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**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE No. 0:25-cv-61862-MD

**VENTURA ARROYO BORJA,**

Petitioner,

v.

**DIRECTOR, U.S. DHS ICE ERO**  
Miami Field Office, *et al.*,

Respondents.

/

**PETITIONER'S MOTION FOR ISSUANCE OF ORDER TO SHOW  
CAUSE PURSUANT TO 28 U.S.C. § 2243**

**COMES NOW** the Petitioner, Ventura Arroyo Borja, by and through undersigned counsel and hereby files the instant Motion for Issuance of Order to Show Cause and respectfully states as follows:

1. The Petitioner incorporates by reference the facts and procedural history as set forth in the Verified Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 and Complaint for Declaratory and Injunctive Relief. *See* ECF No. [1].

2. In the Petition and Complaint, the Petitioner argued that the Respondents have violated the Petitioner's Due Process rights under the Fifth Amendment of the U.S. Constitution. *See* ECF No. [1], at ¶¶84-94.

3. Moreover, the Petitioner argued that the Respondents violated the Administrative Procedure Act ("APA") by failing to follow their own regulations and policies related to revocation of an Order of Supervision and detention. *See* ECF No. [1], at ¶¶95-100.

4. The Petitioner respectfully requests that this Honorable Court "forthwith" issue an Order directing the Respondents to show cause why this Honorable Court should not grant the Petition for a Writ of Habeas Corpus. *See* 28 U.S.C. § 2243.

5. "A court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto."

*Id.*

6. The writ or order to show cause "shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

7. The Court shall hold a hearing on the writ or order to show cause "not more than five days after the return unless for good cause additional time is allowed." *Id.*

8. The Court "shall summarily hear and determine the facts, and dispose of the matter as law and justice require." *Id.*

9. Accordingly, the Petitioner respectfully requests that the Court issue an Order to Show Cause directing the Respondents to file a return within three days of the Court's order, showing cause, if any, why the Court should not grant the writ of habeas corpus, and to provide the Petitioner an opportunity to file a reply (traverse) within three days after the Respondents file the return.

10. Providing additional time to the Respondents to file a return is inappropriate in this case because the Petitioner faces irreparable harm to deprivation of physical liberty and continued detention at the Respondents' detention facility, including the USCIS's denial of her I-918 and I-192 Applications due to her inability to provide biometrics while detained, and USCIS and Respondent ICE's refusal to accommodate the Petitioner. *See* ECF No. [1], at ¶20 (showing Respondents have detained the Petitioner since July 29, 2024); *see also* Exhibit No. 1 (copy of recent USCIS decision dated September 25, 2025, and copies of email correspondences between the Petitioner's counsel in I-918 and removal proceedings and the Respondents).

11. The Petitioner has attached a Proposed Order to this Motion.

Respectfully submitted this 03rd day of October, 2025,

By: /s/ Andrew W. Clopman  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that I electronically filed the foregoing document with the Court Clerk and to the best of my knowledge a true and correct copy of the foregoing, along with a Notice of Electronic Filing, will be served through the Court's ECF system to all counsel of record this 03rd day of October, 2025. As no attorney from the U.S. Attorney's Office has entered an appearance yet in the instant matter, the Court's ECF system will serve the instant Application to the U.S. Attorney's 2241/Bivens US Attorney and INS Attorney email addresses.

Respectfully submitted,

By: /s/ Andrew W. Clopman

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