

UNITED STATES DISTRICT COURT

for the  
District of Massachusetts



Sobeyda Linda Castellanos Lopez

next of friend of

Ronal Estuardo Gutierrez-Ramos

Petitioner

v.

Department of Homeland Security/  
Immigration and Customs Enforcement (ICE)  
Boston Field Office

Respondent

(name of warden or authorized person having custody of petitioner)

Case No.

(Supplied by Clerk of Court)

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

**Personal Information**

1. (a) Your full name: Ronal Estuardo Gutierrez-Ramos A [REDACTED]  
(b) Other names you have used:
2. Place of confinement:  
(a) Name of institution: Plymouth County Correctional Facility  
(b) Address: 26 Long Pond Rd.  
Plymouth, MA 02360  
(c) Your identification number: 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 you:  
  
(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: \_\_\_\_\_

(b) Docket number, case number, or opinion number: \_\_\_\_\_

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

(d) Date of the decision or action: \_\_\_\_\_

**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 appeal:  
\_\_\_\_\_

8. **Second appeal**

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

Yes       No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(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:

(a) Kind of petition, motion, or habeas corpus  
Date of Plaintiff's application  
Date of Plaintiff's Court Order  
11/17/2023 / Date 100, October 2023  
(b) Date of filing: 06/09/2023  
(c) Court or agency that issued or denied order: \_\_\_\_\_

#### 11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes  No

If "Yes," provide:

(a) Date you were taken into immigration custody: 06/09/2023  
(b) Date of the removal or reinstatement order: 07/03/2025  
(c) Did you file an appeal with the Board of Immigration Appeals?

Yes  No

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If "Yes," provide:

(1) Date of filing: \_\_\_\_\_  
(2) Case number: \_\_\_\_\_  
(3) Result: \_\_\_\_\_  
(4) Date of result: \_\_\_\_\_  
(5) Issues raised: \_\_\_\_\_

Quoted in Part and Due Process Clause of the 5th Amendment of the U.S. Constitution

(a) Petitioning court and decision or order:

Form 242 (Rev. 09/17) Petitions for Writs of Habeas Corpus Under 28 U.S.C. § 2241. At the Plymouth Corrections Facility

(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: \_\_\_\_\_

(a) Supporting facts for why the court or agency:

## 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: Motion to Reopen IJ Jusidiction  
(b) Name of the authority, agency, or court: EOIR Immigration Court Omaha, Nebraska  
1717 Avenue H Suite 100, Omaha NE  
(c) Date of filing: 06/18/2025  
(d) Docket number, case number, or opinion number: \_\_\_\_\_  
(e) Result: received June 23, 2025  
(f) Date of result: \_\_\_\_\_  
(g) Issues raised: pending decision to reopen asylum claim

(a) Did you receive Chapter Three in all appeals that were available to you?

Yes  No

**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. Any legal arguments must be submitted in a separate memorandum.

**GROUND ONE: Violation of Due Process Clause of the 5th Amendment of the U.S. Constitution**

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

Ronal Estuardo Gutierrez-Ramos was detained by the US Coast Guard at sea on 06/09/2025 without a judicial warrant. He was later taken into custody by DHS/ICE and held in dentention at the Plymouth Correctional Facility. Transfer out of Massachusetts would inhibit his access to counsel and prevent his pursuit of immigration relief. We are concerned about his physical wellbeing as he was denied access to commissary food that was ordered and fear an imminent tranfer out of this jurisdiction.

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

Yes       No

**GROUND TWO:**

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

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

Yes       No

**GROUND THREE:**

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

(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: grant a stay of transfer and removal pending consideration of the Motion to Reopen petition filed in the Omaha, Nebraska Immigration Court.**

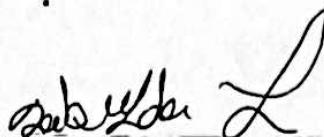
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**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 07/03/2025



*Signature of Petitioner*

*Signature of Attorney or other authorized person, if any*