

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

JOHN DOE,

*Petitioner,*

v.

ANGEL GARITE, Assistant Field Office Director,  
El Paso Field Office, El Paso Service Processing  
Center; MARY DE ANDA-YBARRA, Field  
Office Director, El Paso Field Office, United States  
Immigration and Customs Enforcement; CALEB  
VITELLO, Senior Official Performing the Duties  
of the Director, United States Immigration and  
Customs Enforcement; KRISTI NOEM, Secretary  
of Homeland Security; PAMELA BONDI, United  
States Attorney General, *in their official capacities,*

*Respondents.*

Civil Action No. 3:25-cv-00046

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

**PETITION FOR A WRIT OF HABEAS CORPUS  
PURSUANT TO 28 U.S.C. § 2241 AND REQUEST  
FOR ORDER TO SHOW CAUSE**

**I. INTRODUCTION**

1. Petitioner John Doe has spent over fourteen months in detention. He came to the United States in November 2023 to seek asylum from the deteriorating humanitarian and political situation in Venezuela.<sup>1</sup> Shortly after arriving, an immigration officer denied Mr. Doe's claim that he had a credible fear of returning to Venezuela, and a final removal order was issued on December 20, 2023. He has remained in custody ever since with no end in sight.

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<sup>1</sup> U.S. DEP'T OF STATE, *2023 Country Reports on Human Rights Practices: Venezuela* (2024), <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/venezuela/>.

2. Mr. Doe challenges his indefinite detention as a violation of the Immigration and Nationality Act (INA), as well as his rights under the Due Process Clause of the Fifth Amendment.
3. Mr. Doe respectfully requests this Court to grant him a Writ of Habeas Corpus and order Respondents to release him from custody under reasonable conditions of supervision. He is seeking habeas relief under 28 U.S.C. § 2241, which is the proper vehicle for challenging civil immigration detention. *See Zadvydas v. Davis*, 533 U.S. 678, 687–88 (2001).
4. Mr. Doe asks the Court to order the Respondents to “show cause why the writ should not be granted,” within three days, as prescribed by statute. 28 U.S.C. § 2243.

## **II. CUSTODY**

5. Mr. Doe is in the physical custody of Respondents. He is detained at the El Paso Service Processing Center (EPSPC) in El Paso, Texas. He is under the direct control of Respondents and their agents.

## **III. JURISDICTION AND VENUE**

6. Jurisdiction is proper under 28 U.S.C. §§ 1331, 2241, and the Suspension Clause, U.S. Const. art. I, § 9, clause 2.
7. Pursuant to 28 U.S.C. § 2241, district courts have jurisdiction to hear habeas petitions by noncitizens who challenge the lawfulness of their detention under federal law. *Demore v. Kim*, 538 U.S. 510, 516–17 (2003); *Zadvydas*, 533 U.S. at 687; *Maldonado v. Macias*, 150 F. Supp. 3d 788, 794 (W.D. Tex. 2015).
8. Venue is proper in the United States District Court for the Western District of Texas because at least one Respondent is in this District, the Petitioner is detained in this District, and the Petitioner’s immediate physical custodian is in this District. 28 U.S.C. §§ 1391(b).

#### **IV. PARTIES**

9. Petitioner Doe is currently detained by Respondents at EPSPC. He has been in ICE custody since on or about November 24, 2023. His removal order became administratively final on December 20, 2023. He has been detained for over 400 days.
10. Angel Garite is the Assistant Field Office Director for the El Paso Field Office. Upon information and belief, Angel Garite performs the duties typically performed by a warden for the El Paso Service Processing Center. Accordingly, Angel Garite is the legal custodian of Petitioner and is named in his official capacity.
11. Respondent Mary De Anda-Ybarra is the Field Office Director responsible for the El Paso Field Office of ICE with administrative jurisdiction over Petitioner's cases. She is a legal custodian of Petitioner and is named in her official capacity.
12. Respondent Caleb Vitello is the Deputy Director and Senior Official Performing the Duties of the Director of ICE. He is a legal custodian of Petitioner and is named in his official capacity.
13. Respondent Kristi Noem is the Secretary of the United States Department of Homeland Security (DHS). She is a legal custodian of Petitioner and is named in her official capacity.
14. Respondent Pamela Bondi is the Attorney General of the United States Department of Justice. She is a legal custodian of Petitioner and is named in her official capacity.

#### **V. STATEMENT OF FACTS**

15. Mr. Doe is a native and citizen of Venezuela.
16. Mr. Doe worked for the political opposition party when he lived in Venezuela. Before Mr. Doe fled Venezuela, he was beaten at least once and kidnapped multiple times due to his involvement in local politics.

17. Mr. Doe has no criminal history and no gang affiliation.
18. Mr. Doe was taken into custody by immigration authorities on or about November 24, 2023.  
On December 20, 2023, Mr. Doe appeared before an immigration judge in Otero, New Mexico, who decided Mr. Doe did not have a credible fear of persecution and ordered his expedited removal.
19. Immigration and Customs Enforcement (ICE) then transferred Mr. Doe to the Denver Contract Detention Facility in Aurora, CO, where he was detained until February 11, 2025.
20. During his detention, Mr. Doe complied with ICE's attempts to remove him and has provided them with copies of his Venezuelan passport.
21. On February 11, 2025, Mr. Doe was transferred to the ICE El Paso Service Processing Center.

#### **VI. REMOVALS TO VENEZUELA AND TRANSFERS TO GUANTANAMO BAY**

22. In February 2024, the Venezuelan government ceased receiving deportation flights from the United States in response to U.S. economic sanctions imposed on Venezuela.<sup>2</sup>
23. Last week, the U.S. government brokered a deal to re-start repatriations.<sup>3</sup> Repatriation flights to Venezuela resumed February 10, 2025, yet Mr. Doe was not on them.<sup>4</sup> Instead, ICE

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<sup>2</sup> Deisy Buitrago & Vivian Sequera, *Venezuela is prepared for US sanctions on oil, may reject migrant flights - officials*, REUTERS (Jan. 30, 2024), <https://www.reuters.com/world/americas/venezuela-prepared-reimposition-us-sanctions-its-oil-2024-01-30/>.

<sup>3</sup> Bethany Blankley, *Venezuelan repatriation flights begin, paid for by Venezuela*, THE CENTER SQUARE (Feb. 11, 2025), [https://www.thecentersquare.com/national/article\\_e4108336-e881-11ef-945a-8f8ebfd9acd6.html](https://www.thecentersquare.com/national/article_e4108336-e881-11ef-945a-8f8ebfd9acd6.html).

<sup>4</sup> Valerie Gonzalez, *Venezuela sends 2 planes to us to return migrants, signaling a potential improvement in relations*, ASSOC. PRESS (Feb. 10, 2025), <https://apnews.com/article/trump-immigration-crackdown-venezuela-aragua-a9b5a11b1e14e40c62741ac6f1aa0f74>.

transferred Mr. Doe to *another* detention center, from Aurora to EPSPC, which is a staging facility for transfers to the U.S. Naval Base on Guantanamo Bay.<sup>5</sup>

24. Despite Venezuela receiving two flights carrying Venezuelan migrants on February 10, 2025, reports indicate the U.S. government continued to send Venezuelan men to Guantanamo Bay, in an unprecedented move with little transparency around the identities of the transferred detainees and the role of the military, with nearly 126 Venezuelan detainees transferred as of February 14, 2025.<sup>6</sup>
25. The fact that ICE has not placed Mr. Doe on any of the flights to Venezuela but instead sent him to a *new* detention center—the El Paso Service Processing Center, which has become a site for flight transfers to Guantanamo Bay<sup>7</sup>—does not show a significant likelihood of removal in the reasonably foreseeable future. *See Zadvydas v. Davis*, 533 U.S. at 680.

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<sup>5</sup> Julie Turkewitz & Hamed Aleaziz, *Family of Venezuelan migrant sent to Guantánamo: “my brother is not a criminal,”* The N.Y. TIMES (Feb. 11, 2025), <https://www.nytimes.com/2025/02/11/world/americas/luis-castillo-venezuela-migrant-guantanamo-bay-trump.html>.

<sup>6</sup> Silvia Foster-Frau, Ana Vanessa Herrero & María Luisa Paúl, *Relatives and records cast doubt on Guantanamo migrants being ‘worst of the worst,’* THE WASHINGTON POST (Feb. 16, 2025), <https://www.washingtonpost.com/immigration/2025/02/16/trump-guantanamo-migrants-deportations-venezuela/>; *see also* Camilo Montoya-Galvez, *U.S. sending nonviolent, “low-risk” migrants to Guantanamo, despite vow to detain “the worst” there*, CBS NEWS (Feb. 12, 2025), <https://www.nytimes.com/2025/02/12/us/gitmo-migrants-trump.html>; Carol Rosenberg & Charlie Savage, *Some Migrants Sent by Trump to Guantanamo Are Being Held by Military Guards*, The N.Y. TIMES (Feb. 12, 2025), <https://www.nytimes.com/2025/02/12/us/gitmo-migrants-trump.html>.

<sup>7</sup> Hamed Aleaziz & Eric Schmitt, *U.S. Begins Flying Migrants to Guantanamo*, THE N.Y. TIMES (Feb. 4, 2025), <https://www.nytimes.com/2025/02/04/us/politics/migrants-guantanamo-trump.html>.

26. Furthermore, the start-and-stop, administratively challenging nature of removal flights to Venezuela, and Mr. Doe's own history, indicate no reasonable likelihood that he will be removed to Venezuela.
27. Prior to February 2025, the most recent deportation flights to Venezuela occurred between October 2023 and December 2023.<sup>8</sup> Before this, deportation flights to Venezuela had been halted for years.<sup>9</sup>
28. In late January 2024, the Venezuelan government announced it would cease receiving deportation flights as of February 13, 2024, in response to economic sanctions imposed by the United States.<sup>10</sup> Venezuela did not accept deportation flights for the remainder of 2024.
29. Despite his final order of removal in December 2023, Mr. Doe was not on any flights in January or February 2024.
30. According to data as of March 2024, approximately 4,379 Venezuelans were in ICE custody, more than any nationality besides Mexico.<sup>11</sup>
31. The Respondents' decision to send Venezuelans with final orders of removal to Guantanamo Bay further underscores that it intends to continue detaining Venezuelans instead of returning

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<sup>8</sup> Annie Correa, Genevieve Glatsky & Hamed Aleaziz, *Deportation Flights From the U.S. to Venezuela in Limbo*, THE N.Y. TIMES (Feb. 7, 2024), <https://www.nytimes.com/2024/02/07/world/americas/migrant-crisis-deport-venezuelaflights.html>.

<sup>9</sup> Valerie Gonzalez & Regina Garcia Cano, *US resumes deportation flights to Venezuela with more than 100 migrants on board*, ASSOC. PRESS (Oct. 18, 2023), <https://apnews.com/article/venezuela-migrants-deportation-texas-biden-immigration-1115aa224f1fa79fb88bd991a8ed705a>.

<sup>10</sup> Deisy Buitrago & Vivian Sequera, *Venezuela is prepared for US sanctions on oil, may reject migrant flights - officials*, REUTERS (Jan. 30, 2024), <https://www.reuters.com/world/americas/venezuela-prepared-reimposition-us-sanctions-its-oil-2024-01-30>.

<sup>11</sup> U.S. Immigr. & Customs Enf't., Fiscal Year 2024 Annual Report, at 24 (2024).

them to Venezuela. On January 29, 2025, President Trump issued a memorandum directing the Secretaries of Defense and Homeland Security to expand the Migrant Operations Center at Guantanamo Bay.<sup>12</sup> The memorandum indicated that the expanded capacity up to 30,000 immigrants would be used to hold “high-priority criminal aliens” and “to address attendant enforcement needs identified by the Department of Defense and the Department of Homeland Security.”

32. DHS has in fact transferred non-violent, “low-risk” migrants to Guantanamo, despite highlighting transfers of alleged dangerous criminals.<sup>13</sup>
33. ICE’s policy that governs detention facilities, the Performance-Based National Detention Standards, contains specific requirements for allowing detainees to communicate with their attorneys.<sup>14</sup> The policy requires ICE facilities to make procedures for attorney calls and visitation publicly available.<sup>15</sup> ICE’s policy on detention standards does not address policies for extraterritorial detention.

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<sup>12</sup> The White House, “Expanding Migrant Operations Center at Naval Station Guantanamo Bay to Full Capacity,” (Jan. 29, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/expanding-migrant-operations-center-at-naval-station-guantanamo-bay-to-full-capacity/>; Hamid Aleaziz, et al., *U.S. Is Holding Migrants in Cells That Once Held Al Qaeda Suspects*, THE N.Y. TIMES (Feb. 5, 2025), <https://www.nytimes.com/2025/02/05/us/politics/migrants-trump-guantanamo-prison.html>.

<sup>13</sup> Camilo Montoya-Galvez, *U.S. sending nonviolent, “low-risk” migrants to Guantanamo, despite vow to detain “the worst” there*, CBS NEWS (Feb. 12, 2025), <https://www.cbsnews.com/news/guantanamo-bay-migrants-trump/>.

<sup>14</sup> ICE, Performance-Based National Detention Standards 2011 (“PBNDS”) § 2.12 (2016), <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>.

<sup>15</sup> See, e.g., PBNDS § 5.6 (“[D]etainees and their legal counsel shall be able to communicate effectively with each other”); PBNDS § 5.7 (“[T]he facility shall provide notification of the rules and hours for legal visitation”).

34. Given the historical relationship between Venezuela and the United States, and the recent transfers to Guantanamo directly from the El Paso Service Processing Center, it is highly likely that Petitioner faces a risk of transfer and will not be removed to Venezuela.

## VII. LEGAL FRAMEWORK

35. “Freedom from imprisonment—from government custody, detention, or other forms physical restraint—lies at the heart of the liberty that [the Due Process] Clause [of the Fifth Amendment] protects.” *Zadvydas v. Davis*, 533 U.S. at 690. Indefinite detention, in particular, raises a “serious constitutional problem” and violates the Due Process Clause *Id.* at 689–90.
36. Accordingly, the Due Process Clause protects Mr. Doe’s liberty, and deprivation of his liberty must be narrowly tailored to serve a compelling government interest. *See Reno v. Flores*, 507 U.S. 292, 301–02 (1993) (holding that due process “forbids the government to infringe certain ‘fundamental’ liberty interests at all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest”).
37. Title 8 U.S.C. § 1231 governs the detention and removal of noncitizens who have been ordered removed, like Mr. Doe. Section 1231(a)(2) only authorizes a 90-day period of mandatory post-final-removal-order detention, during which ICE is supposed to effectuate removal. This is known as the “removal period.” Section 1231(a)(6) allows for noncitizens to be held beyond the removal period if there is a bar to removal under Section 1231, or on grounds stemming from criminal convictions, security concerns, or if they have been determined to be a danger to the community or a flight risk. *See* 8 U.S.C. § 1231(a)(6). Six months of detention, including the 90-day removal period, is presumptively reasonable. *Zadvydas*, 533 U.S. at 701. A noncitizen cannot be held in detention beyond six months



unless there is a significant likelihood of removability in the reasonably foreseeable future (“SLRRFF”). *Id.* at 699.

38. Crucially, non-citizens whose removal is not reasonably foreseeable must be released because their continued detention would violate both Section 1231(a)(6) and the Due Process Clause of the Fifth Amendment. *Id.* “After this 6-month period, once the [noncitizen] provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” *Id.*; *see also Clark v. Martinez*, 543 U.S. 371, 386 (2005) (granting habeas relief to inadmissible Cuban petitioners whose detention lasted beyond six months post-order and whose removal to Cuba was not reasonably foreseeable); *see also Baez v. Bureau of Immigr. & Customs Enf’t*, 150 F. App’x 311, 312 (5th Cir. 2005) (same).
39. The government must release a noncitizen whom it has detained beyond the presumptive six-month period if it is unable to present documented confirmation that removal is likely to occur in the reasonably foreseeable future. *Clark*, 543 U.S. at 386.
40. Release is the proper remedy for unconstitutionally prolonged post-removal-order detention. *See Zadvydas*, 533 U.S. at 699–700 (explaining that supervised release is the appropriate relief when “the detention in question exceeds a period reasonably necessary to secure removal” because at that point, detention is “no longer authorized by statute”).
41. Mr. Doe’s detention fits squarely within the *Zadvydas* framework. His removal order became administratively final more than fourteen months ago. He has not impeded his own removal. Rather, ICE has had more than double the constitutionally presumptive time to remove him, but it has not done so. While ICE has resumed repatriation flights to Venezuela, there is no indication that Mr. Doe is scheduled to board one of these flights. To the contrary, Mr. Doe

was transferred from a Colorado detention center to El Paso Service Processing Center—a detention center used for staging detainee flights to Guantanamo Bay.<sup>16</sup>

42. Additionally, there is no indication that the Venezuelan government specifically seeks to receive members of opposing political parties, like Mr. Doe, who worked for the opposing political party when he lived in Venezuela. The Venezuelan regime has subjected the opposing political party leaders to arbitrary detention<sup>17</sup> and has a well-documented history of brutal crackdowns against opposition supporters in general.<sup>18</sup> While the Venezuelan government has acceded to accept people accused of being members of the Tren de Aragua gang, it is unknown how additional individuals without alleged gang ties have been selected for removal.<sup>19</sup> Mr. Doe has no affiliation with Tren de Aragua or any other gang. Nor does he have any criminal history.
43. The government is unable to meet its burden of demonstrating that Mr. Doe's removal is significantly likely in the reasonably foreseeable future, given the length of his detention and no indication that ICE has made any progress in arranging their removal. Nor has the

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<sup>16</sup> Lauren Villagran, *Their Loved Ones May Have Been Sent to Guantanamo. Now They're Suing*, USA TODAY (Feb. 13, 2025), <https://www.nytimes.com/2025/02/12/us/gitmo-migrants-trump.html> (“At least seven military flights carrying an undisclosed number of detainees have left El Paso’s Fort Bliss for Guantanamo Bay, according to social media posts by the Department of Defense U.S. Transportation Command.”).

<sup>17</sup> Andrea Torres, *Crisis in Venezuela: Justice First Opposition Party Reports More Arbitrary Detentions*, WPLG LOCAL 10, (Aug. 2, 2024), <https://www.local10.com/news/politics/2024/08/02/venezuelas-justice-first-party-reports-more-arbitrary-detentions/>.

<sup>18</sup> Frances Robles, *‘Operation Knock-Knock’: Venezuela Sweeps Up Dissenters After Disputed Vote*, THE N.Y. TIMES (Aug. 10, 2024), <http://nytimes.com/2024/08/10/world/americas/venezuela-election-maduro.html>.

<sup>19</sup> Julie Turkewitz, *Venezuelan Planes Fly Deported Migrants From U.S. to Venezuela*, THE N.Y. TIMES (Feb. 10, 2025), <https://www.nytimes.com/2025/02/10/world/americas/venezuela-deportation-flights-migrants.html>.

government shown that there are any specific justifications for continuing Mr. Doe's detention under the special circumstances contained in 8 C.F.R. § 241.14. *See also Zadvydas*, 533 U.S. at 690–91.

44. Mr. Doe's continued detention violates the implicit requirement in Section 1231(a)(6) that detention should not become unreasonably prolonged. His continued detention serves no legitimate government purpose and lacks sufficient procedural protections in violation of the Due Process Clause.

### **VIII. CLAIMS FOR RELIEF**

#### **COUNT ONE**

#### **Violation of The Immigration and Nationality Act – 8 U.S.C. § 1231**

45. Petitioner Mr. Doe repeats and realleges each allegation of this petition here.
46. Title 8 U.S.C. § 1231(a) governs the detention of an individual with a final order of removal. The INA permits DHS to detain an immigrant during the "removal period," which is defined as the 90-day period following the issuance of a final order of removal. *See* 8 U.S.C. §§ 1231(a)(1)(A); 1231(a)(2).
47. Mr. Doe has not engaged in any conduct to trigger an extension of the removal period under Section 1231(a)(1)(C). Mr. Doe has cooperated with all requests relating to his removal, including by providing copies of his passport.
48. Because Mr. Doe is well past the 90-day period—his final order was entered almost fourteen months ago—and he has done nothing to extend the removal period, ICE is necessarily detaining him under § 1231(a)(6). Section 1231(a)(6) is the discretionary, post-removal period detention provision.

49. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court addressed the constitutional limits of Section 1231(a)(6) detention. The Court construed Section 1231(a)(6) to contain an implicit temporal limitation of six months, after which continued detention is no longer presumptively reasonable. *Id.* at 701. After that point, “once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” *Khan v. Gonzales*, 481 F. Supp. 2d 638, 641 (W.D. Tex. 2007) (quoting *Zadvydas*, 533 U.S. at 701) (internal quotations omitted). “And for detention to remain reasonable, as the period of prior post-removal confinement grows, what counts as the ‘reasonably foreseeable future’ conversely would have to shrink.” *Id.*
50. ICE has detained Mr. Doe for nearly fourteen months since his removal order became administratively final—nearly eleven months beyond the statutory period and nearly eight months past the presumptively reasonable period of continued detention. Thus, ICE’s detention of Mr. Doe under Section 1231 is no longer presumed reasonable. ICE has made no showing that they are significantly likely to remove Mr. Doe in the reasonably foreseeable future, and he is therefore entitled to release under *Zadvydas*.
51. There is no “sufficiently strong special justification” for ICE to detain Mr. Doe beyond the six-month limit. *See Zadvydas*, 533 U.S. at 690–91. Thus Mr. Doe’s detention violates Section 1231, and he is entitled to immediate release from custody.

## **COUNT TWO**

### **Violation of the Due Process Clause of the Fifth Amendment to the U.S. Constitution**

52. Petitioner Mr. Doe repeats and realleges each allegation of this petition here.

53. The Due Process Clause of the Fifth Amendment forbids the government from depriving any person of liberty without due process of law. U.S. Const. amend. V. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty” that the Due Process Clause Protects. *Zadvydas*, 533 U.S. at 690 (citing *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992)).
54. Civil immigration detention violates due process if it is not reasonably related to its statutory purpose. *See id.* at 690 (citing *Jackson v. Indiana*, 506 U.S. 715, 738 (1972)). The Supreme Court recognized that the statutory purpose of § 1231 was to detain non-citizens with final orders of removal to effectuate removal. *Id.* at 697 (Section 1231’s “basic purpose” is to “effectuat[e] an alien’s removal.”).
55. Prolonged civil detention also violates due process unless it is accompanied by strong procedural protections to guard against the erroneous deprivation of liberty. *Id.* at 690–91. ICE has provided Mr. Doe with no procedural protections to guard against a deprivation of his liberty.
56. Mr. Doe’s prolonged civil detention has extended well beyond the 90-day removal period and will continue into the indefinite future. His detention is no longer reasonably related to the primary statutory purpose of effectuating removal. *Id.* at 697.
57. Thus, petitioner’s detention violates both substantive and procedural due process.

#### **IX. PRAYER FOR RELIEF**

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

- A. Assume jurisdiction over this matter;
- B. Issue an order to show cause to be returned within three days;
- C. Declare Petitioner’s prolonged detention to be unlawful and unconstitutional;

- D. Order the immediate release of Petitioner;
- E. In the alternative, if the Court does not parole the Petitioner, order Respondents to cease Petitioner's detention and remove him to Venezuela or Mexico;
- F. Enjoin Respondents from transferring Petitioner outside of this judicial district pending litigation of this matter or his removal proceedings, including but not limited to the U.S. Naval Base on Guantanamo Bay, Cuba;
- G. Award Petitioner reasonable costs and attorneys' fees; and
- H. Grant any other relief that this Court deems just and proper.

Dated: February 18, 2025

/s/ *Kassandra Gonzalez*

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*\*pro hac vice application pending*

**Verification Pursuant to 28 U.S.C. § 2242**

The undersigned counsel submit this verification on behalf of the Petitioner. Undersigned counsel have discussed with Petitioner the events described in this Petition for Writ of Habeas Corpus and Complaint and, on the basis of those discussions, verify that the statements in the Petition and Complaint are true and correct to the best of our knowledge.

Dated: February 18, 2025

/s/ Katherine E. Melloy Goettel  
Katherine E. Melloy Goettel  
Attorney for Petitioner John Doe

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<sup>20</sup> University of Iowa clinical law students Mikhail Acherkan, Jude Hagerman, and Ian Reeves participated in drafting this pleading.