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

# UNITED STATES DISTRICT COURT
### for the

Pedro Victor Mendez Hernandez

_Petitioner_

v.

Judge Kandra Robbins's Decision and BIA (Board Immigration's Decision)

_Respondent_

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

Case No. ⬛⬛⬛⬛⬛
(Supplied by Clerk of Court)

25-cv-1289

## PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241
### Personal Information

1.    (a) Your full name: Pedro Victor Mendez Hernandez
      (b) Other names you have used: _____

2.    Place of confinement:
      (a) Name of institution: Detention Center (LA SALLE)
      (b) Address: 830 Pinghill Road SGNA LA 71342

      (c) Your identification number: ⬛⬛⬛⬛⬛

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): _____

N/A

### 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)

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☐ 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: 830 PINEHILL RD JGNA LA 71342 DetenTion CenTor LA SALLE

(b) Docket number, case number, or opinion number: 245484590

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

_____

(d) Date of the decision or action: 04/09/2025

### 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 appeal: _____

_____

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

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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: *November 21 / 2024*

(b)    Date of the removal or reinstatement order: _____

(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: 04/10/2025

(2) Case number: A# ▮▮▮▮▮▮

(3) Result: Dismissed

(4) Date of result: 8/8/2025

(5) Issues raised:

I appealed the Judge's decision because he didn't give me more Time To gather my evidence and present it to the court.

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

☒ Yes          ☐ No

If "Yes," provide:

(1) Name of court: Fifth Circuit court

(2) Date of filing: 8/09/2025

(3) Case number: A# ▮▮▮▮▮▮

(4) Result: Waiting for answer

(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: N/A

(c) Date of filing:

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

(e) Result:

(f) Date of result:

(g) Issues raised: N/A

## 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:** _____

_____

_____

_____

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 Do not cite cases or law.)*:

_____

_____

_____

_____

(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:  I ask this honorable court To give me opportunity To present my evidence and receive a fair decision or cancel my deportation and give me relief. I also ask that I be able To observe my conditions. I don't have lawyer and no support from anyone. I am afraid To return To my country. I fear losing my life. My father was murdered in Venezuela, My sister is currently in prision in venezuela My mother was arrested by the national police of my country for Trying To find evidence for my case Now she is The custody of The police

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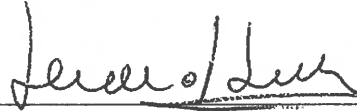### Declaration Under Penalty Of Perjury

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

830 PiNeHiLL RD Jena    LA 71342    08/27/2025

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:   08/27/2025

_____
Signature of Petitioner

_____
Signature of Attorney or other authorized person, if any