

**FILED**

**UNITED STATES DISTRICT COURT**

**OCT 20 2025**

**WESTERN DISTRICT OF TEXAS**

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY   
DEPUTY CLERK

**SAN ANTONIO DIVISION**

**JORDANIA RAFAELA BOLDUC,**

**SA 25 CA 1353 JKP**

Petitioner,

by her Next Friend,

**TARA E. BOLDUC,**

Next Friend and Petitioner,

v.

**GEO Group Inc., Administrative Staff: TRACI TATE, Administrator/ Staff Training and Security at The GEO Group, Inc., San Antonio, Texas Metropolitan Area; J. DAVID DONAHUE, Chief Executive Officer, GEORGE ZOLEY, Executive Chairman of the Board; TODD M. LYONS, Acting Director, U.S. Immigration and Customs Enforcement,**

Respondents.

Civil Action No. \_\_\_\_\_

**PETITION FOR WRIT OF HABEAS  
CORPUS**

**UNDER 28 U.S.C. § 2241 WITH EMERGENCY MOTION  
FOR IMMEDIATE RELEASE AND RETURN TO THE  
COMMONWEALTH OF MASSACHUSETTS**

## **I. INTRODUCTION**

Tara E. Bolduc, the mother-in-law and lawful next friend of Jordania Rafaela Bolduc (“Petitioner”), respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

Petitioner is a civil immigration detainee confined at the Karnes County Immigration Processing Center in Karnes City, Texas, under the authority of the U.S. Department of Homeland Security and Immigration and Customs Enforcement (ICE).

Petitioner seeks immediate release—or, in the alternative, a prompt and meaningful bond hearing—because her continued detention violates the Due Process Clause of the Fifth Amendment and exceeds the government’s statutory authority.

## **II. JURISDICTION AND VENUE**

This Court has jurisdiction under 28 U.S.C. § 2241(c)(3) because Petitioner is in federal custody within the Western District of Texas and contends that her detention is unconstitutional and contrary to law.

Venue is proper in this District under 28 U.S.C. § 1391(e) because Petitioner is confined at a facility located in Karnes County, which lies within the San Antonio Division of this Court.

## **III. PARTIES**

Petitioner: Jordania Rafaela Bolduc (A# ) , a citizen of Brazil lawfully residing in the United States, presently detained under ICE authority at the Karnes County Immigration Processing Center, , 409 FM 1144Karnes City, Texas 7811

Next Friend Petitioner: Tara E. Bolduc, mother-in-law of Petitioner, acting on her behalf because Petitioner’s confinement and limited legal access prevent her from filing independently.

Respondent: Todd M. Lyons, Acting Director, ICE Boston Field Office, and official custodian of record over Petitioner’s detention.

## **IV. PLACE OF CONFINEMENT**

Karnes County Immigration Processing Center, 409 FM 1144Karnes City, Texas 78111-0001

## **V. FACTUAL BACKGROUND**

1. Petitioner is lawfully present in the United States and married a U.S. citizen, Joshua Tom Bolduc, on July 4, 2025.
2. Petitioner and her now husband have been cohabitating since April of 2023.
3. Petitioner holds a valid Employment Authorization Document (EAD) issued by USCIS on August 27, 2025 (category C08), valid through August 26, 2030.
4. Petitioner has resided in the United States for over two years, maintained employment, and complied with all prior bond conditions.
5. Petitioner has no criminal record and no history of violence or absconding.
6. Petitioner's Form I-130 spousal petition is pending, and she has an asylum hearing scheduled for May 2027 in Massachusetts.
  - a. USCIS I-130 Receipt Number: 
7. ICE records incorrectly identify her as "Jordania Rafaela De Campos," contrary to official USCIS documentation, which correctly identifies plaintiff as, Jordania Rafaela Bolduc, her legal name.
8. Her continued detention results from administrative error, such as failure to properly verify identification of the plaintiff, failure to recognize plaintiff's protected status as a class member under the Calderon Jimenez v. Mayorkas Settlement Agreement, Case No. 18-10225-MLW (D. Mass. 2022)
9. Petitioner's confinement causes serious and ongoing harm, including separation from her U.S. citizen husband, loss of her income, causing severe financial hardship for her U.S. Citizen husband and deterioration in both parties health and emotional well-being.

**VI. VIOLATION OF THE CALDERON JIMENEZ v. MAYORKAS SETTLEMENT AGREEMENT**

1. Petitioner is a class member protected under the Calderon Jimenez v. Mayorkas Settlement Agreement, Case No. 18-10225-MLW (D. Mass. 2022), because she resided within the jurisdiction of the Boston Field Office of ICE-ERO at 9 Carr Lane, Forestdale, MA 02644, and her U.S. citizen spouse filed a Form I-130 Petition for Alien Relative (Receipt No. XXXXXXXXXX) on her behalf.
2. Section III(E) of the Settlement prohibits the transfer of Calderon class members outside the Boston jurisdiction for purposes of removal or detention while their petitions are pending.
3. ICE's transfer of Petitioner to the Karnes County Immigration Processing Center in Texas violates the Settlement and the Court's continuing jurisdiction over compliance.
4. The Settlement further guarantees that class members with pending spousal petitions are entitled to stays of removal, protection from transfer, and consideration for parole or release while USCIS adjudicates their petitions.
5. ICE's disregard of these obligations constitutes an unlawful agency action under the Administrative Procedure Act, 5 U.S.C. § 706(2), and a violation of the Fifth Amendment's Due Process Clause, rendering Petitioner's continued detention ultra vires and unlawful.
6. Petitioner therefore seeks an order directing her immediate release and her return to Boston ERO jurisdiction in accordance with the Settlement's terms.

## **VII. GROUNDS FOR RELIEF**

**Ground 1 — Denial of Due Process:** Petitioner has been detained without a prompt and meaningful bond hearing in violation of the Fifth Amendment. *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018); *Reid v. Donelan*, 819 F.3d 486 (1st Cir. 2016).

**Ground 2 — Arbitrary and Prolonged Detention:** Continued confinement beyond any reasonable period is punitive and unconstitutional. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

**Ground 3 — No Flight Risk or Danger:** Her EAD, marriage, and spotless record demonstrate eligibility for release.

**Ground 4 — Misidentification and Administrative Error:** Incorrect ICE records undermine the legality of detention.

**Ground 5 — Irreparable Harm:** Ongoing detention inflicts serious and continuing injury warranting emergency judicial intervention.

**Ground 6 — Ineffective Assistance of Counsel:** Prior attorney's negligence deprived Petitioner of due process and directly contributed to her detention. See *Saakian v. INS*, 252 F.3d 21 (1st Cir. 2001).

### **VIII. NEXT FRIEND STANDING**

Pursuant to *Whitmore v. Arkansas*, 495 U.S. 149 (1990):

1. Petitioner is unable to file this action herself because she is confined and has limited access to legal counsel and court communication.
2. Tara E. Bolduc, her mother-in-law, has a close personal relationship and acts solely in Petitioner's best interests.
3. No other individual is better positioned or willing to protect Petitioner's rights.
4. Accordingly, Next Friend standing is proper.

### **VIII. PRAYER FOR RELIEF**

Petitioner, by her Next Friend, respectfully requests that this Court:

1. Grant the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241;
2. Order her immediate release from ICE custody; and facilitate her return to the COMMONWEALTH OF MASSACHUSETTS.
3. Grant any other relief this Court deems just and proper..

### **IX. EMERGENCY CERTIFICATION**

Petitioner certifies that this petition is filed on an emergency basis because her continued detention inflicts irreparable harm, including separation from her U.S. citizen spouse, loss of employment, and declining physical and emotional health.

**X. RESERVATION OF RIGHTS TO AMEND RESPONDENT**

Petitioner, through Next Friend Tara E. Bolduc, respectfully reserves the right to amend the list of Respondents in this action, including adding any additional officers, employees, or agents of the United States involved in the custody, detention, or enforcement actions against Petitioner, as may become known through discovery or otherwise. Such amendment shall not be construed as a waiver of any claims or rights asserted herein.

**XI. VERIFICATION**

I, Tara E. Bolduc, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Next Friend of Jordania Rafaela Bolduc, and that the facts stated in this Petition are true and correct to the best of my knowledge and belief.

Executed on this 15<sup>th</sup> day of October 2025.

Respectfully submitted,



Tara E. Bolduc, Next Friend for Jordania Rafaela Bolduc

Address Confidential — Filed Under Seal if Necessary

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