], and A-number [redacted]. Petitioner appeared for the interview with counsel and the interview was completed whereupon ICE appeared without warning and took Petitioner into custody on an older, prior A number that was decades old.

23. These facts matter for custody because they show that Petitioner was actively pursuing a lawful immigration benefit through counsel yet was taken into custody after he finished his immigration interview. Petitioner was not told in advance that the green-card interview appointment would be used as an arrest location. He appeared because USCIS directed him to appear as part of the processing of an immigration benefit application.

38. The Government's use of an immigration interview appointment as the occasion for arrest in front his attorney, raises serious due process, equitable, and access-to-courts concerns. At minimum, the circumstances warrant preservation of USCIS-ICE communications, a stay of removal, an anti-transfer order, and immediate custody review.

IV. LEGAL STANDARD

39. Section 2241 permits district courts to review whether immigration detention violates the Constitution or federal law. See INS v. St. Cyr, 533 U.S. 289, 300-01 (2001); Demore v. Kim, 538 U.S. 510, 517 (2003); Zadvydas v. Davis, 533 U.S. 678, 687-88 (2001).

40. A party seeking a temporary restraining order or preliminary injunction must generally establish: (1) a likelihood of success on the merits; (2) likely irreparable harm absent preliminary relief; (3) that the balance of equities tips in the movant's favor; and (4) that an injunction is in the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). In the Second Circuit, a movant may also satisfy the merits requirement by showing sufficiently serious questions going to the merits to make them a fair ground for litigation, together with a balance of hardships tipping decidedly in the movant's favor. *Citigroup Glob. Mkts., Inc. v. VCG Special Opportunities Master Fund Ltd.*, 598 F.3d 30, 35–38 (2d Cir. 2010). For a stay of removal, courts apply the traditional stay factors identified in *Nken v. Holder*, 556 U.S

41. Where the Government seeks to deprive a person of physical liberty through civil immigration detention, due process requires meaningful procedures reasonably tailored to the purpose of detention. The Government must justify continued custody based on individualized evidence of present danger or flight risk, not merely on assumptions or the existence of a decades-old order whose present legal effect is contested.

V. CLAIMS FOR RELIEF

CLAIM ONE: The Government Must Show Lawful Detention Authority Because the Old Exclusion Order Is Substantially Defective and Reliance on It Raises Serious Legal Questions

42. Petitioner realleges and incorporates all preceding paragraphs.

43. The Government is detaining Petitioner based on an old in absentia exclusion order that is at least 15 years old from immigration proceedings now 4 decades distant. Petitioner contends that the

order and the Government's present reliance on it are legally defective, particularly given the Government's own I-94 evidence and the age and posture of the proceedings.

44. Under the pre-IIRIRA scheme, exclusion and deportation proceedings were distinct. Exclusion applied to individuals seeking admission who had not entered; deportation applied to individuals who had effected entry. See Leng May Ma v. Barber, 357 U.S. 185, 187 (1958); Kwong Hai Chew v. Colding, 344 U.S. 590 (1953).

45. The Government record here is not clean. It contains both an exclusion-hearing record and an I-94 issued to Petitioner. That ambiguity alone supports emergency preservation of the status quo and a requirement that Respondents justify the statutory and constitutional basis for detention.

46. Petitioner does not ask this Court to sit as a direct appellate tribunal over the immigration court. Rather, Petitioner asks this Court to exercise habeas jurisdiction over the present detention and removal custody being imposed now based on that old order. The question is whether Respondents may continue to detain and transfer Petitioner without meaningful process while relying on a contested and decades-old predicate.

47. Because the legal predicate for detention is contested and supported by documentary evidence, the Court should issue an order to show cause, preserve the status quo, stay removal, prohibit transfer, and require an immediate individualized custody determination.

CLAIM TWO: Mandatory Detention Under 8 U.S.C. § 1231(a)(2) Does Not Justify Current Custody Without Process

48. Petitioner realleges and incorporates all preceding paragraphs.

49. ICE will likely contend that Petitioner is subject to post-final-order detention under 8 U.S.C. § 1231. Even if § 1231 applies, the Government must still identify the precise basis for custody and explain why present detention without a custody hearing is lawful.

50. The 90-day removal period under § 1231(a)(1) begins on the latest of the date the order becomes administratively final, the date a reviewing court's final order issues if judicial review and a stay are in place, or the date of release from non-immigration custody. The exclusion order here dates to March 30, 1995. The Government should not be permitted to treat a decades-old order as creating a new mandatory detention period merely because ICE chose to arrest Petitioner in May of 2026.

51. If the 90-day removal period expired long ago, § 1231(a)(2) does not supply current mandatory-detention authority. At most, the Government would rely on § 1231(a)(6), which is discretionary and subject to constitutional limits.

52. Petitioner recognizes that Zadvydas identifies six months as a presumptively reasonable period in ordinary post-final-order cases. But this case is not an ordinary post-final-order case. The Government is using a decades-old exclusion order to detain a man with an approved U.S. citizen spouse petition, a documented adjustment pathway, and a procedural USCIS history showing active pursuit of relief through counsel.

53. Accordingly, the Court should either order release under appropriate conditions or, at minimum, require an immediate custody hearing at which the Government bears the burden of proving that detention is necessary and that no condition or combination of conditions can reasonably ensure appearance and public safety.

CLAIM THREE: In the Alternative, Petitioner Is Entitled to Custody Review or a Bond Hearing Under 8 U.S.C. § 1226(a)

54. Petitioner realleges and incorporates all preceding paragraphs.

55. If the old exclusion order cannot lawfully serve as the operative basis for § 1231 detention, then Petitioner is, at most, detained while his present immigration status and adjustment-related

issues are being resolved. In that posture, detention should be governed by 8 U.S.C. § 1226(a), which permits release on bond or conditional parole.

57. Under § 1226(a), Petitioner should receive a prompt bond hearing. Because physical liberty is at stake, due process requires the Government to bear the burden of proving by clear and convincing evidence that Petitioner is a danger or flight risk and that no reasonable conditions will suffice. See Velasco Lopez v. Decker, 978 F.3d 842, 855-56 (2d Cir. 2020); Hechavarria v. Sessions, 891 F.3d 49, 56-58 (2d Cir. 2018).

58. Petitioner's equities strongly favor release: he has lived in the United States since 1998; he is married to a lawful permanent resident; he has U.S. Citizen children, his petitioning son was born in the United States; he has an approved immediate-relative I-130; he appeared at USCIS when ordered to do so and he is represented by counsel.

CLAIM FOUR: Continued Detention Without an Individualized Custody Determination Violates Due Process

59. Petitioner realleges and incorporates all preceding paragraphs.

60. Civil immigration detention is regulatory, not punitive. The Due Process Clause does not permit the Government to detain a person merely because detention is convenient or because the Government has chosen to execute an old order after many years.

61. The relevant facts show that Petitioner is neither a danger nor a flight risk. He complied with USCIS directives, voluntarily appeared for biometrics, has a U.S. citizen spouse, has a documented approved I-130, and is pursuing a lawful immigration benefit that gives him every incentive to appear and comply.

62. Petitioner's release plan can include reasonable conditions, including reporting to ICE, appearing for all immigration appointments and court hearings, maintaining a verified residence,

GPS or telephonic monitoring if necessary, and any other non-punitive condition the Court finds appropriate.

63. Because the Government has not provided a meaningful individualized custody determination, this Court should order release or, in the alternative, a prompt bond/custody hearing with the burden on the Government.

CLAIM FIVE: The Green-card interview Arrest Raises Serious Due Process, Equitable, and Access-to-Courts Concerns

64. Petitioner realleges and incorporates all preceding paragraphs.

65. Petitioner appeared at USCIS because the Government required him to appear for biometrics in connection with his adjustment of status and his adjustment-related immigration process. He reasonably understood the appointment to be a required administrative step.

66. The Government should not be permitted to require attendance for a ministerial immigration-benefit appointment and then use that compelled attendance to seize the applicant without meaningful custody process, while simultaneously preventing completion of the immigration-benefit process.

67. At this stage, Petitioner need not prove the full extent of USCIS-ICE coordination. The sequence of events is sufficient to raise serious questions warranting preservation of evidence, anti-transfer relief, and a temporary stay of removal pending judicial review.

68. Petitioner requests that Respondents be ordered to preserve all communications, notes, records, database entries, emails, texts, and operational documents relating to the scheduling of the May 21, 2026 'green card' interview appointment, any USCIS-ICE coordination, any decision to arrest Petitioner at USCIS Brooklyn, and any transfer or removal plan.

CLAIM SIX: A Stay of Removal Is Necessary to Preserve the Adjustment Pathway and This Court's Jurisdiction

69. Petitioner realleges and incorporates all preceding paragraphs.

70. Petitioner has an approved I-130 through his United States citizen adult child and an adjustment pathway that USCIS never denied on the merits and indeed had granted.

71. Removal would immediately and irreparably interfere with that statutory process and separate Petitioner from his United States citizen spouse and any U.S. citizen children or family members documented in supplemental exhibits.

72. Pursuant to 8 C.F.R. § 245.2(a)(1), USCIS generally retains jurisdiction over an I-485 unless jurisdiction lies with the immigration court. The jurisdictional status of any refiled or pending I-485 should be preserved until USCIS or the appropriate tribunal can adjudicate it lawfully.

73. Removal would also impose serious reentry consequences, including potential inadmissibility under 8 U.S.C. § 1182(a)(9)(A), and would severely impair Petitioner's ability to pursue relief from abroad.

74. The Nken factors favor a stay: Petitioner raises serious legal questions concerning the validity and use of the exclusion order; removal would cause irreparable family and legal harm; the Government faces minimal prejudice from temporary preservation of the status quo; and the public interest favors fair adjudication of statutory immigration benefits and meaningful habeas review.

CLAIM SEVEN: Anti-Transfer Relief Is Necessary to Preserve Counsel Access, Family Evidence, and Habeas Jurisdiction

75. Petitioner realleges and incorporates all preceding paragraphs.

76. Transfer outside the New York City metropolitan area would cause immediate irreparable harm. Petitioner's counsel practices on Long Island and the Courts of New York City. His United States lawful permanent resident and family evidence are located in or near New York. Key

evidence and witnesses relating to family ties, adjustment eligibility, USCIS scheduling, and custody equities are located in this region.

77. Courts in this District have recognized that transfer of immigration detainees away from counsel and family may impair the meaningful exercise of habeas jurisdiction and access to the courts. See Calderon, 330 F. Supp. 3d at 952-53; Sajous v. Decker, No. 18-cv-2447, 2018 WL 2357266 (S.D.N.Y. May 23, 2018).

78. The Government has no legitimate need to transfer Petitioner away from the District where counsel, family, and the operative facts are located while this emergency habeas action is pending. The balance of equities and public interest strongly favor an anti-transfer injunction.

VI. EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

A. Stay of Removal

79. Petitioner requests an immediate stay of removal. The stay is necessary because removal would moot or severely impair the adjustment pathway, separate Petitioner from his United States citizen spouse and family, impose severe immigration consequences, and prevent meaningful habeas review. Petitioner presents at least serious questions going to the legality of detention and the use of the old exclusion order as a removal predicate. The balance of equities and public interest favor temporary preservation of the status quo.

B. Anti-Transfer Injunction

80. Petitioner requests an order prohibiting Respondents from transferring him outside the Southern District of New York, Eastern District of New York, or District of New Jersey pending

further order of this Court. Transfer would impair counsel access, family participation, evidence gathering, and this Court's ability to provide effective habeas relief.

C. Immediate Release or Prompt Bond/Custody Hearing

81. Petitioner requests immediate release under reasonable conditions because the Government has not established a lawful and constitutionally adequate basis for detention. In the alternative, Petitioner requests an immediate bond or custody hearing before an Immigration Judge or this Court, at which the Government bears the burden of proving by clear and convincing evidence that continued detention is necessary because no condition or combination of conditions can reasonably ensure appearance and community safety.

82. Petitioner's release is fully supported by the record.

VII. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue an immediate temporary restraining order and preliminary injunction staying Petitioner's removal from the United States pending further order of this Court;

2. Issue an immediate anti-transfer order prohibiting Respondents from transferring Petitioner outside the Southern District of New York.

3. Issue an order to show cause directing Respondents to justify the statutory and constitutional basis for Petitioner's detention;

4. Grant the writ of habeas corpus and order Petitioner's release under reasonable conditions of supervision;

5. In the alternative, order Respondents to provide Petitioner with an immediate individualized bond or custody hearing, with the Government bearing the burden of proving danger or flight risk by clear and convincing evidence;

6. Declare that detention based on the old exclusion order is unlawful unless Respondents establish that the order is a valid and current statutory predicate for custody;

7. Order Respondents to preserve all records.

8. Award reasonable attorney's fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412, if appropriate; and

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

VERIFICATION

I, Patrick C. Carroll Esq, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Petition and that the factual allegations are true and correct to the best of my knowledge, information, and belief.

Dated: July 7, 2026

Respectfully Submitted,

/s/ Patrick C. Carroll, Esq.
Law Offices of Patrick C. Carroll,
Patrick C. Carroll, Esq.
651 Suffolk Avenue
Brentwood, NY 11717
Main: 516-424-9102
Fax: 516-342-5624
patrick.carroll.law@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of May 2026, a copy of the foregoing was filed electronically with the Court. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Respectfully submitted

/s/ Patrick C. Carroll, Esq.
Law Offices of Patrick C. Carroll,
Patrick C. Carroll, Esq.