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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MATIAS VELASCO-VALDEZ, Petitioner vs. Warden of the Central Valley Annex Detention Center; **SERGIO ALBARRAN,** Field Office Director of Enforcement and Removal Operations, San Francisco Field Office; **TODD M. LYONS**, Acting Director of the United States Immigration and Customs Enforcement; **MARKWAYNE MULLIN,** Secretary of the United States Department of Homeland Security; **TODD BLANCHE**, United States Acting Attorney General, *in their official capacities,* Respondents	**CASE NO.** 1:26-cv-05275-TLN-CKD **PETITIONER'S REPLY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS AND TRO** **ALIEN NUMBER:** [redacted]

Respondents' opposition rests on a defective premise: that DHS has reliably proven Petitioner is the same individual purportedly subject to a 2014 expedited removal and that reinstatement in 2026 validly attaches. The record shows material identity defects—missing biometrics and inconsistent physical identifiers—undermining any finding that the Government has met its burden to establish identity for reinstatement and detention purposes. Due process requires, at minimum, a meaningful opportunity to contest identity and production of reliable biometric evidence before detention, transfer, or removal proceeds.

The 2026 processing record identifies Petitioner at arrest in San Francisco on July 7, 2026, and carries forward identifiers. The Government's opposition relies on conclusory database notations rather than biometric proof. The absence of preserved 2014 fingerprints defeats DHS's attempt to prove that Petitioner is the same person as the 2014 subject. Reinstatement turns on identity: DHS must prove the person now in custody is the same individual previously removed under a valid order. Absent reliable biometrics and consistent identifiers, the Government cannot meet its burden. Under 8 C.F.R. § 241.8(a)(2), in disputed cases, identity must be verified by fingerprint comparison. If no fingerprints are available in a disputed case, the alien shall not be removed under reinstatement. If no fingerprints are available, the removal order cannot be reinstated under 8 C.F.R. § 241.8. *Morales-Izquierdo v. Gonzales*, 486 F.3d 484 (9th Cir. 2007).

The Government has not established that Petitioner is the person previously removed in 2014. The record lacks the essential biometric linkage and contains inconsistent or unsupported identifiers. Due process requires more before the severe consequences of reinstatement and detention may attach. The Court should grant the requested relief, preserve the TRO/no-transfer

order, require prompt production of complete biometric/identity records, and set a prompt hearing—or order release absent timely, reliable proof.

Date: August 3, 2026

Respectfully submitted,

By: /s/ Arash Yasrebi
ARASH YASREBI
Attorney for Petitioner