CYNTHIA BARBOSA, ESQ.
Cal. State Bar No.: 354952

Barbosa Rodriguez Law
8880 Rio San Diego Dr., Suite 800
San Diego, CA 92108
(619) 394 - 2100 (Office)
(561) 675-9050 (Cell)
cynthia@barbosarodriguezlaw.com

Attorney for Petitioner

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT, CALIFORNIA

LEONARDO ISAIAS CASTRO CHIVALAN
Petitioner,

v.

CHRISTOPHER J. LAROSE, Senior Warden of Otay Mesa Detention Center; DAVID J. VENTURELLA, Director of Immigration and Customs Enforcement. GREGORY J. ARCHAMBEAULT, Field Office Director of Enforcement and Removal Operations, San Diego Field Office, Immigration and Customs Enforcement; TODD BLANCHE, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security.

Respondents.

Case No. '26CV4258 LEK SBC

Agency No. A[redacted]

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

## INTRODUCTION

1. Leonarado Isaias Castro Chivalan ("Petitioner") seeks a writ of habeas corpus challenging his unlawful civil immigration detention by the Department of Homeland Secuirty ("DHS").

2. Petitioner is a native and citizen of Guatemala who entered the United State without inspection on or about 2006. See Exhibit 4. Petitioner resided constinuously in the United states for almost two decades. Id.

3. He now faces continued unlawful detention because the Department of Homeland Security (DHS) has refused to abide by the declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*. See Exhibit 1.

4. Petitioner was arrested on or about June 9, 2026 in Florida. See Exhibit 4. Petitioner was driving on his way to work when he was stopped by individuals that later identified themselves as officers with U.S. Immigration and Customs Enforcement ("ICE"). Id. The ICE officers first questioned Petitioner regarding his status. Id. Then, ICE officers informed him that they were looking for an individual and asked them questions regarding this individual. Id. Petitioner was subsequently taken into custody and has remained detained since that date. Id. Petitioner believes he suffered discrimination as there was no reason for ICE officers to have randomly stopped him. Id.

5. Petitioner was not arrested pursuant to any criminal charge, warrant, or criminal investigation. He has no criminal convictions or pending criminal charges. At the time of the stop, Petitioner had committed no criminal or traffic offense that would otherwise justify his arrest. See Exhibit 4.

6. Petitioner, nor his undersigned counsel, have been served with a Notice to Appear ("NTA") by the Department of Homeland Security ("DHS"), and Petitioner is yet to review the charging document against him.

7. On July 21st, 2026, Petitioner appeared for a bond redetermination hearing that was subsequently denied under the grounds that evidence indicates that the Respondent entered the country without inspection and thus is an applicant for admission under INA section 235(a)(1) and subject to mandatory detention under INA section 235(b)(1)(B)(iii)(IV). See Exhibit 1.

8. Petitioner therefore challenges his present detention as unlawful under the Immigration and Nationality Act ("INA") and the Due Process Clause of the Fifth Amendment to the United States Constitution.

9. Accordingly, Petitioner respectfully requests that this Court issue a writ of habeas corpus and order his immediate release from unlawful civil immigration detention within one day. Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven (7) days.

## JURISDICTION

10. This Court has jurisdiction under 28 U.S.C. §§ 2241(c)(3) and 1331 because Petitioner is in federal custody and challenges the legality of his detention. See Preiser v. Rodriguez, 411 U.S. 475, 484 (1973); Hamdi v. Rumsfeld, 542 U.S. 507, 525 (2004).

11. Federal courts retain habeas jurisdiction over challenges to immigration detention that are independent of the merits of a removal order. See Zadvydas v. Davis, 533 U.S. 678, 687 (2001); INS v. St. Cyr, 533 U.S. 289, 300–01 (2001); Nadarajah v. Gonzales, 443 F.3d 1069, 1075–80 (9th Cir. 2006).

12. Jurisdiction is not barred by 8 U.S.C. §§ 1252(a)(5), 1252(b)(9), or 1252(g) because Petitioner does not challenge a final order of removal or the merits of removal proceedings, but only the legality and constitutionality of his detention. See Jennings v. Rodriguez, 583 U.S. 281, 293–94 (2018).

**VENUE**

13. Venue is proper in this Court under 28 U.S.C. §§ 2241(a) and 1391(e) because Petitioner is detained at the Otay Mesa Detention Center in San Diego, California, within this District, and Respondents exercise custody and control over him within this District. Respondents are federal officers acting in their official capacities, and a substantial part of the events giving rise to Petitioner's detention occurred within this District. See Braden v. 30th Judicial Circuit Court of Kentucky, 410 U.S. 484, 493–500 (1973).

**REQUIREMENTS OF 28 U.S.C § 2243**

14. Under 28 U.S.C. § 2243, the Court must either grant the petition or order Respondents to show cause forthwith unless it appears from the petition that Petitioner is not entitled to relief. If an order to show cause issues, Respondents must file a return within three days unless additional time, not exceeding twenty days, is granted for good cause.

15. Habeas corpus provides a "swift and imperative remedy in all cases of illegal restraint or confinement." Fay v. Noia, 372 U.S. 391, 400 (1963). Courts therefore require prompt judicial action where a petitioner challenges ongoing detention. See also Yong v. INS, 208 F.3d 1116, 1120 (9th Cir. 2000) (recognizing that habeas petitions challenging detention require immediate judicial attention).

//

//

## PARTIES

16. Petitioner Leonarado Isaias Castro Chivalan is currently detained at the Otay Mesa Detention Center in San Diego, Califronia.

17. Respondent Christopher J. LaRose is employed as Warden of the Otay Mesa Detention Center, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity. See Rumsfeld v. Padilla, 542 U.S. 426, 434–35 (2004).

18. Respondent David J. Venturella, Acting Director of U.S. Immigrtion and Customs Enforcement, is responsible for natinal polices and practices governing immigration detention, including the detention authority asserted against Petitioner. He is sued in his official capacity.

19. Respondent Gregory J. Archambeault is the Field Office Director of ICE's Enforcement and Removal Operations division, San Diego, CA. As such, Archambeault has supervisory authority over immigration detention within the Southern District of California, including the facility where Petitioner is detained, and is responsible for Petitioner's detention under the Immigration and Nationality Act. He is sued in his official capacity.

20. Respondent Markwayne 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. Mr. Mullin has ultimate custodial authority over Petitioner and is sued in his official capacity.

21. Respondent Todd Blanche is the Attorney General of the United States, oversees the Executive Office for Immigration Review, which conducts removal proceedings under the Immigration and Nationality Act. He is sued in his official capacity.

//

//

22. 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.

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

24. Each Respondent is sued solely in his or her official capacity for actions taken under color of federal law in maintaining Petitioner's detention.

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

25. No statutory exhaustion requirement applies to Petitioner's habeas claims challenging the legality of his present immigration detention under 28 U.S.C. § 2241.

26. Petitioner challenges only the legality of his present detention, not any final order of removal or the merits of his removal proceedings. Such claims fall within the traditional scope of habeas corpus. See Nadarajah v. Gonzales, 443 F.3d 1069, 1075–80 (9th Cir. 2006).

27. To the extent prudential exhaustion applies, it should be waived because administrative remedies are unavailable, inadequate, or futile. See McCarthy v. Madigan, 503 U.S. 140, 144–49 (1992).

28. Immigration judges and the Board of Immigration Appeals lack authority to grant habeas relief or adjudicate the constitutional challenge to the legality of Petitioner's present physical detention raised in this petition. Accordingly, exhaustion would be futile, and this Court should waive any exhaustion requirement and adjudicate Petitioner's claims under 28 U.S.C. § 2241.

//

## STATEMENT OF FACTS AND PROCEDURAL BACKGROUND

29. Petitioner is a native and citizen of Guatemala. See Exhibit 4. He was born on 1987, and he is currently 39-years-old. Id.

30. Petitioner entered the United States without inspection in or around 2006 and has remained continuously present in the United States since that time. See Exhibit 4. It has been almost two decades that Petitioner has lived in the United States. Id. Petitioner has never been convicted of a crime nor had criminal charges filed against him. Id.

31. Petitioner worked in landscaper. See Exhibit 4. It Has to two United State citizen daughters ages eleven and six with a partner who they been together for the last twelve years. See Exhibit 3. He established substantial personal and professional ties within his community. See Exhibit 4.

32. On June 9, 2026, in Florida, while heading to work with two other co-workers, Petitioner was stopped by agents who later identified themselves as ICE officers. See Exhibit 4. The ICE officers were at the time searching for a different individual to whom neither of them knew. Id. After inquiring with petitioner about his status in the country, ICE officers took Petitioner into custody. Id. His apprehension was not connected to any criminal charge or traffic violation.

33. After his arrest, Petitioner was transferred through multiple detention facilities across several states. See Exhibit 4. Petitioner was initially detained at Miramar then transferred to Lousiana then taken to Miami. Eventually he was transferred to another detention center in El Paso, Texas before finally arriving in San Diego, California. Id., See Also Exhibit 2.

//

//

34. Petitioner, nor his undersigned counsel, have been served with a Notice to Appear ("NTA"), by the Department of Homeland Security ("DHS") and Respondet is yet to review the charging document against him.

35. On July 21, 2026, Petitioner appeared for a bond redetermination hearing that was subsequently denied under the grounds that evidence indicates that the Respondent entered the country without inspection and thus is an applicant for admission under INA section 235(a)(1) and subject to mandatory detention under INA section 235(b)(1)(B)(iii)(IV). See Exhibit 1.

## LEGAL FRAMEWORK

### COUNT I

### Petitioer's Detention Is Governed by 8 U.S.C. § 1226

36. Petitioner incorporates alleged facts above.

37. Petitioner's detention is governed by § 1226 because DHS arrested him within the interior of the United States after almost two decades of residence. Courts in this Circuit have found that § 1225 applies to those apprehended upon arrival to the United States while § 1226 applies to those already living within the United States. In Rodriguez v. Bostock, 779 F. Supp. 3d 1239, 1257 (W.D. Wash. 2025), the court found petitioners likely to succeed on the merits of their argument that § 1225(b)(2)(A) "should be read to narrow mandatory detention under that subsection to noncitizens who are apprehended while seeking to enter the country, and that noncitizens already residing in the United States, including those who are charged with inadmissibility, continue to fall under the discretionary detention scheme in Section 1226."

38. Likewise, in Martinez v. Hyde, No. CV 25-11613-BEM, 2025 WL 2084238, at *6 (D. Mass. July 24, 2025), the court explained that "the government argues section 1225(b)(2)(A) applies to all noncitizens living in this country who did not lawfully enter, regardless of how long

they have lived here or whether they ever took any affirmative step to seek admission. The government's proposed interpretation of the statute ignores the plain meaning of the phrase 'seeking admission.'" Similarly, in Lepe v. Andrews, No. 1:25-cv-01163-KES-SKO, 2025 WL 2716910, at *7-*9 (E.D. Cal. Sept. 23, 2025), the court explained that the government's argument that § 1225(b)(2)(A) applies to all noncitizens present in the United States without admission was "unpersuasive" because the government's proposed interpretation "(1) disregards the plain meaning of section 1225(b)(2)(A); (2) disregards the relationship between sections 1225 and 1226; (3) would render a recent amendment to section 1226(c) superfluous; and (4) is inconsistent with decades of prior statutory interpretation and practice."

39. Moreover, courts in this District have already held that the detention of noncitizens, such as Petitioner, who are detained within the interior of the United States is governed by 8 U.S.C. § 1226. In Morillo v. Albarran, No. 1:25-cv-01533-DJC-AC, 2025 WL 3190899, at *8 (E.D. Cal. Nov. 15, 2025), the court addressed the same issue presented in this petition. The court held that "[a]s Petitioner has been present in the United States for 19 years . . . he is likely to succeed on the merits of his claim that he is unlawfully detained under Section 1225(b)(2)'s mandatory detention provision." The court further held that petitioner was "subject to the procedures laid out by and entitled to the rights afforded under Section 1226(a), most notably, a bond hearing." Id. The court granted relief and ordered that "Petitioner . . . shall be released immediately from Respondents' custody." Id. at *10.

40. Similarly, in Davila Quinonez v. Warden, Golden State Annex, No. 1:26-cv-03053-DJC-JDP, at 2 (E.D. Cal. Apr. 24, 2026), after review of Respondents' arguments that petitioner was subject to mandatory detention as an applicant for admission, the court concluded that Respondents "have not made any new legal arguments and have not identified any factual or legal

issues in this case that would distinguish it from the Court's prior decisions in Morillo v. Albarran, No. 1:25-cv-01533-DJC-AC, 2025 WL 3190899 (E.D. Cal. Nov. 15, 2025); see also E.L.D.M. v. Becerra, No. 1:25-cv-01906-DJC-JDP, 2025 WL 3707140 (E.D. Cal. Dec. 22, 2025)." The court granted the petition and ordered Respondents "to immediately release Petitioner [] from their custody."

41. Also, In Guerra v. Warden, Golden State Annex Detention Facility, No. 1:26-cv-02678-DC-SCR, slip op. at 4–5 (E.D. Cal. May 4, 2026), the petitioner was a native of El Salvador who entered the United States at an unknown date and location without inspection and was later detained by ICE under § 1225(b), like Petitioner here. After review of petitioner's arguments and Respondents' position, the court followed the majority view in this Circuit and held that "the applicable statute governing petitioners' detention here is § 1226(a), and not § 1225(b)(2)." The court further concluded that, "[h]aving determined that petitioner is subject to the discretionary detention scheme in § 1226(a), the undersigned concludes that habeas relief is warranted." The court explained, "[b]ecause Respondents do not assert any alternative basis for Petitioner's detention, and do not provide any extenuating circumstances that would warrant Petitioner's continued unlawful detention pending a bond hearing, the court finds that the appropriate relief is Petitioner's immediate release." Id. at 5 (quoting Maciel v. Noem, No. 1:26-cv-01318-DC-CKD, 2026 WL 496948 (E.D. Cal. Feb. 23, 2026), citing Lepe v. Andrews, 801 F. Supp. 3d 1104, 1119 (E.D. Cal. Sept. 23, 2025) (other citations omitted)). See also J.A.C.P. v. Wofford, No. 1:25-cv-01354-KES-SKO-HC, 2025 WL 3013328, at *6–7 (E.D. Cal. Oct. 27, 2025).

42. Here, like the petitioners in Morillo, Davila Quinonez, and Guerra, Petitioner was arrested within the interior of the United States after residing in this country for approximately twenty years. He was not apprehended at the border, at a port of entry, or while seeking admission

into the United States. Courts in this District have repeatedly recognized that § 1226 governs such detention. Moreover, Respondents do not assert any alternative basis for Petitioner's detention and have not identified any extenuating circumstances warranting Petitioner's continued unlawful detention.

43. Although the Ninth Circuit stayed portions of the district court's orders in Maldonado Bautista outside the certified class, the district court's statutory analysis remains persuasive. That decision recognized that the mandatory detention provisions of INA § 235 do not automatically apply to noncitizens who entered the United States without inspection years earlier and have remained continuously present in the country. See Maldanado Bautista v. DHS, No 26-1044 (9th Cir., Mar. 6, 2026).

44. The reasoning of the decision in Maldonado Bautista recognizes that detention authority under the INA depends upon the statutory posture of the noncitizen, not merely the fact of an unlawful entry. Here, Petitioner entered the United States about two decades ago and has remained since..Whether such an individual may nevertheless be subjected to mandatory detention as an applicant for admission presents a legal question that is properly resolved through habeas review. See Maldanado Bautista v. DHS, No 26-1044 (9th Cir., Mar. 6, 2026).

45. Accordingly, Respondents' continued detention of Petitioner under INA § 235(b), 8 U.S.C. § 1225(b), violates the INA. Under these circumstances, the court in Guerra v. Warden, Golden State Annex Detention Facility found that "the appropriate relief is Petitioner's immediate release."

//

//

//

## COUNT II

**Violation of the Immigration and Nationality Act**

46. Petitioner incorporates alleged facts.

47. Petitioner submits that Respondents violated his due process rights under the Due Process Clause of the Fifth Amendment when his liberty interest was withdrawn at the time of his arrest without a valid warrant or lawful process.

48. The Fifth Amendment guarantees that "[n]o person shall be . . . deprived of life, liberty, or property, without due process of law." U.S. Const. amend. V. Once a noncitizen enters the United States, "the legal circumstance changes, for the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." Zadvydas v. Davis, 533 U.S. 678, 693

49. Here, Petitioner was arrested within the interior of the United States on June 9, 2026, while heading to work, before Respondents issued the Notice to Appear.

50. The governing regulation, 8 C.F.R. § 1236.1, provides, in relevant part, that "[a]t the time of issuance of the notice to appear, or at any time thereafter . . . the respondent may be arrested and taken into custody under the authority of Form I-200, Warrant of Arrest."

51. First, based on the evidence and representations submitted to this Court, petitioner was arrested without an administrative warrant that was authorized, signed, and served by designated supervisory immigration officials—as required by § 1226(a) and its implementing regulations. See 8 U.S.C. § 1226(a); 8 C.F.R § 236.1(b) (providing that a noncitizen who is in removal proceedings "may be arrested and taken into custody under the authority of Form I-200, Warrant of Arrest") (emphasis added); 8 C.F.R. § 287.8(c)(2)(ii) (stating that "[a] warrant of arrest shall be obtained" except in the limited circumstances where a warrantless arrest is authorized).

52. Courts have held that DHS may not lawfully detain a noncitizen under 8 U.S.C. § 1226 where the agency arrests the individual pursuant to a Form I-200 that was issued before the Notice to Appear. In Vladimir G. v. Easterwood, No. 26-CV-2971 (JMB/ECW), slip op. at 6-9 (D. Minn. June 22, 2026), the court held that the petitioner's detention under § 1226 was unlawful because DHS arrested him pursuant to a Form I-200 that was invalid by virtue of being issued before the NTA, as required by 8 C.F.R. § 236.1(b). The court ordered the petitioner's immediate release. See also Gonzalez Ochoa v. McCleary, 816 F. Supp. 3d 921, 927–28, (S.D. Iowa 2026) (concluding ICE had no authority to arrest petitioner relying on Form I-200 that issued before the NTA); Alberto C.M. v. Noem, 817 Supp. 3d 735, 739 (D. Minn. 2026) (granting petition on grounds that detention under section 1226(a) was unlawful where Form I-200 "was not issued until after [petitioner's] arrest and initial detention"); see also, e.g., Hector J.A.S., 2026 WL 1243500, at *2 (ordering release of petitioner where respondents did not issue NTA until booking following arrest in the field); Pina C.D.B. v. Bondi, No. 26-CV-1929 (KMM/DJF), 2026 WL 810676, at *3 (D. Minn. Mar. 24, 2026) (concluding "immediate release is the proper remedy" for arrest effected in absence of valid administrative warrant); Jouquin C.S. v. Bondi, No. 26-CV-1438 (DWF/DJF), 2026 WL 483256, at *2–3 (D. Minn. Feb. 20, 2026) (concluding DHS's detention of petitioner under section 1226(a) was unlawful because DHS arrested petitioner pursuant to a Form I-200 that was invalid by virtue of being issued prior to issuance of NTA); Marinero v. Bondi, No. 26-CV-1007 (JMG), 2026 WL 357653, at *1 (D. Minn. Feb. 9, 2026) ("[I]ssuing an administrative warrant after an arrest . . . isn't good enough to trigger § 1226(a).").

53. In Parada Cruz v. Mullin, No. 26-CV-1110-SJB, at 4–6 (E.D.N.Y. Apr. 16, 2026), the court explained that "[i]f ICE is going to use an arrest warrant, then there must be removal proceedings initiated before or at the time of the arrest. Such proceedings are begun through the

issuance of a Notice to Appear ('NTA'). There is no 'leeway.' If ICE wants to use a warrant, it must have a valid NTA in place." The court further held that "[u]sing an after-the-fact warrant to justify a prior arrest is constitutionally problematic" and "statutorily prohibited under the INA."

54. The court in Parada Cruz further condemned the practice of arresting individuals first and justifying the detention later, explaining that "ICE does not have free-ranging ability to arrest and detain people, and figure out the reasons later." Id. at 6. The court explained that "[a]n arrest is not justified by what the subsequent search discloses," quoting Henry v. United States, 361 U.S. 98, 103 (1959).

55. Here, Respondents arrested Petitioner first and issued the Notice to Appear later. To the extent Respondents may have relied on a Form I-200 warrant if already issued, Petitioner was already taken into custody, Respondents used after-the-fact process to justify a prior arrest and detention. Under the reasoning in Parada Cruz and Gopie v. Lyons, No. 25-CV-5229, 2025 WL 3167130, at *1 (E.D.N.Y. Nov. 13, 2025), such conduct violates due process and is prohibited under the INA and its implementing regulations.

56. Accordingly, because Respondents deprived Petitioner of his liberty at the time of arrest without a valid warrant or Notice to Appear ("NTA"), and without the process required by the governing statute and regulations, Respondents' actions rendered Petitioner's detention unlawful.

//

//

//

//

//

## CONCLUSION

57. For the reasons stated above, Petitioner's continued detention under INA § 235(b), 8 U.S.C. § 1225(b), violates the INA and the Due Process Clause of the Fifth Amendment. As courts in this District have recognized, where Respondents "do not assert any alternative basis for Petitioner's detention, and do not provide any extenuating circumstances that would warrant Petitioner's continued unlawful detention . . . the appropriate relief is Petitioner's immediate release." Guerra v. Warden, Golden State Annex Detention Facility, No. 1:26-cv-02678-DC-SCR, slip op. at 5 (E.D. Cal. May 4, 2026).

58. The Supreme Court has likewise held that "[t]he essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and . . . the traditional function of the writ is to secure release from illegal custody." Preiser v. Rodriguez, 411 U.S. 475, 484 (1973). Accordingly, Petitioner respectfully requests immediate release from immigration custody. Or, in the alternative, Petitioner requests his release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven (7) days.

//

//

//

//

//

//

//

//

//

## PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

a. Grant the Petition for a Writ of Habeas Corpus;

b. Order Petitioner's immediate release from immigration custody as the appropriate remedy for Respondents' unlawful detention of Petitioner in violation of the INA and the Due Process Clause of the Fifth Amendment;

c. Alternatively, order Respondents to release Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven (7) days;

d. Enjoin Respondents from rearresting or re-detaining Petitioner absent lawful statutory authority and compliance with applicable constitutional protections;

e. Enjoin Respondents and their agents from transferring Petitioner outside this District while this petition is pending;

f. Enjoin Respondents from removing Petitioner from the United States during the pendency of these habeas proceedings to preserve this Court's jurisdiction;

g. Order Respondents to return to Petitioner any personal property taken from him at the time of his detention;

h. Order Respondents to provide Petitioner's counsel with notice of any scheduled proceedings relating to Petitioner; and

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

DATED: July 24, 2026

//S// CYNTHIA BARBOSA
Barbosa Rodriguez Law
(619) 394-2100
cynthia@barbosarodriguezlaw.com
Attorney for Petitioner

**28 U.S.C. § 2242 VERIFICATION STATEMENT**

I am submitting this verification on behalf of the petitioner because I am the Petitioner's attorney. I have discussed with the Petitioner the events described in this Petition and Complaint. On the basis of those discussions, I hereby verify that the statements made in this Petition and Complaint are true and correct to the best of my knowledge.

DATED: July 24, 2026

//S// CYNTHIA BARBOSA
Barbosa Rodriguez Law
(619) 394-2100
cynthia@barbosarodriguezlaw.com
Attorney for Petitioner

**EXHIBIT LIST**


| | | |
|---|---|---|
| EXHIBIT 1 | IMMIGRATION JUDGE ORDER DENYING BOND HEARING | P. 21-22 |
| EXHIBIT 2 | ICE LOCATOR | P. 24 |
| EXHIBIT 3 | UNITED STATE DAUGHTERS' BIRTH CERTIFICATES | P. 26-27 |
| EXHIBIT 4 | PETITIONER'S DECLARATION | P. 29-32 |

**CERTIFICATE OF ELECTRONIC SERVICE**

I, CYNTHIA BARBOSA, CONFIRM THAT ON JULY 24, 2026, I UPLOADED THE ATTACHED PETITION FOR WRIT OF HABEAS CORPUS INTO THE PACER SYSTEM, AND THAT NO SEPARATE SERVICE IS REQUIRED AS ALL PARTIES ARE PARTICIPATING IN THE SYSTEM.

//S// CYNTHIA BARBOSA
Barbosa Rodriguez Law
(619) 394-2100
cynthia@barbosarodriguezlaw.com
Attorney for Petitioner

**Defendants:**

CHRISTOPHER J. LAROSE, Senior Warden, Otay Mesa Detention Center;

GREGORY J. ARCHAMBEAULT, Field Office Director of Enforcement and Removal Operations, San Diego Field Office, Immigration and Customs Enforcement;

TODD BLANCHE, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW,

MARKWAYNE MULLIN, U.S. Secretary of Homeland Security.

DAVID J. VENTURELLA, Director of Enforcement and Customs Enforcement.