

UNITED STATES DISTRICT COURT

for the

Northern District of Illinois

Valentina Galvis Cortes,
[REDACTED] (a minor),
Petitioners

v.

Sam Olsen, IMMIGRATION CUSTOMS ENFORCEMENT AND
REMOVAL OPERATIONS CHICAGO FIELD OFFICE DIRECTOR;
Marcos Charles, ACTING EXECUTIVE ASSOCIATE DIRECTOR,
ENFORCEMENT AND REMOVAL OPERATIONS; Todd M. Lyons,
ACTING DIRECTOR, IMMIGRATION CUSTOMS
ENFORCEMENT; Madison Sheahan, DEPUTY DIRECTOR,
IMMIGRATION CUSTOMS ENFORCEMENT; Kristi Noem,
SECRETARY OF THE DEPARTMENT OF HOMELAND
SECURITY; Pam Bondi, ATTORNEY GENERAL OF THE UNITED
STATES; Donald J. Trump, PRESIDENT OF THE UNITED STATES
Respondents

Case Number:

EMERGENCY PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Valentina Galvis Cortes and [REDACTED]
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Immigration Customs Enforcement - Chicago Field Office
(b) Address: 101 W Ida B. Wells Dr. Chicago, IL 60605
(c) Your identification number: Valentina Galvis Cortes (A [REDACTED])
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Chicago Immigration Court - 55 E Monroe St. Ste. 1500 Chicago, IL 60603

(b) Docket number, case number, or opinion number: Master calendar hearing 06/05/2025 at 1PM with IJ Brendan Curran

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Respondent counsel moved to dismiss the removal proceedings of Petitioner Valentina Galvis Cortes in stantier at her first hearing in removal proceedings (Immigration Court). The Immigration Judge did not allow Petitioner Valentina Galvis Cortes to obtain counsel and immediately granted Respondent's motion. Respondent, in the form of plainclothes officers with no visible law enforcement markings, immediately took custody of Petitioners upon their exiting the court room. On knowledge and belief, Respondent is now initiating expedited removal proceedings to circumvent the Immigration Judge, unlawfully detain, and remove Petitioner Valentina Galvis Cortes, a person seeking asylum in the United States, and Petitioner ~~XXXXXX~~ her six-month old United States citizen child.

(d) Date of the decision or action: June 6, 2025

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not

Respondent is initiating expedited removal proceedings against Petitioner Valentina Galvis Cortes and there is no administrative mechanism to stay expedited removal. Respondent's immigration detention of Petitioner ~~XXXXXX~~ a six-month-old United States citizen, is on a nearly unprecedented scale of egregiousness, presenting a genuine emergency, and necessitating the obviation of any other administrative remedy, even if one were hypothetically available.

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☐ No

If "Yes," answer the following:

- (a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes☐ No

If "Yes," provide:

- (1) Name of court:

- (2) Case number:

- (3) Date of filing:

- (4) Result:

- (5) Date of result:

- (6) Issues raised;

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes☐ No

If "Yes," provide:

- (1) Name of court:

- (2) Case number:

- (3) Date of filing:

- (4) Result:

- (5) Date of result:

- (6) Issues raised:

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence;

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 06/05/2025

(b) Date of the removal or reinstatement order: N/A

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☒ No

If "Yes," provide: No stay of removal for expedited removal exists even during pendency of appeal with BIA.

(1) Date of filing:

(2) Case number:

(3) Result:

(4) Date of result:

(5) Issues raised:

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☒ No

If "Yes," provide:

(1) Name of court:

(2) Date of filing:

(3) Case number:

(4) Result:

(5) Date of result:

(6) Issues raised:

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes ☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

(b) Name of the authority, agency, or court:

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Respondent detained Petitioner Valentina Galvis Cortes unlawfully and with complete deprivation of due process.

(a) **Supporting facts** (*Be brief. Do not cite cases or law.*):

Petitioner Valentina Galvis Cortes has never violated immigration, criminal, or any other type of law. In February of 2022, Petitioner presented herself at a border station near the United States/Mexico border and established a credible fear of returning to her country of Colombia. Border officers allowed Petitioner to enter the United States. Petitioner filed a timely application for asylum which the Chicago Asylum Office forwarded to the Chicago Immigration Court. At Petitioner's first hearing in removal proceedings, Respondent moved to dismiss Petitioner's removal proceedings in the Chicago Immigration Court in order to initiate expedited removal proceedings. The goal of Respondent's motion was to effectuate Petitioner's arrest, which was immediately carried out. Petitioner had no counsel at removal proceedings, even though an attempt was made by counsel to enter an appearance in stanter, but was rebuffed by the Immigration Judge. Petitioner's is not on the online locator available to search for immigration detainees as of 12:45AM on June 6, 2025. Respondent has effectively disappeared Petitioner by force.

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes ☒ No

GROUND TWO: Respondent detained Petitioner Naythan Arias unlawfully and with complete deprivation of due process.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

Petitioner [REDACTED] is the six-month-old United States citizen child of Petitioner Valentina Galvis Cortes. Petitioner has been deprived of any communication with his father who is lawfully present in the United States with a grant of asylum. Petitioner is in immigration detention as a United States citizen and is apparently going to be in expedited removal proceedings with his mother. Petitioner does not have a United States passport or travel document and is in danger of being separated, perhaps permanently, from his parents.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE: Respondent's acts are unconsonable.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

Respondent ambushed Petitioners, who did not have legal counsel in removal proceedings, one step outside the courtroom after a hearing in Immigration Court. Petitioners had no knowledge of how to object to Respondent's motion and the Immigration Judge did not offer Petitioners a chance to obtain legal counsel. Respondent's representatives, plainclothes officers with no visible law enforcement markings, took custody of Petitioners with no proper baby/mother supplies and no time to retrieve such items. Petitioners cannot be located on the online detainee locator, and therefore their location is unknown at this time. Finally, Respondent's representatives physically pushed the attorney filing this petition away from Petitioners in the lobby of the Chicago Immigration Court.

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☒ No

GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:


Request for Relief

15. State exactly what you want the court to do: Order Respondent to immediately release Petitioners from immigration custody.

Respectfully submitted,

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