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Detained

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

In the Matter of:

AGUILAR QUINTANILLA, GILBERTO ANTONIO

Petitioner,

v.

CHRISTOPHER J. LAROSE, Senior Warden, Otay Mesa Detention Center; PATRICK DIVVER, Field Office Director, San Diego Office of Detention and Removal, U.S. Immigration and Customs Enforcement; TODD M. LYONS, Acting Director, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security; and MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security

Respondents.

File No.: **'26CV4020 RSH GC**

[redacted]

Petition for Writ of Habeas Corpus, Pursuant To 28 U.S.C. § 2241

FIRST AMENDED PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

Petitioner respectfully petitions this Honorable Court for a writ of habeas corpus to release Petitioner from detention.

INTRODUCTION

1. Petitioner has been detained by Immigration and Customs Enforcement ("ICE") pending removal proceedings since or about June 29, 2026.

2. Petitioner entered the United States at Miami Beach, Florida, on or about June 26, 2005.

3. Petitioner is a citizen of Nicaragua who entered the United States with a tourist visa at the age of eleven, arriving with his mother.

4. After their visas expired, Petitioner remained in the country, attended school, and was later granted DACA, which he renewed once. He eventually stopped attending school and lost his DACA status after he began working as a welder at a marina in Fort Lauderdale.

5. On or about June 29, 2026, while driving in Fort Lauderdale, Petitioner was stopped by individuals who turned out to be bounty hunters, who transported him to ICE where he was detained.

6. Petitioner was initially held at the ICE Processing Center in Miramar, Florida, and later transferred to the Krome North Service Processing Center before being moved to San Diego.

7. On or about June 29, 2026, the Petitioner was detained by DHS/ICE, and his next court hearing is not scheduled yet.

8. Petitioner now challenges his continued detention, which has caused significant hardship, and seeks relief to return to his family and the community.

JURISDICTION

9. Petitioner was detained in the custody of Respondents at Otay Mesa Detention Center.

10. This action arises under the Due Process Clause of the Fifth Amendment of the U.S. Constitution. Jurisdiction is proper under 28 U.S.C. §§ 1331 (federal question), 2241 (habeas corpus); U.S. Const. art. I, § 2; (Suspension Clause); and 5 U.S.C. § 702 (Administrative Procedure Act. The Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the *All Writs Act*, 28 U.S.C. § 1651.

VENUE

11. Venue is proper in this District because this is the district in which Petitioner was confined. *See Doe v. Garland*, 109 F.4th 1188, 1197-99 (9th Cir. 2024).

CUSTODY AND REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243

12. The Court must grant the petition for writ of habeas corpus or issue an order to show cause ("OSC") to the Respondents "forthwith," unless Petitioner is not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court must require Respondents to file return "within three days unless good cause additional time, not exceeding twenty days, is allowed." *Id.* Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as "perhaps the most important writ known to the constitutional law of England, 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).

13. Petitioner is "in custody" for the purpose of 28 U.S.C. § 2241 because he was arrested by Respondents and remains in their legal and physical custody at Otay Mesa Detention center

in San Diego (Otay Mesa), California. He is under the direct control of the Respondents and their agents.

STATEMENT OF FACTS

14. Petitioner is a citizen and national of Nicaragua. Petitioner is a citizen of Nicaragua who entered the United States through a tourist visa on or about June 26, 2005. Mr. Aguilar Quintanilla previously held a work permit, Social Security number, and driver's license under DACA.

15. Petitioner has resided continuously in the United States since arriving at the age of eleven.

16. Petitioner is a noncitizen who was detained at Otay Mesa Detention Center pending immigration removal proceedings. Petitioner remains detained at Otay Mesa Detention Center.

17. Petitioner has been detained in DHS custody since or around June 29, 2026. Petitioner is still in DHS custody and requests release.

18. Petitioner poses no danger or flight risk.

19. Petitioner has no past criminal history.

20. Petitioner has lived and worked in the United States for over 21 years. He has been employed as a welder, working on various types of boats at a marina in Fort Lauderdale.

21. Petitioner entered the United States on or about June 26, 2005, arriving with his mother.

22. After admission into the United States, Mr. Aguilar Quintanilla has remained non-detained until his arrest in June 2026.

23. On or about June 29, 2026, Mr. Aguilar Quintanilla was detained by DHS/ICE following his apprehension by bounty hunters. Since Mr. Aguilar Quintanilla's admission, there was no material change of circumstances that warranted the detention.

PARTIES

24. Mr. Aguilar Quintanilla ("Petitioner") is a citizen and national of Nicaragua. He has no criminal convictions. Since the arrest on or about June 29, 2026, Mr. Aguilar Quintanilla has remained in the Respondents' custody.

25. Mr. Aguilar Quintanilla is currently residing in the Respondents' custody at Otay Mesa Detention Center in San Diego, California, as of the time of the filing of this petition.

26. Respondent Christopher LaRose ("LaRose") is the Senior Warden at Otay Mesa Detention Center in San Diego, California, where Mr. Aguilar Quintanilla is detained. LaRose is responsible for the day-to-day operations and confinement of non-citizens detained at that facility. He acts at the direction of Respondents Divver, Lyons, and Noem. LaRose is Mr. Aguilar Quintanilla's custodian and is named in his official capacity.

27. Respondent Patrick Divver ("Divver") is the Field Office Director of ICE in San Diego, California. He acts at the direction of Respondents Lyons and Noem. ICE is responsible for local custody decisions regarding non-citizens charged with removability from the U.S., including arrest, detention, custody status, and removal. The San Diego Field Office's area of responsibility includes San Diego and Imperial Counties in California. Respondent Divver is a custodian of Mr. Aguilar Quintanilla and is named in his official capacity.

28. Respondent Todd Lyons ("Lyons") is the Acting Director of ICE, and he has authority over the actions of Respondents LaRose and Divver. ICE is responsible for local custody decisions relating to non-citizens charged with being removable from the U.S., including the arrest, detention, custody status, and removal of non-citizens. Respondent Lyons is a custodian of Mr. Aguilar Quintanilla and is named in his official capacity.

29. Respondent Markwayne Mullin ("Mullin") is the Secretary of DHS and has authority over the actions of all other DHS Respondents in this case, as well as all operations and federal agencies of DHS, including ICE. In her capacity as Secretary of DHS, Respondent Mullin is charged with faithfully administering the immigration and naturalization laws of the United States. 8 U.S.C. § 1103(a). Respondent Mullin is a custodian of Mr. Aguilar Quintanilla and is named in his official capacity.

30. Respondent ICE is responsible for local custody decisions relating to non-citizens charged with being removable from the U.S., including the arrest, detention, custody status, and removal of non-citizens.

31. Respondent DHS is the federal agency that has authority over the actions of ICE and all other DHS Respondents.

32. This action is commenced against Respondents LaRose, Divver, Lyons, and Mullin (collectively, "Respondents") all in their official capacities.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

33. The IIRIRA, EOIR drafted regulations explaining that, in general, non-citizens who entered the country with inspection may be subject to detention under § 1226(a). See id.

34. Petitioner exhausted his administrative remedies.

35. Mr. Aguilar Quintanilla is currently detained within the Otay Mesa Immigration Court jurisdiction to initiate his immigration proceedings.

36. Mr. Aguilar Quintanilla's continued unlawful detention in the Respondents' custody cannot be effectively challenged by way of bond proceedings before an Immigration Judge. Mr. Aguilar Quintanilla is also challenging the unlawfulness of the Respondents' decision to detain

him, independent of any decision made by any Immigration Judge in removal proceedings. Mr. Aguilar Quintanilla has remained in custody since his apprehension.

37. Therefore, a writ of habeas corpus is the sole avenue to vindicate Mr. Aguilar Quintanilla's constitutional, statutory, and regulatory rights and restore his liberty.

LEGAL ARGUMENT

38. Courts have recognized the significance of the habeas statute in protecting individuals from unlawful detention, which affords "a swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963); *see also Yong v. INS*, 208 F.3d 1116, 1120 (9th Cir. 2000) (noting that habeas statute requires expeditious determination of petitions).

39. The Court must grant the petition for writ of habeas corpus or issue an order to show cause to Respondents "forthwith," unless Petitioner is not entitled to relief. 28 U.S.C. § 2243.

40. "'It is well established that the Fifth Amendment entitles [noncitizens] to due process of law in deportation proceedings.'" *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)).

41. Due process requires "adequate procedural protections" to ensure that the government's asserted justification for physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Zadvydas, v. Davis*, 533 U.S. 678, 690 (2001) (internal quotation marks omitted).

42. In the immigration context, the Supreme Court has recognized two valid purposes for civil detention—to mitigate the risks of danger to the community and to prevent flight. *Id.*; *Demore*, 538 U.S. at 528.

43. The test for procedural due process claims, the *Mathews* test balances: (1) the private interest threatened by governmental action; (2) the risk of erroneous deprivation of such interest and the value of additional or substitute safeguards; and (3) the government interest. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976); *see also Sho v. Current or Acting Field Off. Dir.*, No. 1:21CV-01812 TLN AC, 2023 WL 4014649, at *3 (E.D. Cal. June 15, 2023), *report and recommendation adopted*, No. 1:21-CV-1812-TLN-AC, 2023 WL 4109421 (E.D. Cal. June 21, 2023) (using *Mathews* factors to assess a habeas petitioner's due process claims and collecting cases doing the same). Here, each factor weighs in Mr. Aguilar Quintanilla's favor, and his release is justified due to his interest in avoiding prolonged or unjustified detention. Petitioner poses no danger to the community, nor is a flight risk.

A TRO staying removal and transfer is necessary to prevent irreparable harm and preserve jurisdiction.

44. Petitioner is likely to succeed, or at minimum raises serious questions, on her *Zadvydas*, due process, APA, and regulatory claims. The record shows deep roots established from childhood, years of community integration, and no identified material change.

45. Irreparable harm is immediate. Loss of physical liberty is irreparable. Transfer would impair counsel access and evidence gathering. Removal would likely defeat meaningful habeas review and deprive this Court of the ability to decide whether detention is lawful before the consequences become irreversible.

46. The balance of equities favors Petitioner. She seeks only preservation of the status quo, a lawful custody review, and release or supervision under reasonable conditions. Respondents suffer no cognizable harm from being required to comply with the Constitution and governing regulations.

47. The public interest favors lawful immigration enforcement, individualized custody decisions, accurate post-order review, preservation of habeas jurisdiction, and release under reasonable conditions when detention is not legally necessary.

48. The Court should therefore stay removal, prohibit transfer outside the District or to a location that frustrates counsel's access, absent advance notice and Court approval, and require Respondents to show cause within three days.

CAUSES OF ACTION

COUNT ONE

Violation of the Fifth Amendment - Re-Detention Without Due Process or Material Change of Circumstances

49. Petitioner repeats, realleges, and incorporates by reference each preceding paragraph as if fully set forth herein.

50. The Fifth Amendment prohibits Respondents from depriving any person of liberty without due process of law.

51. By allowing Petitioner to live at liberty for over two decades since his lawful entry as a child, Respondents created a legitimate expectation that he would remain at liberty absent a material change in circumstances and fair process.

52. Respondents violated due process by detaining or continuing to detain her based on stale facts without notice, a neutral hearing, disclosure of evidence, an opportunity to respond, and proof of a material change bearing on danger, flight risk, violation of release conditions, noncooperation, or likelihood of removal.

53. The Court should declare the detention unconstitutional and order release or a constitutionally adequate custody hearing at which the Government bears the burden of proof.

COUNT TWO

Violation of Fifth Amendment Right to Due Process – Substantive and Procedural Due Process, U.S. Const. Amend. V.

54. Petitioner restates, realleges, and incorporates by reference each and every allegation in the paragraphs above as if fully set forth herein.

55. The Due Process Clause of the Fifth Amendment to the U.S. Constitution prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V. Due process protects "all 'persons' within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas*, 533 U.S. at 693.

56. Due process requires that government action be rational and non-arbitrary. *See U.S. v. Trimble*, 487 F.3d 752, 757 (9th Cir. 2007).

57. Moreover, Mr. Aguilar Quintanilla has a vital liberty interest in remaining free from DHS custody. See *Pinchi v. Noem*, No. 5:25-CV-05632-PCP, 2025 WL 2084921, at *4 (N.D. Cal. July 24, 2025) (citing *Diaz v. Kaiser*, No. 3:25-CV-05071, 2025 WL 1676854 (N.D. Cal. June 14, 2025) (explaining that a non-citizen that ICE released from custody after initial apprehension "has a substantial private interest in remaining out of custody" which includes an interest in "...obtaining necessary medical care, [and] maintaining her relationships in the community..."). While residing in the community after his admission to the United States on a tourist visa, Mr. Aguilar Quintanilla was building his life and connections.

58. Even if the initial decision to release a non-citizen from DHS custody is discretionary, "...after that individual is released from custody, he has a protected liberty interest in remaining out of custody." *Garcia v. Andrews*, No. 1:25-CV-01006 JLT SAB, 2025 WL 2420068, at *7

(E.D. Cal. Aug. 21, 2025) (quoting *Pinchi v. Noem*, No. 5:25-CV-05632-PCP, 2025 WL 2084921, at *3 (N.D. Cal. July 24, 2025)).

59. Here, Mr. Aguilar Quintanilla was detained in a hasty manner on or about June 29, 2026. He has no prior criminal conviction. He has resided in the U.S. continuously since childhood. *See generally Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (requiring notice and an opportunity to be heard before deprivation of a legally protected interest). Nor has the government identified any materially changed circumstances that would warrant detaining Mr. Aguilar Quintanilla.

COUNT THREE

Violation of the Administrative Procedure Act – 5 U.S.C. § 706(2)(A) Not in Accordance with Law and in Excess of Statutory Authority Violation of 8 C.F.R. § 239.2(c)

60. Petitioner restates, realleges, and incorporates by reference each and every allegation in the paragraphs above as if fully set forth herein.

61. Under the APA, a court "shall . . . hold unlawful . . . agency action" that is "not in accordance with law;" "contrary to constitutional right;" "in excess of statutory jurisdiction authority, or limitations;" or "without observance of procedure required by law." 5 U.S.C. § 706(2)(A)-(D).

62. Once a removal proceeding has been initiated, regulations enumerate the reasons for which proceedings may be dismissed at 8 C.F.R. § 239.2(a). In considering a motion to dismiss, the Immigration Judge must make "an informed adjudication . . . based on an evaluation of the factors underlying the [DHS] motion." *Matter of G-N-C-*, 22 I&N Dec. 281, 284 (BIA 1998).

63. The initiation of expedited removal proceedings is not an enumerated ground upon which a removal proceeding may be dismissed.

64. It is a well-established administrative principle that "agency action taken without lawful authority is at least voidable, if not void ab initio." *L.M.-M. v. Cuccinelli*, 442 F. Supp. 3d 1, 35 (D.D.C. 2020), citing *SW General, Inc. v. NLRB*, 796 F.3d 67, 79 (D.C. Cir. 2015); *see also Hooks v. Kitsap Tenant Support Servs., Inc.*, 816 F.3d 550, 555 (9th Cir. 2016) (invalidating agency action because it was taken by an unauthorized official).

65. Under the APA, an agency must provide "reasoned explanation for its action" and "may not depart from a prior policy sub silentio or simply disregard rules that are still on the books." *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). On information and belief, Respondents' intent was to eliminate the due process rights available to Petitioner in removal proceedings under section 240 of the INA, to deprive him of his liberty interest despite no evidence of a material change in circumstances, or for some other purpose not supported by law. See *Pinchi v. Noem*, No. 5:25-CV-05632-PCP, 2025 WL 2084921, at *5 (N.D. Cal. July 24, 2025) ("Detention for its own sake, to meet an administrative quota, or because the government has not yet established constitutionally required pre-detention procedures is not a legitimate government interest.").

66. In deciding to detain Mr. Aguilar Quintanilla further violated the APA by "entirely fail[ing] to consider an important aspect of the problem" – namely, the important procedural rights that Petitioner relied on in § 1229a immigration court proceedings. See *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983); *see also Dep't of Homeland Sec. v. Regents of the Univ. of California*, 591 U.S. 1, 24-33 (2020) (holding that rescission of immigration policy without considering "particular reliance interests" is arbitrary and capricious in violation of the APA).

67. The arbitrary and capricious detention of Mr. Aguilar Quintanilla was not made in furtherance of an enumerated reason set forth in the regulations and causes Mr. Aguilar Quintanilla irreparable harm. For these reasons, the Court should find that the decision to detain Mr. Aguilar Quintanilla is arbitrary, capricious, and unsupported by substantial evidence. *See* 5 U.S.C. § 706(2)(A), (E).

COUNT FOUR

Violation of the Administrative Procedure Act – 5 U.S.C. § 706(2)(A) Not in Accordance with Law and in Excess of Statutory Authority, Unlawful Detention

68. Petitioner restates, realleges, and incorporates by reference each and every allegation in the paragraphs above as if fully set forth herein.

69. Under the APA, a court shall "hold unlawful and set aside agency action…" that is "…(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (B) contrary to constitutional right, power, privilege, or immunity…" 5 U.S.C. § 706(2)(A)-(B).

70. An action is an abuse of discretion if the agency "entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise." *Nat'l Ass'n of Home Builders v. Defs. of Wildlife*, 551 U.S. 644, 658 (2007) (quoting *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983)).

71. To survive an APA challenge, the agency must articulate "a satisfactory explanation" for its action, "including a rational connection between the facts found and the choice made." *Dep't of Com. v. New York*, 588 U.S. 752, 773 (2019) (citation omitted).

72. In *Y-Z-H-L v Bostock*, 2025 WL 1898025, at *10-12 (D. Or. July 9, 2025), the Court explained the process of discretionary release from custody in immigration cases and noted that

before revoking the release, the non-citizen must be given written notice of the impending revocation, which must include a cogent description of the reasons. Under the APA, non-citizens are entitled to determinations related to their release revocations that are not arbitrary, capricious, or an abuse of discretion. *See id.* at *10.

73. By detaining Mr. Aguilar Quintanilla without notice or consideration of his individualized facts and circumstances, Respondents have violated the INA, implementing regulations, and the APA.

74. Respondents have made no finding that Petitioner is a danger to the community.

75. Respondents have made no finding that Petitioner is a flight risk.

76. On information and belief, by detaining Mr. Aguilar Quintanilla categorically and without notice, Respondents have further abused their discretion because, since the agency made its initial custody determination, on information and belief, there have been no changes to Mr. Aguilar Quintanilla's specific facts or circumstances that support his detention.

COUNT FIVE

Violation of the Fourth Amendment of the Constitution

(Unreasonable Seizure), U.S. Const. amend. IV

77. Petitioner restates, realleges, and incorporates by reference each and every allegation in the paragraphs above as if fully set forth herein.

78. The Fourth Amendment protects "[t]he right of the people to be secure in their persons . . . against unreasonable searches and seizures." U.S. Const. amend. IV. The Supreme Court has recognized that immigration arrests and detentions are "seizures" within the meaning of the Fourth Amendment. *INS v. Lopez-Mendoza*, 468 U.S. 1032, 1044 (1984) (acknowledging that deportation proceedings are civil, but the Fourth Amendment still applies to the "seizure" of the person).

79. The Fourth Amendment requires that arrests entail a neutral, judicial determination of probable cause. See *Gerstein v. Pugh*, 420 U.S. 103, 114 (1975). That neutral, judicial determination can occur either before the arrest, in the form of a warrant, or promptly afterward, in the form of a prompt judicial probable cause determination. *See id.* Arrest and detention of a person, including of a noncitizen, absent a neutral judicial determination of probable cause violates the Fourth Amendment of the Constitution. Id.; see also *Cnty. of Riverside v. McLaughlin*, 500 U.S. 44, 57 (1991). This determination must occur within 48 hours of detention, which includes weekends, unless there is a bona fide emergency or other extraordinary circumstances. See *Cnty. of Riverside v. McLaughlin*, 500 U.S. 44, 57 (1991).

80. Congress enacted a strong preference that immigration arrests be based on warrants. See *Arizona v. United States*, 567 U.S. 387, 407–08 (2012). The Immigration and Nationality Act thus provides immigration officers with only limited authority to conduct warrantless arrests. 8 U.S.C. § 1357(a)(2). Federal regulations track the strict limitations on warrantless arrests. *See* 8 C.F.R. § 287.8(c)(2)(ii).

81. Mr. Aguilar Quintanilla did not receive any judicial determination of probable cause for his arrest on June 29, 2026, or continued detention by the Respondents.

82. The Government cannot salvage this seizure by invoking generalized immigration enforcement interests. The Fourth Amendment's reasonableness inquiry is fact-specific and demands individualized justification for both the arrest and the extended detention. See *United States v. Brignoni-Ponce*, 422 U.S. 873, 882–84 (1975); *Gerstein*, 420 U.S. at 114. Mr. Aguilar Quintanilla did not pose any danger to any person in the community at large, as he has no criminal history.

83. Respondents' arrest of Mr. Aguilar Quintanilla constitutes an unreasonable and unlawful seizure in violation of the Fourth Amendment.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests this Court to grant the following:

(1) Assume jurisdiction over this matter;

(2) Issue an Order to Show Cause requiring Respondents to show cause within three days why the writ should not be granted;

(3) Declare that Petitioner's continued detention violates 8 U.S.C. § 1231(a)(6), *Zadvydas v. Davis, Clark v. Martinez*, the *Fifth Amendment*, the APA, and 8 C.F.R. §§ 241.4 and 241.13;

(4) Declare that Respondents may not detain or re-detain Petitioner based on facts known before release, absent fair process and a material change in circumstances;

(5) Declare that Respondents must produce reliable evidence of material change of circumstances before continuing detention under § 1231(a)(6);

(6) Issue a writ of habeas corpus ordering Respondents to immediately release Petitioner from custody under reasonable conditions of supervision;

(7) In the alternative, order Respondents to provide a prompt constitutionally adequate custody hearing or post-order custody review before a neutral decisionmaker, with the Government bearing the burden to justify detention by clear and convincing evidence. Set no bond under Rule 65(c), or only nominal bond, because the requested relief protects constitutional rights and imposes no monetary harm on Respondents;

(8) Order Respondents to produce the full custody file, removal file, travel-document communications, post-order custody-review records, release or supervision records, revocation records, and all evidence relied upon to justify detention;

(9) Issue a Temporary Restraining Order staying Petitioner's removal from the United States pending further order of this Court;

(10) Issue a Stay of Removal Order prohibiting Respondents from transferring Petitioner outside this District, or to any location that would frustrate counsel access or this Court's jurisdiction, without advance notice to counsel and leave of Court;

(11) Require Respondents to preserve all custody, removal, travel-document, supervision, criminal-history, release, transfer, and communications records concerning Petitioner;

(12) Grant such other and further relief as the Court deems just, equitable, and proper.

Respectfully Submitted,

//s// Mario Portugal
Mario Portugal, Esq.
Attorney for the Petitioner