

UNITED STATES DISTRICT COURT

for the

ARIZONA DISTRICT

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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CV25-03197-PHX-JJT--MTM

Case #



RAYMAT-Peña, Andy

Petitioner

V.

U.S. Immigration And Customs Enforcement,

Pam Bondi Attorney General, Fred Figueroa

Warden of Eloy Detention Center

Respondent

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

Comes now, RAYMAT-Peña, Andy, Pro Se Petitioner, and under the applicable law, files to this Honorable Court, a petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241, and further states the following supporting facts.

Petitioner entered into the United States on April 18, 1999 from Cuba and was accepted into the country with the rights to apply for his legal status. The petitioner later became a Lawful Permanent Resident in 2001. Petitioner lost his status on June 22, 2020 with a Final Order of Deportation and was placed under order of supervision to which he was complying to the terms set forth regarding his supervision.

Petitioner was arrested for a misdemeanor offense on which he served time from January 23, 2025- March 12, 2025. Upon release from expiration of this sentence, ICE officials arrested the petitioner without jurisdiction. A misdemeanor is not considered a deportable offense under the Aggravated Felony or Violent Crime Act.

The petitioner was denied due process of law, by the ICE for not presenting him in front of a magistrate or judge within 48 hours to inform him of any charges he is being detained for. As well for not allowing the petitioner the right to make bail for whatever violation or charges he was being accused of. The petitioner claims that he was not even being given or made aware of any court date(s) or of any notice as of when or if he will even be given any type of hearing to inform him of why he was in custody and/or for how long. Or if he will be able to be represented by a court appointed attorney to guide him to understand his rights to all proceedings.

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING TO FEDERAL AND/OR LOCAL RULES AND PRACTICES AND IS SUBJECT TO REJECTION BY THE COURT.

REFERENCE LRCP 5.4 (a)(1)
(Rule Number/Section)

Petitioner brings forth the following grounds as challenge of his petition:

Ground One: Violation of U.S.C. 1231(a)(6)

Petitioner has been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove him in the near future. The petitioners birth country is Cuba.

Ground Two: Violation of due process clause of the First Amendment of the Constitution.

ICE is depriving him of his right to liberty. He has been detained by ICE for a prolonged period.

Ground Three: Violation of the Fourteenth Amendment of the Constitution.

Unlawful imprisonment: No freeman shall be imprisoned without due process of law and that the cause of commitment be just or legal. The writ as efficacious in all manners of illegal confinement.

Ground Four: Violation of the Sixth Amendment of the Constitution.

All persons deserve the right to be informed of the nature and cause of any accusation that is being brought against them. As well as the right to face those accusers in a court of law.

Ground Five: Violation of Double Jeopardy clause Fifth Amendment of the Constitution.

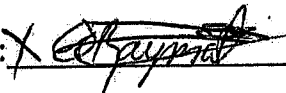
No person shall be punished, persecuted, or incarcerated twice for the same offense in which the person has already been convicted of and has been previously been released of said punishment for that crime. ICE is holding him captive under their correctional institution and using the excuse of an offense in which he has already served time for to illegally hold him and punish him in these institutions and forced to obey the rules and regulations used within to rehabilitate the behaviors of convicted criminals.

Request for Relief

Therefore, the petitioner requests this Honorable Court, pursuant to the interpretation of the opinion of the Supreme Court of the United States of America in the case *Zadvydas V. Davis*, immediate release from the custody of the Attorney General Pam Bondi, ICE, and from the Warden Fred Figueroa at Eloy Detention Center, in that he has been ordered removed/deported from the United States by an Immigration Judge, but due to circumstances beyond his control, his removal/deportation cannot be effected in the reasonable foreseeable future, due to an absence of a formal repatriation agreement between his country of citizenship (Cuba) and the United States, or due to the fact that his country of citizenship has not or will not issue identity and travel documents necessary for his departure.

CERTIFICATE OF SERVICE

I, RAYMAT-Peña, Andy, hereby certify that on the date indicated below copies of the attached were delivered to the United States District Court and to Immigration and Customs Enforcement (ICE) and all the parties listed below in separate envelopes by placing those envelopes into facility mail.

Signature: X 

Date: 8-27-25

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