

UNITED STATES DISTRICT COURT  
Western District for the Louisiana

RECEIVED  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SEP 08 2025

maristeli Herrada-Vega  
*Petitioner*

v.

DHS / ICE

*Respondent*

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

Case No. 25-cv-1327 Sec P

(Supplied by Clerk of Court)

BY: DANIEL J. MCCOY, CLERK

*KW*

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

**Personal Information**

1. (a) Your full name: maristeli Herrada-Vega  
(b) Other names you have used: marie Herrada Tito Vega
2. Place of confinement:  
(a) Name of institution: South Louisiana ICE Processing Center  
(b) Address: 3843 Stagg ave  
Bastille, 70515
3. (c) Your identification number: AH 
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: \_\_\_\_\_
5.  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):

Being held over the maximum of 6 months  
After order of Removal

(d) Date of the decision or action: 8/27/2014

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: \_\_\_\_\_

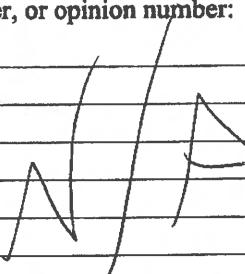
(2) Date of filing: \_\_\_\_\_

(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:

Does not Apply

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: \_\_\_\_\_

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: \_\_\_\_\_

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

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

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: 2/10/2025

(b) Date of the removal or reinstatement order: August 27, 2014

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

Yes

No

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

If "Yes," provide:

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

**GROUND ONE:** Due process, civil liberties, Constitution

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 Do not cite cases or law.):

The Government to Justify the burden of  
Continuence of detention

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

Yes  No

**GROUND TWO:** Cuban act law

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 Do not cite cases or law.):

After a period of 90 days to 6 months detainees  
Should be released from detention Compared to the  
Six month presumptive period set forth in Zadryas  
beyond which Continued detention becomes prolonged

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

Yes  No

**GROUND THREE:** \_\_\_\_\_

N / A

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

N / A

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

Yes  No

**GROUND FOUR:**

*[Handwritten mark: A large 'N/A' is written across the top line of the ground four section.]*

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

*[Handwritten mark: A large 'N/A' is written across the top line of the supporting facts section.]*

(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:

*[Handwritten mark: A large 'N/A' is written across the top line of the explanation section.]*

**Request for Relief**

15. State exactly what you want the court to do:

*To be released on own recognisance or a bond / supervised parole - petitioner is not a flight risk or a Danger to the Community, or the alternative release petitioner on appropriate conditions of supervision!*

**Declaration Under Penalty Of Perjury**

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

September 3, 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:

9/21/2025



*Signature of Petitioner*

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