Andy Miri 234328
Law Offices of Andy Miri
2973 Harbor Blvd., #162
Costa Mesa, CA 92626
(949) 702-4005
andymiriesq@gmail.com

Attorneys for Petitioner

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JUANA GOMEZ GOMEZ,
Immigration File No. [redacted]

Petitioner,

v.

Todd M. Lyons, Acting Director of U.S. Customs and Border Protection; Eric Pinhero, Warden of Adelanto ICE Processing Center; MW Mullin, DHS Secretary; Todd Blanche, U.S. Attorney General

Respondents.

Case No. '26CV4104 JO SBC

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner JUANA GOMEZ GOMEZ is in the physical custody of Respondents at the Adelanto Detention Facility in Imperial County, California. She now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have concluded Petitioner is subject to mandatory detention.

2. Petitioner is charged with, inter alia, having entered the United States without inspection. 8 U.S.C. § 1182(a)(6)(A)(i).

3. Based on Respondents negligence and malfeasance by both ICE and DHS, Petitioner has been held in custody continuously since her arrest. Additionally, Respondents have been instructing all Immigration and Customs Enforcement (ICE) employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without inspection—to be an "applicant for admission" under 8 U.S.C. § 1225(b)(2)(A) and therefore subject to mandatory detention.

4. Petitioner has filed request for bond redetermination; however, bond was summarily denied for lack of jurisdiction.

5. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

6. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying § 1226(a) to people like Petitioner.

7. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be released unless Respondents provide a bond hearing under § 1226(a) within fourteen days.

JURISDICTION

8. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Adelanto Ice Detention Facility in Adelanto, California.

9. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

10. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

11. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Central District of California, the judicial district in which the Petitioner is currently detained.

12. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Eastern District of California.

REQUIREMENTS OF 28 U.S.C. § 2243

13. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Respondents must file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

14. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . 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) (emphasis added). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

15. Petitioner JUANA GOMEZ GOMEZ is a citizen of EL SALVADOR who has been in immigration detention since June 26, 2026. After arresting Petitioner, ICE did not set bond and Petitioner requested review of his custody by an IJ filing his Petition starting on July 1, 2026 due to lack of jurisdiction.

16. Respondent Todd M. Lyons is the Acting Director of the Field Office of ICE's Enforcement and Removal Operations division. As such, Todd M. Lyons is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

17. Respondent MW Mullin is the Secretary of the Department of Homeland Security. He is responsible for the implementation and enforcement of the Immigration and

Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

18. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

19. Respondent Todd Blanche is the Attorney General of the United States. He is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. He is sued in her official capacity.

20. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

21. Respondent Eric Pinhero is the warden of Adelanto Ice Facility.

LEGAL FRAMEWORK

22. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

23. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, *see* 8 U.S.C. § 1226(c).

24. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under § 1225(b)(2).

25. Last, the INA also provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b).

26. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

27. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104—208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

28. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

29. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearings, unless their criminal history rendered them ineligible. That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed "arriving" were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a) (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply "restates" the detention authority previously found at § 1252(a)).

30. On July 8, 2025, ICE, "in coordination with" DOJ, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice.

31. The new policy, entitled "Interim Guidance Regarding Detention Authority for Applicants for Admission,"[1] claims that all persons who entered the United States without inspection shall now be deemed "applicants for admission" under 8 U.S.C. § 1225, and therefore are subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended and affects those who have resided in the United States for months, years, and even decades.

32. On a May 22, 2025, an unpublished decision from the Board of Immigration Appeals (BIA), EOIR adopted this same position.[2] That decision holds that all noncitizens who entered the United States without admission or parole are considered applicants for admission and are ineligible for immigration judge bond hearings.

33. ICE and EOIR have adopted this position even though federal courts have rejected this exact conclusion. For example, after IJs in the Tacoma, Washington, immigration court stopped providing bond hearings for persons who entered the United States without inspection and who have since resided here, the U.S. District Court in the Western District of Washington found that such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not apprehended upon arrival to the United States. *Rodriguez Vazquez v. Bostock*, --- F. Supp. 3d --- 2025 WL 1193850 (W.D. Wash. Apr. 24,

[1] *Available at* https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission.

[2] *Available at* https://nwirp.org/our-work/impact-litigation/assets/vazquez/59-1%20ex%20A%20decision.pdf.

2025); *see also Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299, at *8 (D. Mass. July 7, 2025) (granting habeas petition based on same conclusion).

34. DHS's and DOJ's interpretation is in conflict to the INA. As the *Rodriguez Vazquez* court explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.

35. Section 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." These removal hearings are held under § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

36. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, "[w]hen Congress creates "specific exceptions" to a statute's applicability, it "proves" that absent those exceptions, the statute generally applies. *Rodriguez Vazquez*, 2025 WL 1193850, at *12 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)).

37. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

38. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies "at the Nation's borders and ports of entry, where the Government must determine

whether a[] [noncitizen] seeking to enter the country is admissible." *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

39. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to people like Petitioner, who have already entered and were residing in the United States at the time they were apprehended.

40. As of March 6, 2026, the Ninth Circuit paused a Federal judge's order that voided a BIA decision used by Immigration Judges to deny bond in bond hearings for detained noncitizens.

41. The BIA's categorical rule denying bond hearings to noncitizens who entered without inspection is unlawful for three independent reasons.

First, the decision conflicts with the statutory structure of the INA. Congress created separate detention regimes for arriving applicants for admission and noncitizens apprehended within the United States. The BIA's interpretation collapses this distinction.

Second, the interpretation contradicts longstanding precedent recognizing immigration judges' authority to conduct bond hearings under INA §236(a).

Third, the rule raises serious constitutional concerns by authorizing prolonged civil detention without any individualized assessment of flight risk or danger.

42. Federal courts have already recognized these deficiencies and vacated the agency's interpretation. The Court should likewise reject the BIA's attempt to impose categorical detention contrary to statute and constitutional guarantees.

43. The BIA's Interpretation Conflicts with the Statutory Structure of the INA. The INA establishes multiple detention regimes. Section 235 governs the treatment of arriving applicants for admission at the border.

44. Section 236 governs detention of noncitizens already present within the United States. Under INA §236(a), the government may detain a noncitizen pending removal proceedings but must provide the possibility of release on bond. 8 U.S.C. §1226(a).

45. For decades, individuals apprehended inside the United States after entering without inspection were detained under this provision and eligible for bond hearings.

46. The BIA's interpretation in Matter of Yajure-Hurtado effectively eliminates §236(a) for a broad category of individuals by classifying them as "applicants for admission." Such an interpretation conflicts with the statutory framework, which deliberately distinguishes between border applicants and individuals apprehended within the interior of the country.

47. The Decision Improperly Treats Long-Term Residents as "Applicants for Admission". The BIA's approach treats noncitizens who entered without inspection—even those who have lived in the United States for decades—as though they were apprehended at the border.

48. Federal courts have recognized the legal distinction between these categories. Historically, individuals who evade inspection but are later apprehended inside the United States fall within removal proceedings governed by INA §236 rather than the mandatory detention provisions of §235.

49. The BIA's interpretation disregards this statutory distinction and imposes mandatory detention on individuals far removed from the border context Congress intended to regulate.

50. The Categorical Denial of Bond Hearings Violates Due Process. Civil immigration detention must comply with the Fifth Amendment's guarantee of due process.

51. The Supreme Court has long recognized that civil detention without individualized review raises serious constitutional concerns. See Reno v. Flores, 507 U.S. 292 (1993).

52. The BIA's rule allows indefinite detention without any determination of:

- danger to the community
- flight risk
- alternatives to detention

53. Such categorical detention lacks the procedural safeguards required by due process.

Federal Courts Have Already Rejected the Agency's Interpretation. Federal courts have already found the BIA's interpretation inconsistent with statutory and constitutional principles.

54. In Maldonado Bautista v. Santacruz, the district court vacated the BIA decision, holding that the agency could not effectively nullify statutory bond provisions through reinterpretation. The court emphasized that executive agencies cannot override judicial interpretations of statutory law.

55. Subsequent appellate proceedings in the Ninth Circuit addressed the scope of the district court's ruling but did not resolve the underlying statutory conflict. Thus, the legality of the BIA's interpretation remains contested, and courts retain authority to reject the agency's statutory construction.

FACTS

56. Since her entry in 2022, Petitioner worked various jobs in Southern California.

57. In June 2026, Petitioner was arrested by ICE in conducting illegal roving raids without Reasonable Suspicion among other unsuspecting individuals with non-white skin colors on Los Angeles Streets. When questioned she cooperated truthfully. Petitioner is now detained at the Adelanto Detention Facility.

58. DHS placed Petitioner in removal proceedings before the immigration court pursuant to 8 U.S.C. § 1229a. ICE has charged Petitioner with, *inter alia*, being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i) as someone who entered the United States without inspection.

59. Petitioner has resided with her family in Los Angeles since arriving in the United States and has no record of any involvement with law enforcement or arrest. Petitioner is neither a flight risk nor a danger to the community.

60. Following Petitioner's arrest and transfer to Adelanto Detention Facility, ICE issued a custody determination to continue Petitioner's detention without an opportunity to post bond or be released on other conditions.

61. Petitioner subsequently requested a bond redetermination hearing before an IJ.

62. The immigration court IJ issued a decision that the court lacked jurisdiction to conduct a bond redetermination hearing because Petitioner was an applicant for admission under § 1225(b)(2)(A).

63. As a result, Petitioner remains in detention. Without relief from this court, He may face the prospect of months, or even years, in immigration custody, separated from her family and community.

64. Any appeal to the BIA is futile. DHS's new policy was issued "in coordination with DOJ," which oversees the immigration courts. Further, as noted, the most recent unpublished BIA decision on this issue held that persons like Petitioner are subject to mandatory detention as applicants for admission. Finally, in the *Rodriguez Vazquez* litigation, where EOIR and the Attorney General are defendants, DOJ has affirmed its position that individuals like Petitioner are applicants for admission and subject to detention under § 1225(b)(2)(A). *See* Mot. to Dismiss, *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC (W.D. Wash. June 6, 2025), Dkt. 49 at 27–31.

CURRENT LEGAL FRAMEWORK

A. NINTH CIRCUIT PRECEDENT RECOGNIZES CONSTITUTIONAL LIMITS ON IMMIGRATION DETENTION

65. Ninth Circuit precedent consistently emphasizes that immigration detention is subject to meaningful constitutional constraints.

66. In *Rodriguez v. Robbins*, 804 F.3d 1060 (9th Cir. 2015), rev'd on statutory grounds sub nom. *Jennings v. Rodriguez*, the Ninth Circuit held that prolonged detention without individualized review raises serious due process concerns. Although *Jennings* rejected the statutory interpretation adopted in *Rodriguez*, it did not disturb the underlying constitutional analysis, which remains instructive in evaluating due process requirements.
67. More recently, the Ninth Circuit has reaffirmed that civil immigration detention must comport with fundamental due process principles and cannot be arbitrary or indefinite. See, e.g., *Aleman Gonzalez v. Barr*, 955 F.3d 762 (9th Cir. 2020), rev'd on other grounds sub nom. *Garland v. Aleman Gonzalez*, 596 U.S. 543 (2022) (recognizing availability of constitutional challenges to detention practices); *Singh v. Holder*, 638 F.3d 1196, 1203–05 (9th Cir. 2011) (holding that due process requires procedural protections in immigration bond proceedings, including a neutral decisionmaker and a record sufficient for review).
68. These authorities collectively underscore that detention decisions must be accompanied by meaningful procedural safeguards to satisfy the Fifth Amendment.

B. THE GOVERNMENT BEARS THE BURDEN OF PROOF BY CLEAR AND CONVINCING EVIDENCE

69. Even where detention authority exists, due process requires that the government justify continued civil detention through fair procedures. The Ninth Circuit has held that in immigration bond proceedings, the government bears the burden to prove by clear and convincing evidence that continued detention is justified. See *Singh v. Holder*, 638 F.3d 1196, 1203–05 (9th Cir. 2011).
70. The allocation of the burden to DHS is a critical procedural safeguard under the Fifth Amendment. Because immigration detention is civil in nature and implicates a fundamental liberty interest, the clear-and-convincing-evidence standard is necessary to minimize the risk of erroneous deprivation. See *Addington v. Texas*, 441 U.S. 418, 431–33 (1979). An

individualized bond hearing without placing the burden on DHS would fail to provide the meaningful review required by due process.

71. Accordingly, any custody determination in this matter must require DHS to demonstrate, by clear and convincing evidence, that Respondent presents a flight risk or danger to the community sufficient to justify continued detention.

C. NINTH CIRCUIT PROLONGED DETENTION FACTORS FAVOR AN INDIVIDUALIZED HEARING

72. Courts within the Ninth Circuit evaluate the constitutionality of prolonged immigration detention by examining several non-exclusive factors, including: (1) the total length of detention; (2) the reasons for delay, including whether the government or the noncitizen is responsible; and (3) the likelihood that removal proceedings will conclude in the reasonably foreseeable future. See, e.g., *Rodriguez v. Robbins*, 804 F.3d 1060 (9th Cir. 2015); *Singh v. Holder*, 638 F.3d at 1203.

73. First, as detention length increases, the justification for categorical detention weakens and the detainee's liberty interest correspondingly strengthens. Prolonged confinement without individualized review approaches the type of arbitrary detention the Due Process Clause forbids.

74. Second, delays attributable to the ordinary course of litigation or government administration cannot justify indefinite detention. Noncitizens may not be penalized for pursuing legitimate legal relief or exercising statutory rights.

75. Third, where removal is not imminent and proceedings remain ongoing, continued categorical detention becomes increasingly disconnected from its purported regulatory purpose. Under these factors, due process requires a prompt individualized bond hearing.

D. ADDITIONAL NINTH CIRCUIT DISTRICT COURT AUTHORITY SUPPORTS INDIVIDUALIZED BOND HEARINGS

76. District courts throughout the Ninth Circuit have likewise recognized that prolonged immigration detention without meaningful individualized review raises serious constitutional concerns and have ordered bond hearings as a remedy. See, e.g., *Hernandez v. Sessions*, 2018 WL 6071237 (C.D. Cal. 2018) (requiring constitutionally adequate bond procedures in immigration detention); *Padilla v. ICE*, 387 F. Supp. 3d 1219 (W.D. Wash. 2019) (holding that due process requires individualized custody determinations in civil immigration detention); *Banda v. McAleenan*, 385 F. Supp. 3d 1099 (W.D. Wash. 2019) (granting habeas relief and ordering a bond hearing after prolonged detention); *Gonzalez v. Bonnar*, 2019 WL 330906 (N.D. Cal. 2019) (finding that extended immigration detention without an individualized hearing implicates due process).

77. These cases reflect a consistent regional consensus that categorical detention schemes must yield to individualized constitutional review when detention becomes prolonged.

E. RECENT FEDERAL COURT DECISIONS IN THIS DISTRICT REJECT DHS'S POSITION AND REQUIRE INDIVIDUALIZED HEARINGS

78. The same federal courts have in fact squarely rejected DHS's reliance on categorical detention authority under materially indistinguishable circumstances. These courts ordered either immediate release or prompt individualized bond hearings.

79. A. *Crispin M.C. v. Noem* (E.D. Cal. Jan. 8, 2026)

In *Crispin M.C. v. Noem*, No. 1:25-CV-01487-KES-HBK, 2026 WL 70553 (E.D. Cal. Jan. 8, 2026), the court held that prolonged immigration detention without an individualized hearing violated due process and rejected the government's jurisdictional arguments.

80. B. *Lepe v. Andrews* (E.D. Cal. Sept. 23, 2025)

In *Lepe v. Andrews*, No. 1:25-CV-01163-KES-SKO, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025), the court ordered relief where DHS relied on statutory detention provisions to deny a custody hearing.

81. C. *Selis Tinoco v. Noem* (E.D. Cal. Dec. 14, 2025)

Selis Tinoco v. Noem, No. 1:25-cv-01762-DC-JDP, 2025 WL 3567862 (E.D. Cal. Dec. 14, 2025), required an individualized hearing and stressed that procedural due process cannot be suspended by statutory labeling.

82. D. *D.L.C. v. Wofford* (E.D. Cal. Jan. 5, 2026)

In *D.L.C. v. Wofford*, No. 1:25-cv-01996-DC-JDP, 2026 WL 25511 (E.D. Cal. Jan. 5, 2026), the court reaffirmed that prolonged detention without individualized review is constitutionally suspect.

CLAIMS FOR RELIEF

COUNT I

Violation of the INA

83. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

84. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

85. The application of § 1225(b)(2) to Petitioner unlawfully mandates her continued detention and violates the INA.

COUNT II

Violation of Due Process

86. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

87. The government may not deprive a person of life, liberty, or property without due process of law, U.S. Constitution Amendment V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690, 121 S.Ct. 2491, 150 L.Ed.2d 653 (2001).

88. Petitioner has a fundamental interest in liberty and being free from official restraint.

89. The government's detention of Petitioner without a bond redetermination hearing to determine whether he is a flight risk or danger to others violates he right to due process.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

a. Assume jurisdiction over this matter;

b. Issue a writ of habeas corpus requiring that Respondents release Petitioner or provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) within 14 days;

c. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

d. Grant any other and further relief that this Court deems just and proper.

DATED this ____15____ of July, 2026.

Law Offices of Andy Miri

andy miri

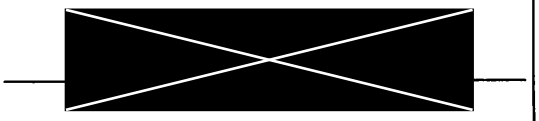
Attorneys for Petitioner

VERIFICATION

I, JUANA GOMEZ GOMEZ in my individual capacity, declare under penalty of perjury that I have read the foregoing Petition, that it is true and correct to the best of my own knowledge and belief, except as to those matters stated to be on information and belief, and as to those things, I believe them to be true.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Dated: July 15, 2026



JUANA GOMEZ GOMEZ,