No. 25-5962

In the Supreme Court of the United States

ISMAEL ADAN ORTIZ-RODRIGUEZ, *PETITIONER*,

v.

UNITED STATES OF AMERICA, *RESPONDENT*.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

REPLY BRIEF FOR PETITIONER

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In 2017, petitioner Ortiz-Rodriguez was removed from the United States through an expedited removal—a method of deportation by which immigration agents can order a removal upon determining that a noncitizen (1) is not a lawful resident and (2) has been convicted of an aggravated felony. An immigration agent found that Ortiz-Rodriguez was a noncitizen, not a resident, and that his Texas evading arrest conviction was an aggravated felony. The aggravated felony finding was correct under prevailing circuit law, but seven months later, this Court would issue its opinion in *Sessions v. Dimaya*, 584 U.S. 148 (2018), reversing that precedent.

When he was later charged with illegally reentering the United States, Ortiz-Rodriguez filed a motion to dismiss, challenging the prior removal under 8 U.S.C. § 1326(d). He argued that (1) there were no administrative remedies to exhaust, (2) he was deprived of judicial review when he signed a waiver that informed him he could only challenge the facts underlying the removal, not whether his conviction qualified as an aggravated felony, (3) his right to due process was violated when he was deprived of his right to appeal through the misleading waiver, and (4) he was prejudiced because, had he appealed, he would have benefited from *Dimaya*.

Ortiz-Rodriguez relied on the Ninth Circuit's decision in *United States v. Valdivia-Flores*, 876 F.3d 1201 (9th Cir. 2017). In *Valdivia-Flores*, the Ninth Circuit held that the same waiver signed by Valdivia-Flores and Ortiz-Rodriguez "did not explicitly inform [the noncitizen] that he could refute, through either an

administrative or judicial procedure, the legal conclusion underlying his removability." *Id.* 1205–06.

Ortiz-Rodriguez also urged that the entry of the resulting order of removal was fundamentally unfair because he had been denied his appellate rights and was erroneously subject to an expedited removal, when he would otherwise would have been referred to an immigration judge who could have then granted him discretionary relief, like a voluntary departure. In *Valdivia-Flores*, the Ninth Circuit held an identically-situated defendant had been deprived of his due process rights—specifically, his right to appeal, by signing the waiver—and had been prejudiced by being expeditedly removed when he did not have an aggravated felony conviction.

The Fifth Circuit explicitly declined to apply the Ninth Circuit's approach on all three questions: deprivation of judicial review, violation of due process, and prejudice. *United States v. Ortiz-Rodriguez*, 145 F.4th at 603, 606 (5th Cir. 2025) ("*Valdivia-Flores* is inconsistent with our precedents, and we decline to follow it;" "[w]ith great respect to our sister court, we decline to adopt the Ninth Circuit's approach"); *see also United States v. Cortez-Zepeda*, Case No. 24-50418, 2025 WL 1904482 (5th Cir. Jul. 10, 2025) (also finding the same procedure did not deprive the noncitizen of judicial review). Ortiz-Rodriguez petitioned this Court to resolve the split.

The government responds that Ortiz-Rodriguez overstates the split, mostly relying on the possibility that the Ninth Circuit will revisit its approach to these cases, considering this Court's 2021 decision in *United States v. Palomar-Santiago*, 593 U.S.

321 (2021). The government also urges that this is a poor vehicle because Ortiz-Rodriguez was otherwise removable, even if not through an expedited removal.

Ortiz-Rodriguez replies to show (1) the split persists, the Ninth Circuit having rejected those arguments; (2) the split is entrenched and will not resolve itself without this Court's intervention; (3) the government's claimed vehicle problem is illusory—Ortiz-Rodriguez's case would have been dismissed in the Ninth Circuit regardless of removability; and (4) the Ninth Circuit's approach is correct. Ortiz-Rodriguez urges this Court's intervention because the two circuits where 80% of illegal re-entry cases are filed have such divergent approaches that identically-situated defendants either have the charge dismissed or face up to 10 years' imprisonment, 8 U.S.C. § 1326(b)(1).

I. The split—over whether an erroneous expedited removal through a waiver that omits the ability to contest the aggravated felony finding (1) deprives a noncitizen of judicial review and (2) is fundamentally unfair—endures despite this Court's holding in *Palomar-Santiago*.

The Fifth Circuit was very clear in analyzing whether Ortiz-Rodriguez showed deprivation of judicial review and fundamental unfairness, 8 U.S.C. § 1326(d)(2)–(3), that it was diverging from the Ninth Circuit's decision in *Valdivia-Flores*. *Ortiz-Rodriguez*, 145 F.4th at 603, 606 ("*Valdivia-Flores* is inconsistent with our precedents, and we decline to follow it;" "[w]ith great respect to our sister court, we decline to adopt the Ninth Circuit's approach").

The government briefly claims that *Valdivia-Flores* was "fact-specific." Not so. In *Valdivia-Flores*, as here, the government relied "on the sufficiency of the form's text." 876 F.3d at 1206. Both the Ninth Circuit and its district courts have consistently applied *Valdivia-Flores* beyond its facts. *See, e.g., United States v. Mangas*, Case No.

19-50319, 2022 WL 898594, at *1 (9th Cir. Mar. 28, 2022) (finding Form I-851's waiver invalid); *see also United States v. Morales-Rodriguez*, 744 F.Supp.3d 1036, 1049 (S.D. Cal. 2024). Nor was the Fifth Circuit's holding in this case dependent on the facts. *Cortez-Zepeda*, 2025 WL 1904482, at *3–4 (finding the waiver through Form I-851 did not deprive the defendant of judicial review).

A. Palomar-Santiago does not change the Ninth Circuit's holding that Form I-851 obtains a wavier that is not knowing or intelligent, depriving the noncitizen of judicial review.

The Ninth Circuit holds that expedited removals deprive noncitizens of judicial review because the deficiencies of the waiver in Form I-851 makes their waiver of judicial review neither considered nor intelligent. *See Valdivia-Flores*, 876 F.3d at 1206; *see also United States v. Mendoza-Lopez*, 481 U.S. 828, 840 (1987) (requiring a considered and intelligent waiver). The form tells noncitizens that they can contest the factual conclusions—that they are not U.S. citizens, that they are not permanent residents, and that they were not convicted of the crime alleged. C.A. ROA 83. "The list of options available to 'check off' did not include an option to contest the classification of the conviction as an aggravated felony." *Valdivia-Flores*, 876 F.3d at 1206. The Fifth Circuit and the government disagree, believing that the form's disjointed references to the ability to seek review and contest the order are sufficient. *Ortiz-Rodriguez*, 145 F.4th at 600–05; *Cortez-Zepeda*, 2025 WL 1904482, at *3–4; (Resp. 8).

The government urges that *Palomar-Santiago* may cause the Ninth Circuit to reconsider whether the waiver in Form I-851 is considered and intelligent. It will not.

Palomar-Santiago had nothing to do with the contents of Form I-851, the Ninth Circuit has already rejected the government's attempt to read *Palomar-Santiago* broadly, and courts continue to apply *Valdivia-Flores* after *Palomar-Santiago*.

In *Palomar-Santiago*, this Court held that "each of the statutory requirements of § 1326(d) is mandatory." 593 U.S. at 329. That holding has nothing to do with whether the government's implementation of expedited removals by obtaining a waiver on Form I-851. Nor could it. *Palomar-Santiago* dealt with a removal ordered by an immigration judge, not an expedited removal. *Id*. at 325–26. And it repudiated a Ninth Circuit rule, not at issue in *Valdivia-Flores*, that "excused" defendants "from proving the first two requirements of § 1326(d) if they were not convicted of an offense that made them removable" as aggravated felons. *Id*. at 325–26 (quoting *United States v. Ochoa*, 861 F.3d 1010, 1015 (9th Cir. 2017)).

The government attempts to read *Palomar-Santiago* more broadly than its holding, as requiring a person to actually file an appeal in the relevant circuit court to show that he was deprived of judicial review. (Resp. 11–13). The Ninth Circuit has declined to interpret *Palomar-Santiago* in the manner suggested by the government. *United States v. Valdivias-Soto*, 112 F.4th 713 (9th Cir. 2024).

In *Valdivias-Soto*, the Ninth Circuit recently held that a person was deprived of judicial review when an immigration judge erroneously told him—due to a translation error—that his only ability to challenge his removal was by hiring an attorney, when he could have obtained one for free. *Id*. at 722–24, 728–29, 733. Interpreting

Palomar-Santiago, the Ninth Circuit concluded that a "substantive error of immigration law does not excuse a defendant from" seeking further review "if further administrative review, and then judicial review if necessary, exists to fix that very type of error. On the other hand, administrative [and judicial] remedies are not available if the [official or judge] misled the defendant as to the existence or rules of the process for obtaining them." *Id.* at 731–33.[1]

Valdivia-Flores held that expedited removals, achieved through the waiver in Form I-851, mislead noncitizens into believing they cannot challenge the categorization of their conviction as an aggravated felony. 876 F.3d at 1206. *Valdivias-Soto*, therefore, illustrates that *Valdivia-Flores* survives *Palomar-Santiago* because *Valdivia-Flores* concerned an error that "misled the defendant as to the existence or rules of the process for obtaining" judicial review—the ability to challenge the aggravated felony finding. *Valdivias-Soto*, 112 F.4th at 732.

Further, the government has consistently declined to ask the Ninth Circuit to revisit *Valdivia-Flores*. This Court published *Palomar-Santiago* in 2021, and the Ninth Circuit has reaffirmed *Valdivia-Flores* in at least one post-*Palomar-Santiago* opinion. *Mangas*, 2022 WL 898594, at *1. Perhaps more probative, district courts

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[1] The Ninth Circuit is not alone in this holding. The Fourth Circuit has also held, post-*Palomar-Santiago*, that a noncitizen is excused from satisfying § 1326(d)(1) and (2) when procedural defects make administrative remedies and judicial review practically unavailable. *United States v. Castro-Aleman*, 141 F.4th 576, 580 n.2 (4th Cir. 2025) ("[T]he government argues that the Supreme Court's decision in *Palomar-Santiago* has foreclosed the option for an alien to excuse their failure to exhaust under § 1326(d) . . . . This is incorrect. . . . Reading *Palomar-Santiago* to categorically bar any excusal of § 1326(d)(1)'s administrative exhaustion requirement would amount to overturning th[e] core holding of *Mendoza-Lopez*. . . . We therefore reject the government's reading of *Palomar-Santiago*."); *but see United States v. Castillo-Martinez*, 16 F.4th 906, (1st Cir. 2021) (ineffective assistance of counsel in an immigration judge hearing did not excuse a failure to assert such claim prior to being charged with illegal re-entry).

throughout the Ninth Circuit have consistently dismissed cases on facts identical to those in *Valdivia-Flores* and *Ortiz-Rodriguez*; yet, the government has not pursued an appeal in those cases.[2] Those decisions, and the lack of appeal, leave the inescapable question: how can the government credibly claim that the Ninth Circuit may reverse *Valdivia-Flores* when it has consistently declined to ask?

B. Palomar-Santiago will not change the Ninth Circuit's holding that a noncitizen is (1) deprived of due process and (2) prejudiced, when the government (1) misleads him into waiving further review and (2) erroneously subjects him to an expedited removal.

The circuits agree that 8 U.S.C. § 1326(d)(3) requires a person to show that the entry of the order was fundamentally unfair, which in turn requires a showing "(1) the defendant did not receive procedural due process, and (2) the defendant suffered prejudice." *Oritz-Rodriguez*, 145 F.4th at 593; *see also United States v. Ramos*, 623 F.3d 672, 683–84 (9th Cir. 2010).

The Ninth Circuit found that the defendant had shown a due process violation by showing that his waiver of further "review was not considered and intelligent." *Valdivia-Flores*, 876 F.3d at 1206. The Fifth Circuit rejected that conclusion principally because it found Form I-851 sufficient to execute a considered and intelligent waiver. *Ortiz-Rodriguez*, 145 F.4th at 607–09.

The government does not meaningfully contest this split, outside of continuing to assert that the Ninth Circuit may revisit its holding in light of *Palomar-Santiago*.

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[2] *United States v. Gutierrez-Lopez*, 793 F.Supp.3d 1297 (E.D. Wash. 2025); *United States v. Morales-Rodriguez*, 744 F. Supp. 3d 1036 (S.D. Cal. 2024); *United States v. Ledezma-Mejia*, No. 6:20-cr-403, 2023 WL 4053577 (D. Or. June 16, 2023); *United States v. Castanon-Sanchez*, No. 3:22-cr-41, 2023 WL 3601043 (D. Nev. May 22, 2023); *United States v. Sam-Pena*, 602 F. Supp. 3d 1204 (D. Ariz. 2022).

(Resp. 13–14). But nothing in *Palomar-Santiago* suggests that it will change the Ninth Circuit's analysis of when an expedited removal is fundamentally unfair. *Palomar-Santiago* was about whether "§ 1326(d)'s first two procedural requirements [were] satisfied." 593 U.S. at 327.

Since *Palomar-Santiago*, the Ninth Circuit has explicitly held that a due process violation, through deprivation of the right to appeal and to counsel, supports the finding of fundamental unfairness required by § 1326(d)(3). *Valdivias-Soto*, 112 F.4th at 722–25. In *Valdivias-Soto*, the Ninth Circuit found that an immigration judge's procedural misstatements deprived the defendant of his rights to counsel and his right to appeal. *Id*. And, those rights violations sufficed to show a due process violation. *Id*.

Nor will *Palomar-Santiago* alter the Ninth Circuit's prejudice analysis. The Ninth Circuit has consistently found prejudice from an erroneous categorization of a noncitizen's crime as an aggravated felony both before,[3] and after,[4] the decision in *Palomar-Santiago*. A removal based on an erroneous aggravated felony finding prejudices a noncitizen in *an expedited removal* because he is removed and cannot seek discretionary relief from an immigration judge. *Valdivia-Flores*, 876 F.3d at 1210. A removal based on an erroneous aggravated felony finding prejudices a noncitizen in a *hearing before an immigration judge* because the immigration judge is barred from consider the noncitizen for discretionary relief, like voluntary departure or a U-visa. *Valdivias-Soto*, 112 F.4th at 722 n.6. *Palomar-Santiago* instructed that substantive

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[3] *Valdivia-Flores*, 876 F.3d at 1210.
[4] *Valdivias-Soto*, 112 F.4th at 722 n. 6.

errors do not excuse failures to satisfy § 1326(d)(1) and (2), but it is impossible to show prejudice, as required by § 1326(d)(3), without referring to a substantive error.

Regardless of the type of immigration proceeding, the Ninth Circuit conducts its aggravated felony analysis based on the state of the law at the time it conducts the analysis, *Valdivia-Flores*, 875 F.3d at 1206–1210; *see also Mangas*, 2022 WL 898594, at *2. The Fourth and Fifth Circuits have explicitly rejected that approach, analyzing whether the crime was considered an aggravated felony in the relevant circuit at the time of removal. *Ortiz-Rodriguez*, 145 F.4th at 610; *United States v. Lopez-Collazo*, 824 F.3d 453, 467 (4th Cir. 2016).

II. This petition presents an important and recurring question.

As a result of this split, identically situated defendants receive extraordinarily disparate results. In the Ninth Circuit, the illegal re-entry charge is dismissed. *See, e.g., Gutierrez-Lopez*, 793 F.Supp.3d at 1306. In the Fifth Circuit, they face up to 10 years' imprisonment. 8 U.S.C. § 1326(b)(1). The question also has great importance to petitioner, individually. Unless the Court rectifies this split, he stands convicted of a crime that he would not have been convicted of had he been arrested in a different part of the country. And he continues to serve a 51-month sentence. *Ortiz-Rodriguez*, 145 F.4th at 588.

Further, resolution of this split is apparently necessary to discourage the continued use of this misleading form. The Ninth Circuit has held since 2017 that Form I-851 contains a waiver that violates the due process of rights of noncitizens. *Valdivia-Flores*, 876 F.3d at 1206. Two judges of the Fifth Circuit agree. *Ortiz-Rodriguez*, 145

F.4th at 615 (Douglas, J., dissenting in part); *Cortez-Zepeda*, 2025 WL 1904482, at *4–5 (Dennis, J., dissenting). There is no indication that the government has altered the form to alert noncitizens subject to expedited removal of their right to challenge the legal conclusion that their crime qualifies as an aggravated felony. And, a remedy is not difficult. The government need simply add one more checkbox:

> ☐ The criminal offense described in allegation 6 above is not an aggravated felony, as described in 8 U.S.C. 1101(a)(43)(_).

C.A. ROA 83.

The split is also recurring. Whether a crime qualifies as an aggravated felony, 8 U.SC. § 1101(a)(43), requires application courts to use the categorical approach to determine whether a crime falls under one of many subsections. This Court alone has issued numerous opinions that alter circuit precedent for determining what qualifies as an aggravated felony. *See, e.g., United States v. Borden*, 593 U.S. 420 (2021).

While the government continues to use Form I-851, the potential number of erroneous expedited removals achieved through a misleading waiver, along with ensuing illegal re-entry charges predicated on them, will continue to multiply.

III. This is an ideal vehicle to resolve the split.

The government concedes that this issue was raised and decided by both the district court and the Fifth Circuit. (Resp. 5–7). The only vehicle argument the government raises is the government's belief that Ortiz-Rodriguez "would have been removable even without the mistaken classification of his prior offense as an aggravated felony." (Resp. 7). The government's argument either misunderstands the prejudice inquiry under § 1326(d)(3) or the options available to a person deemed removable.

Most illustrative of the lack of a vehicle problem, Oritz-Rodriguez's motion to dismiss would have been granted in the Ninth Circuit,[5] and its district courts.[6] The key issue the government misses is that anyone subject to an expedited removal must be removable. The wrinkle is that they are removable with substantially less process because of the aggravated felony finding. That deprivation of process—a hearing before an immigration judge—makes it impossible for them to attempt to qualify for discretionary relief, like voluntary departure. The Ninth Circuit finds that they are prejudiced by being removed through an expedited removal when they had a right to see an immigration judge and seek that discretionary relief but were deprived of that right by the erroneous classification of their conviction.

IV. This Court should grant the petition because the Ninth Circuit's approach to this issue is more consistent with this Court's precedent.

The Ninth Circuit's approach is more consistent with the text of § 1326(d) as well as this Court's previous holdings.

A. The Ninth Circuit is correct that immigration officers should advise noncitizens of all their avenues for judicial review—factual and legal.

This Court has long held that "where a determination made in an administrative proceeding is to play a critical role in the subsequent imposition of a criminal sanction, there must be *some* meaningful review of the administrative proceeding." *United*

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[5] *Valdivia-Flores*, 876 F.3d at 1203–04, 1210 (removable noncitizen deported through an expedited removal, reentered, and motion to dismiss should have been granted); *Mangas*, 2022 WL 898594, at *1–2 (same).

[6] *Gutierrez-Lopez*, 793 F.Supp.3d 1297, 1299, 1306 (removable noncitizen deported through an expedited removal, reentered, motion to dismiss granted); *Morales-Rodriguez*, 744 F. Supp. 3d at 1043–45, 1058 (same); *Ledezma-Mejia*, 2023 WL 4053577, at *1, *4 (same); *Castanon-Sanchez*, 2023 WL 3601043, at *1, *5 (same); *Sam-Pena*, 602 F.Supp.3d at 1206–07, 1212–12 (same)

States v. Mendoza-Lopez, 481 U.S. 828, 837–38 (1987). The circuits appear to agree that a noncitizen subject to an expedited removal must at least be informed of their ability to seek judicial review. As the Fifth Circuit found, Form I-851 informs noncitizens that they have the ability "to contest and/or to request withholding of removal" and informs them of "the right to remain the United States for 14 calendar days so that you may file a petition for review of this order to the appropriate U.S. Circuit Court of Appeals." C.A. ROA 82–83.

The crux of the dispute between the circuits is (1) whether the government has an obligation to inform noncitizens of the grounds upon which they can contest or seek review of the removal and (2) whether, having decided to inform them of *some* of the grounds, the government must include *all* of the grounds. The Court's holding in *Mendoza-Lopez* suggests that the answer to both questions is yes.

In *Mendoza-Lopez*, this Court considered whether the actions of an immigration judge "amounted to a complete deprivation of judicial review of the determination" that they should be deported. 481 U.S. at 840. In finding a deprivation, this Court relied on the fact that the "Immigration Judge permitted waivers of the right to appeal that were not the result of considered judgments by respondents, and failed to advise respondents of their eligibility to apply for suspension of deportation." *Id.*

This Court's reasoning confirms what common sense dictates: for a waiver of the right to appeal to be considered and intelligent, it must do more than the bare minimum necessary to obtain a waiver: tell a person they have a right to appeal and get

a waiver. Instead, the waiver must explain the relief the noncitizen could seek through the appeal.

But, even if that is not true, the government cannot obtain a waiver by misleading noncitizens. If the government choses to purport to articulate the possible grounds, it must articulate *all* the grounds, else it affirmatively misleads, as Form I-851 currently does. *Valdivia-Flores*, 876 F.3d at 1206; *Cortez-Zepeda*, 2025 WL 1904483, at *4–5 (Dennis, J., dissenting); *Ortiz-Rodriguez*, 145 F.4th at 615 (Douglas, J., dissenting in part).

This Court should grant the petition to correct the Fifth Circuit's holding that a waiver is considered and intelligent when it is obtained on a misleading form, presented in less than a minute, to an unrepresented noncitizen.

B. The Ninth Circuit is correct to determine that a person is prejudiced by being removed as an aggravated felon based on what the law actually means, rather than how it was interpreted by certain courts at the time of removal.

This case also gives the Court the opportunity to resolve a wider and deepening split: whether a person wrongfully subject to an expedited removal can show prejudice by showing that the courts ultimately decided that his crime of conviction was not an aggravated felony. *Cf. Cortez-Zepeda v. United States*, Case No. 25-6088, Petition for a Writ of Certiorari (Filed Nov. 7, 2025) (presenting only the § 1326(d)(2) question because the conviction in question was not considered an aggravated felony at the time of removal). The circuits that apply the time-of-removal approach both misunderstand the appellate process and introduce the arbitrariness of the timing of appellate decisions into an inquiry about fundamental fairness.

The prejudice inquiry adopted by all three circuits are ultimately probabilistic. *Ramos*, 623 F.3d at 684 (in the Ninth Circuit, prejudice is shown if "there were plausible grounds for relief."); *United States v. Benitez-Villafuerte*, 186 F.3d 651, 659 (5th Cir. 1999) (prejudice means "reasonable likelihood that but for the errors . . . the defendant would not have been deported."); *Lopez-Collazo*, 824 F.3 at 462 (the Fourth Circuit considers whether there is a "reasonable probability").

The time-of-removal approach misunderstands how review affects prior understandings. "A judicial construction of a statute is an authoritative statement of what the statute meant before as well as after the decision of the case giving rise to that construction." *Rivers v. Roadway Exp., Inc.,* 511 U.S. 298, 312–13 (1994). Moreover, reasoning in probabilities, it falsely assumes that circuit courts are courts of last resort. Probabilistic reasoning requires asking: what could have happened had Ortiz-Rodriguez been advised of his ability to challenge the aggravated felony finding?

The time-of-removal approach assumes he would have appealed to the Fifth Circuit, lost, and abandoned any further attempt. But, what if, instead, he had sought review from this Court, like Santiago Alejandro Diaz-Esparza did? Diaz-Esparaza petitioned this Court to review the Fifth Circuit's holding that Texas escape was an aggravated felony on December 5, 2017, less than two months after Ortiz-Rodriguez was ordered removed. *Diaz-Esparza v. Session*, Case No. 17-820, Petition (Filed Dec. 5, 2018); C.A. ROA 83. Had Ortiz-Rodriguez petitioned this Court for review, his petition would have been held pending the outcome of *Sessions v. Dimaya*, just like

Diaz-Esparza's. And, this Court would have ultimately remanded to the Fifth Circuit. *Diaz-Esparaza v. Sessions*, 584 U.S. 974 (2018) (granting, vacating, and remanding).

Comparing what was hypothetically possible for Ortiz-Rodriguez with what happened to Diaz-Esparza shows the flaw in considering the circuit law at the time of removal: it assumes the law is frozen in amber at the time of removal. It fails to capture the very real possibility, illustrated by *Diaz-Esparza*, that the law can change why an appeal pends or the appeal itself can work a change in the law. That kind of change is all the more probable when a defendant shows that his crime is not an aggravated felony in a motion to dismiss.

The Court should grant the petition to correct the Fourth and Fifth Circuit's prejudice analysis. Those circuits artificially look at circuit law at the time of the removal. As a result, the approach ignores both the impact of later decisions and what could happen when a noncitizen is adequately informed of the process they are due.

Conclusion

The petition for a writ of certiorari should be granted.

Respectfully submitted.

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February 11, 2026