

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Melvin PERALTA SILES,

Petitioner,

v.

Donald J. TRUMP, in his official capacity as
President of the United States;

Russell HOTT, in his official capacity as Field
Office Director of Washington, Immigration and
Customs Enforcement;

Jeff CRAWFORD, in his official capacity as
Warden of Farmville Detention Center;

Todd LYONS, Acting Director,
U.S. Immigration and Customs Enforcement;

Kristi NOEM, in her official capacity as Secretary
of the United States Department of Homeland
Security;

Pamela BONDI, in her official capacity as Attorney
General, U.S. Department of Justice,

Respondents.

Case No. 1:25-cv-1442

**PETITION FOR
WRIT OF HABEAS CORPUS
AND COMPLAINT**

INTRODUCTION

1. Petitioner Melvin Peralta Siles (“Petitioner” or “Mr. Peralta Siles”), is a 39 year-old Nicaraguan national who is married and has two children, one a US citizen and the other an applicant for permanent residence as an immigrant juvenile with an approved petition. stepchildren. He is a resident of Virginia and has been living and working in the United States for over 17 years.

2. On or about August 26, 2025, Mr. Peralta Siles was arrested, abruptly and without

warning by a group of masked men purporting to be ICE officers while en route back from a Lowe's home improvement store in or near Washington, D.C.. Mr. Peralta Siles was taken to the ICE's Washington Field Office in Chantilly, VA, where he was held for an unknown amount of time before being transferred to the Farmville Detention Center.

3. As of today, no Notice to Appear has been filed with the immigration court having jurisdiction over Petitioner's residence. There has been no stated reason for the unlawful arrest.

4. Upon information and belief, Mr. Peralta Siles is now detained at ICE's Farmville, VA detention center.

5. Unlawful detention or removal without process or explanation violates the United States Constitution and the applicable statutory and administrative frameworks.

6. Mr. Peralta Siles thus petitions this Court for a Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241, to remedy his unlawful detention by Respondents.

PARTIES

7. Petitioner Melvin Peralta Siles is a citizen of Nicaragua and has been living in the United States for over 17 years.

8. Respondent Donald J. Trump is named in his official capacity as the President of the United States. In this capacity, he is responsible for the policies and actions of the executive branch, including the Department of State and Department of Homeland Security. Respondent Trump's address is the White House, 1600 Pennsylvania Ave. NW, Washington, D.C. 20500.

9. Respondent Russell Hott is named in his official capacity as the Acting Field Office Director of the Washington Field Office for Immigration and Customs Enforcement ("ICE") within the United States Department of Homeland Security. In this capacity, he is responsible for the administration of immigration laws and the execution of detention and removal determinations

and is a custodian of Petitioner. Respondent Hott's address is Washington ICE ERO Field Office, 14797 Murdock St., Chantilly, VA 20151.

10. Respondent Jeff Crawford is the warden of the Caroline Detention Center where, upon information and belief, Petitioner is or will be detained. Mr. Crawford is the highest ranking official at the Caroline Detention Center. In this capacity, he is responsible for the immediate execution of detention over Petitioner and is the immediate custodian of Petitioner. Respondent Crawford's address is Farmville Detention Center, 508 Waterworks Rd, Farmville, VA 23901.

11. Respondent Todd Lyons is the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in the Eastern District of Virginia; is legally responsible for pursuing any effort to remove the Petitioner; and as such is a custodian of the Petitioner. His address is ICE, Office of the Principal Legal Advisor, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.

12. Respondent Kristi Noem is named in her official capacity as the Secretary of Homeland Security in the United States Department of Homeland Security. In this capacity, she is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(a) (2007); routinely transacts business in the Eastern District of Virginia; is legally responsible for pursuing any effort to detain and remove the Petitioner; and as such is a custodian of the Petitioner. Respondent Noem's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528-0485.

13. Respondent Pamela Bondi is the Attorney General of the United States. In this capacity, she routinely transacts business in the Eastern District of Virginia; is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(g)

(2007); and as such is a custodian of the Petitioner. Respondent Bondi's address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530- 0001.

JURISDICTION & VENUE

14. This case arises under the United States Constitution. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), Art. I § 9, cl. 2 of the U.S. Constitution (“the Suspension Clause”), 28 U.S.C. § 1331 (federal question jurisdiction), Article III of the U.S. Constitution, the Administrative Procedure Act, 5 U.S.C. §701 et seq.

15. Federal district courts have jurisdiction to hear habeas claims by non-citizens challenging both the lawfulness and the constitutionality of their detention. *See, e.g., Zadvydas*, , 533 U.S. 678, 687 (2001); *Aguilar v. Lewis*, 50 F. Supp. 2d 539 (E.D. Va. 1999).

16. An actual and justiciable controversy exists between the parties under 28 U.S.C. § 2201, and this Court has authority to grant declaratory and injunctive relief. *Id.* §§ 2201, 2202. The Court has additional remedial authority under the All Writs Act, 28 U.S.C. § 1651.

17. Administrative exhaustion is unnecessary as it would be futile. *See, e.g., Aguilar*, 50 F. Supp. 2d at 542-43.

18. Venue is proper in this district and division pursuant to 28 U.S.C. § 2241(c)(3) and 28 U.S.C. § 1391(b)(2) and (e)(1) because a substantial part of the events or omissions giving rise to this action occurred and continue to occur at Farmville Detention Center in Farmville, Caroline County, Virginia within this district.

19. Upon information and belief, Mr. Peralta Siles is physically within the Commonwealth of Virginia.

CLAIMS FOR RELIEF

FIRST CLAIM

Violation of the Due Process Clause of the Fifth Amendment to the United States Constitution

20. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

21. The Constitution establishes due process rights for “all ‘persons’ within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

22. The government’s detention of Mr. Peralta Siles is wholly unjustified. The government has not demonstrated that Mr. Peralta Siles—a business owner, father, husband, and taxpayer—needs to be detained. *See Zadvydas*, 533 U.S. at 690. There is no credible argument that Mr. Peralta Siles cannot be safely released back to his family.

23. Petitioner is neither a danger nor a flight risk. He was detained in an ICE raid that arrested people without regard to their immigration history, assessed risk of flight or danger, and with no notice or due process.

24. Because Mr. Peralta Siles’s detention has been unaccompanied by the procedural protections that such a significant deprivation of liberty requires under the Due Process Clause of the Fifth Amendment to the U.S. Constitution, his continued detention is unlawful. *See Matthews v. Eldridge*, 424 U.S. at 332. Infringing upon a protected interest at the very least triggers a right to a hearing before that right is deprived. *See Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 569-70 (1972).

25. There has, to date, been no charging document alleging unlawful presence in the United States or any order of removal.

26. For the foregoing reasons, Respondents' abrupt detention of Petitioner violated his substantive and procedural due process rights.

SECOND CLAIM

Violation of the Immigration and Nationality Act (INA) and Implementing Regulations

27. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

28. The abrupt and unnecessary detention and potential removal of Mr. Peralta Siles by Immigration and Customs Enforcement with no charging document laying out the basis for arrest and detention, violates the INA's structure and purpose, and the constitutional and statutory right to seek immigration relief without undue government interference.

29. Respondent's sudden detention of Mr. Peralta Siles, in the absence of any legal necessity, is arbitrary and capricious, contrary to law, and violative of statute and agency practice.

THIRD CLAIM

Violation of the Administrative Procedure Act

30. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

31. Under the APA, "final agency action for which there is no other adequate remedy in a court [is] subject to judicial review." 5 U.S.C. § 704. The reviewing Court "shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law," or "unsupported by substantial evidence." 5 U.S.C. §§ 706(2)(A), (E).

32. The decision to detain Mr. Peralta Siles, who has no prior contact with ICE must

be reviewed by this Court and found to be “arbitrary, capricious, an abuse of discretion and not in accordance with the law.” 5 U.S.C. §§ 706(2)(A), (E). Absent this Court’s intervention, Mr. Peralta Siles does not have any “remedy” to challenge the decision of Respondents.

33. Under 8 C.F.R. § 241.13(i), Petitioner has, at minimum, a regulatory right to a detailed explanation for the reasons for his detention. At a minimum, ICE has a duty to follow its own regulations. *See Accardi*, 347 U.S. at 226 (holding that BIA must follow its own regulations in its exercise of discretion); *Morton v. Ruiz*, 415 U.S. 199, 235 (1974) (“Where the rights of individuals are affected, it is incumbent upon agencies to follow their own procedures . . . even where the internal procedures are possibly more rigorous than otherwise would be required.”).

FOURTH CLAIM

Release on Bail Pending Adjudication

34. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

35. Under 28 U.S.C. § 2241, federal district courts are granted broad authority, “within their respective jurisdictions,” 28 U.S.C. § 2241(a), to hear applications for writs of habeas corpus filed by persons claiming to be held “in custody in violation of the Constitution or laws or treaties of the United States.” *Timms v. Johns*, 627 F. 3d 525 (4th Cir. 2010).

36. Federal courts have inherent authority to grant bail pending the adjudication of a habeas petition. *See Mapp v. Reno*, 241 F.3d 221, 230 (2d Cir. 2001) (collecting cases); *see also United States v. Eliely*, 276 F. App’x. 270, 270 (4th Cir. 2008).

37. A Court may do so where the petitioner shows there are “substantial constitutional claims on which he has a high probability of success, and exceptional circumstances making a grant of bail necessary for the habeas remedy to be effective.” *Eliely*, 276 F. App’x. 270.

38. This petition raises numerous substantial constitutional and statutory claims challenging Mr. Peralta Siles's detention. His detention and the apparent termination of the OSUP without notice, an opportunity to be heard, or any shred of process is a clear violation of Mr. Peralta Siles's constitutional rights and the statutory scheme. Moreover, the threatened removal of Mr. Peralta Siles and his unlawful detention constitutes an extraordinary circumstance such that his release is essential for the remedy of habeas to be effective. Finally, continued detention will prevent him from adequately preparing a legal defense.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this matter;
2. Enjoin Respondents from transferring the Petitioner from the jurisdiction of this District pending these proceedings;
3. Enjoin Respondents from removing Petitioner from the United States;
4. Order the immediate release of Petitioner pending these proceedings;
5. Order the release of Petitioner on bond;
6. Declare that Respondents' actions to arrest and detain Petitioner violate the Due Process Clause of the Fifth Amendment, the Immigration and Nationality Act, and/or the Administrative Procedure Act;
7. Award reasonable attorneys' fees and costs for this action; and
8. Grant such further relief as the Court deems just and proper.

Dated: August 30, 2025
Sterling, Virginia

/s/Hassan Ahmad
Hassan Ahmad (VSB #83428)
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the CM/ECF system. I will furthermore mail a copy by USPS Certified Priority Mail with Return Receipts to each of the following individuals:

Jeff Crawford, Warden
Farmville Detention Center
508 Waterworks Dr,
Farmville, VA 23901

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U.S. Immigration and Customs Enforcement, Washington Field Office
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2707 Martin Luther King Jr. Ave, SE
Washington, DC 20528-0485

Kristi Noem, Secretary
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Erik Seibert, Interim U.S. Attorney
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Dated: August 30, 2025

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