

FILED

UNITED STATES DISTRICT COURT
UNITED STATES DISTRICT COURT
DENVER, COLORADO

UNITED STATES DISTRICT COURT
for the
District of Colorado

OCT 20 2025

Humberto Romeu - Perez

JEFFREY P. COLWELL
CLERK

Petitioner

v.

Warden, Aurora Detention Center
3130 North Oakland Street
Aurora, Colorado 80010

Case No.

(Supplied by Clerk of Court)

Respondent

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

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

Personal Information

1. (a) Your full name: Humberto Romeu - Perez
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Aurora Detention Center
(b) Address: 3130 North Oakland Street Aurora, Colorado 80010
3. (c) Your identification number: A [REDACTED]
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): _____

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: Aurora Detention Center
3130 North Oakland Street Aurora, Colorado 80010
(b) Docket number, case number, or opinion number: My alien number is A 
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Unreasonable detainment beyond 90 days without a hearing nor chance of removal in the foreseeable future

(d) Date of the decision or action: 06/21/2025

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: I never appealed because I did not know how, I did not have a lawyer, and I was not told there was any appeal process for challenging my detention.

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: I never appealed because I did not know how. I did not have a lawyer, and I was not told there was any appeal process for challenging my detention.

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: I never appealed because I did not know how. I did not have a lawyer, and I was not told there was any appeal process for challenging my detention.

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

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: 06/21/2025 _____

(b) Date of the removal or reinstatement order: 06/15/2009 _____

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

Yes No

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: I have been detained by ICE for more than 90 days after finishing my criminal sentence and while under probation supervision. My removal is not reasonably foreseeable because Cuba does not accept deportees from the United States, and Mexico has already refused to admit me. Since no country is willing to receive me, my detention no longer serves a valid immigration purpose.

(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: My continued detention without a bond hearing violates my right to due process. I have been living under criminal probation supervision in the community since 2019 without committing new offenses. I have been a contributing member of society, and my family needs me to provide for them as the sole bread-winner. I can safely be managed under alternatives to detention such as probation, ICE check-ins, or electronic monitoring.

(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: My detention has become punitive instead of administrative. Immigration detention is supposed to ensure removal, but my removal is not possible in the foreseeable future. Keeping me locked up indefinitely, even though I already served my sentence, violates the Constitution.

(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: ICE has not provided me with meaningful custody reviews or considered supervised release in good faith. I have been transferred between different detention centers, but the situation has not changed: there is no realistic chance of removal.

(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: I did not present these grounds in any appeals because I have never filed an appeal before and I am not aware of any effective administrative process to challenge my continued detention.

Request for Relief

15. State exactly what you want the court to do: I respectfully ask the Court to grant my petition for a writ of habeas corpus and order my immediate release from ICE custody. In the alternative, I ask the Court to order a prompt and meaningful bond hearing before an immigration judge. I also request any other relief the Court finds just and proper.

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:
9/19/2025

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: 09/19/2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Humberto Romeo Perez/Lissette de la Paz
of 10

Hialeah, FL, 33012

Retail



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