

UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Mario Martinez Campuzano, §

Petitioner, §

V. §

KRISTI NOEM, Secretary of the United States §

Department of Homeland Security; §

PAMELA BONDI, United States Attorney §

General; §

MIGUEL VERGARA, San Antonio Field Office §

Director for Enforcement and Removal, U.S. §

Immigration and Customs Enforcement, §

Department of Homeland Security; §

CHARLOTTE COLLINS, Warden, T. Don Hutto §

Detention Center, Taylor, Texas; §

OSCAR MONTEMAYOR; Acting Chief Counsel, §

U.S. Immigration and Customs Enforcement, §

Department of Homeland Security; §

CELESTIN NKENG; Assistant Chief Counsel, §

U.S. Immigration and Customs Enforcement, §

Department of Homeland Security; §

UNITED STATES DEPARTMENT OF §

HOMELAND SECURITY;

UNITED STATES IMMIGRATION AND

CUSTOMS ENFORCEMENT;

Civil Case No. 1:25-cv-1715

Respondents.

PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241

1. The U.S. Department of Homeland Security (“DHS”) and the U.S. Department of Justice (“DOJ”) have recently reversed decades of settled immigration practice by denying immigration bond hearings to individuals like Petitioner, who was arrested inside the United States. This reversal is based on the Board of Immigration Appeals' precedential decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), issued on September 5, 2025.

2. Under longstanding practice, individuals arrested inside the United States are subject to detention under 8 U.S.C. § 1226, which generally allows for release on bond during removal proceedings. However, following *Matter of Yajure Hurtado*, DHS and DOJ are classifying such individuals as subject to 8 U.S.C. § 1225, which does not provide for bond hearings, based solely on their initial entry without inspection—often years or decades ago. This is contrary to nearly 30 years of law and practice post-IIRIRA and is being applied uniformly, including in Texas.

3. As a result, DHS is unlawfully detaining Petitioner without the possibility of release or a bond hearing, despite legal requirements for such under §1226. Multiple federal courts, including in Texas, have ruled against this interpretation. See, e.g., *Hernandez-Ramiro v. Bondi*, No. 5:25-cv-01207-XR (W.D. Tex. Oct 15, 2025); *Padron Covarrubias v. Vergara*, No. 5:25-CV-112 (S.D. Tex. Oct. 8, 2025); *Buenrostro-Mendez v. Bondi*, No. 4:25-cv-03726 (S.D. Tex. Oct. 7, 2025). See, e.g., *Hilario Rodriguez v. Moniz*, No. 25-12358 (D. Mass. Sept. 18, 2025); *Sampiao v. Hyde*, No. 25-11981, 2025 WL 2607924 (D. Mass. Sept. 9, 2025) (collecting cases rejecting the new interpretation). DHS and DOJ continue to violate statutory, regulatory, and constitutional rights through this policy. Petitioner brings this action to prevent unlawful deprivation of liberty without due process.

4. In light of this decision, the Petitioner cannot seek a bond redetermination hearing before an Immigration Judge (IJ) or the BIA because they claim they do not have jurisdiction to hear these types of requests.

5. Petitioner, Mario Martinez Campuzano, through counsel, respectfully petitions this Court for an emergency writ of habeas corpus under 28 U.S.C. § 2241 to challenge his unlawful mandatory detention by Immigration and Customs Enforcement (ICE) at the T. Don Hutto Detention Center, Taylor, Texas, without a bond hearing. Respondents are detaining Mr. Martinez-Campuzano pursuant to section 235(b)(2)(A) of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1225(b)(2), as interpreted by the Board of Immigration Appeals (“BIA”) in its precedential decision *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). This petition raises constitutional claims and pure questions of law, over which this Court has jurisdiction.

I. INTRODUCTION

6. Mr. Martinez-Campuzano entered the United States without inspection when he was 14 years old. In 1986, the Immigration Reform and Control Act (IRCA) was signed into law by President Ronald Reagan and established an amnesty program for certain undocumented immigrants to legalize their status in the United States, especially seasonal agricultural workers under the “SAW” Program. Since Mr. Martinez-Campuzano worked in agriculture in Oregon, his father took him to the INS to apply for his permanent residency.

7. Mr. Martinez-Campuzano states that he believes he applied for permanent residency using the I-698 (application to Adjust Status from Temporary to Permanent Resident) and obtained an employment authorization card, a social security number, and a driver's license. Mr. Martinez-Campuzano left for Mexico for an unspecified period of time after being granted his employment authorization, social security card, and driver's license. It is unknown whether Mr.

Martinez-Campuzano is a lawful permanent resident. In 1997, Mr. Martinez-Campuzano returned for seasonal agricultural work and was inspected at an unknown port of entry in Texas using his employment authorization card, but it is unknown whether there is a record of his admission to the United States. Since 1997, Mr. Martinez-Campuzano has not departed the United States; he has resided continuously in the United States for over 28 years, establishing significant family and community ties. However, in July of 2025, the Respondent was arrested in Bastrop, Texas, for driving without a license and was subsequently apprehended by Immigration and Customs Enforcement and placed in removal proceedings without an opportunity for a bond hearing before an immigration judge. Despite his over 28 years of presence in the United States, his lack of a criminal history, and strong community ties, Mr. Martinez-Campuzano has been subjected to indefinite mandatory detention without an individualized determination of his flight risk or danger to the community. This detention violates his Fifth Amendment due process rights and exceeds the permissible scope of mandatory detention under the INA.

8. A Notice to Appear was issued charging him as inadmissible under INA § 212(a)(6)(A)(i), 8 U.S.C. § 1182(a)(6)(A)(i). Mr. Martinez-Campuzano is unable to request a bond hearing pursuant to *Matter of Yajure Hurtado*, determining that he is an “applicant for admission” subject to mandatory detention under INA § 235(b)(2)(A). To date, removal proceedings are ongoing, but no removal is foreseeable, and Mr. Martinez-Campuzano remains detained without bond or supervised release. His prolonged mandatory detention is no longer justified under the Constitution or the INA.

9. Mr. Martinez-Campuzano submits that his detention violates his constitutional rights. The BIA’s interpretation in *Matter of Yajure Hurtado*—extending mandatory detention under § 235(b)(2)(A) to long-term residents who entered without inspection—ignores decades of

precedent allowing bond hearings for such individuals and renders detention indefinite without due process. Petitioner seeks an order from this Court declaring his continued detention unlawful, vacating the BIA's application of *Matter of Yajure Hurtado* to his case, and ordering Respondents to provide a bond hearing or release Mr. Martinez-Campuzano under reasonable conditions of supervision.

II. CUSTODY

10. Mr. Martinez-Campuzano is in the physical custody of Respondent MIGUEL VERGARA, Field Office Director for Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement ("ICE"), a component of the Department of Homeland Security ("DHS"), and Respondent CHARLOTTE COLLINS, Warden of T. Don Hutto Detention Center in Taylor, Texas. At the time of the filing of this petition, Petitioner is detained at T. Don Hutto Detention Center in Taylor, Texas. The facility contracts with DHS to detain noncitizens such as Petitioner. Mr. Martinez-Campuzano is under the direct control of Respondents and their agents.

III. JURISDICTION

11. This action arises under the Constitution of the United States, the INA, 8 U.S.C. § 1101 et seq., as amended. This Court has jurisdiction under 28 U.S.C. § 2241, and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of authority of the United States and such custody is in violation of the U.S. Constitution, laws, or treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. § 2241 and the All Writs Act, 28 U.S.C. § 1651.

IV. VENUE

12. Venue lies in the United States District Court for the Western District of Texas, the judicial district in which Respondents reside and where Petitioner is detained.

V. LEGAL FRAMEWORK

13. The INA prescribes forms of detention for noncitizens in removal proceedings.

14. U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an Immigration Judge. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, *see* 8 U.S.C. § 1226(c), Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

15. The INA also provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under § 1225(b)(2).

16. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

17. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104–208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

18. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited

Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997)¹.

19. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearings, unless their criminal history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed “arriving” or “seeking

20. In *Jennings v. Rodriguez*, the Department of Homeland Security (DHS) explicitly acknowledged that individuals who have already entered the United States and are not apprehended within 100 miles of the border or within 14 days of entry are subject to discretionary detention under 8 U.S.C. § 1226(a), not mandatory detention under § 1225(b). During oral argument on November 30, 2016, then–Solicitor General Ian Gershengorn stated: “If they are not detained within 100 miles of the border or within 14 days... then they are under 1226(a) and not 1226(c)” and further clarified, in response to a question concerning “an alien who has come into the United States illegally without being admitted [and] who takes up residence 50 miles from the border,” the Government responded, “The answer is they are held under 1226(a) and that they get a bond hearing...” Transcript of Oral Argument at 7–8, *Jennings v. Rodriguez*, 583 U.S. ____ (2018) (No. 15-1204).² DHS reiterated that such individuals “would be held under 1226(a)” and cited the administrative record to support that position. *Id.* These statements reflect DHS’s prior litigation stance that § 1226(a) governs detention for noncitizens who have entered and are residing in the United States, a position directly contrary to the agency’s current interpretation applying § 1225(b)(2)(A) to such individuals. Having prevailed in

¹ <https://www.justice.gov/sites/default/files/coir/legacy/2005/01/12/fr03ja97P.pdf>

² https://www.supremecourt.gov/oral_arguments/argument_transcripts/2016/15-1204_k536.pdf

Jennings after taking this position, they should be estopped from taking the contrary position now simply because their political or litigation interests have changed. admission” were entitled to a custody hearing before an IJ or other hearing officer.

21. On July 8, 2025, ICE, “in coordination with” DOJ, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice. The new policy, entitled “Interim Guidance Regarding Detention Authority for Applicants for Admission,”³ claims that all persons who entered the United States without inspection shall now be subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended, and affects those who have resided in the United States for months, years, and even decades.

22. On September 5, 2025, the BIA adopted this same position in a published decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for IJ bond hearings.

23. Since Respondents adopted their new policies, several federal courts have rejected their new interpretation of the INA’s detention authorities. Courts have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE.

24. The U.S. District Court in the Western District of Washington found that such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not apprehended upon arrival to the United States. *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025).

25. A growing number of federal courts have rejected DHS, ICE, and EOIR’s recent interpretation of the INA’s detention provisions. These courts have consistently held that §

³<https://www.aila.org/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission>

1226(a), not § 1225(b)(2), governs the detention authority applicable in long-resident EWIs, such as the present cases. For example, courts in Massachusetts, Arizona, New York, Minnesota, California, and Nebraska have reached this conclusion. See: *Gomes v. Hyde*, No. 1:25-CV-11571-JEK (D. Mass. July 7, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB) (D. Ariz. Aug. 11, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH) (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE (D. Minn. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-BEM (D. Mass. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF (N.D. Cal. Aug. 21, 2025); *Palma Perez v. Berg*, No. 8:25CV494 (D. Neb. Sept. 3, 2025).

26. Federal Judges in the 5th Circuit, specifically in the Southern District of Texas and in this Western District of Texas, have also turned down the government's creative argument. See *Hernandez-Ramiro v. Bondi*, No. 5:25-cv-01207-XR (W.D. Tex. Oct 15, 2025); *Padron Covarrubias v. Vergara*, No. 5:25-CV-112 (S.D. Tex. Oct. 8, 2025); *Buenrostro-Mendez v. Bondi*, No. 4:25-cv-03726 (S.D. Tex. Oct. 7, 2025).

27. These decisions reflect a clear judicial consensus that the government's reliance on § 1225(b)(2) is misplaced in cases involving long-resident EWIs whose immigration status lawfully falls under § 1226(a).

28. Courts have uniformly rejected DHS, ICE, and EOIR's new interpretation because it defies the INA. As the Federal Courts explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.

29. Section 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." These removal hearings are held under § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

30. The text of § 1226 explicitly applies to people charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, “[w]hen Congress creates ‘specific exceptions’ to a statute’s applicability, it ‘proves’ that absent those exceptions, the statute generally applies.” *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also* *Gomes*, 2025 WL 1869299, at 7.

31. Section 1226, therefore, leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

32. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States and were not free to mingle with the general population after being free from official restraint. The statute’s entire framework is premised on inspections at the border of people who are “seeking admission” to the United States. 8 U.S.C. § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies “at the Nation’s borders and ports of entry, where the Government must determine whether a [noncitizen] seeking to enter the country is admissible.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

33. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not apply to people like Petitioner, who entered the U.S. without inspection and have resided here for decades.

VI. EXHAUSTION OF ADMINISTRATIVE REMEDIES

34. There are no administrative remedies available to the Petitioner under *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). In this precedential decision issued on September 5, 2025, the Board of Immigration Appeals (BIA) held that, based on the plain language of section 235(b)(2)(A) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1225(b)(2)(A), immigration judges lack jurisdiction to hear bond requests or grant bond to noncitizens who are present in the United States without admission or parole. These individuals are classified as "applicants for admission," subjecting them to mandatory detention during removal proceedings, regardless of how long they have resided in the country (e.g., even after two years, as previously allowed under some regulations like 8 C.F.R. § 1003.1(d)(3)(i)). The BIA emphasized that an immigration judge's authority is strictly limited to what the INA and regulations delegate, and section 235(b)(2)(A) does not provide for discretionary release on bond by judges—instead, it mandates detention or conditional parole by the Attorney General (exercised by DHS/ICE).

35. This ruling overrules decades of prior practice where such noncitizens could seek bond hearings if they demonstrated prolonged U.S. presence, shifting custody determinations away from immigration courts and toward potential habeas corpus challenges in federal district courts.

VII. PARTIES

37. Petitioner Mr. Martinez-Campuzano is a 53-year-old national of Mexico who entered the United States near McAllen, Texas in January of 1997 and is presently detained by ICE at T. Don Hutto Detention Center in Taylor, Texas.

38. Respondent KRISTI NOEM is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

39. Respondent PAMELA BONDI is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

40. Respondent MIGUEL VERGARA is the Field Office Director for Enforcement and Removal Operations for ICE, DHS. Respondent is responsible for the custody, removal, and supervision of Petitioner. Respondent may be served at ICE ERO San Antonio Field Office, located at 1777 NE Loop 410, Suite 1500, San Antonio, TX 78217.

41. Respondent CHARLOTTE COLLINS is the Warden of T. Don Hutto Detention Center in Taylor, Texas. Respondent has immediate physical custody of Petitioner. Respondent may be served at 1001 W Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

42. Respondent IMMIGRATION AND CUSTOMS ENFORCEMENT is the federal agency, branch of DHS, responsible for the enforcement of the INA, apprehension of non-citizens in the U.S., and detention and removal of noncitizens.

43. Respondent EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

VIII. STATEMENT OF FACTS

44. The petitioner entered the United States with inspection but there is no record of his admission to the United States on or about January of 1997.

45. On or about July of 2025, ICE apprehended Petitioner and issued a Notice to Appear charging inadmissibility under INA § 212(a)(6)(A)(i). Petitioner was placed in mandatory detention without a bond hearing.

46. The petitioner has no serious criminal history.

47. Removal proceedings are pending, but Petitioner has applied for relief 42-B, and no removal is foreseeable. Petitioner also qualifies for a T-Visa with USCIS.

48. As of the filing of this petition, Petitioner has been detained for over two months without a bond hearing, despite no evidence of flight risk or danger.

IX. LEGAL CLAIMS

First Claim: Violation of the Immigration and Nationality Act

49. Petitioner's detention under § 1225 is unlawful; he should be under § 1226(a) with a bond hearing.

50. *Matter of Yajure Hurtado* misinterprets the INA by ignoring congressional intent and longstanding practice distinguishing border arrivals from interior arrests.

Second Claim: Violation of the Fifth Amendment Due Process Clause

51. Petitioner's mandatory detention without a bond hearing violates his right to substantive and procedural due process under the Fifth Amendment.

52. In *Demore v. Kim*, 538 U.S. 510 (2003), the Supreme Court upheld mandatory detention under INA § 1226(c) as constitutional for the "limited" period necessary for removal proceedings. However, prolonged detention without an individualized hearing exceeds this limit, especially for long-term residents like Petitioner who pose no flight risk or danger.

53. The BIA's decision in *Matter of Yajure Hurtado* erroneously extends INA § 235(b)(2)(A)—intended for "arriving" aliens—to noncitizens present without admission for years, overriding 29 years of practice allowing bond hearings.

54. Petitioner's detention, now exceeding the presumptively reasonable period, is indefinite and punitive, violating due process. See *Jennings v. Rodriguez*, 583 U.S. 281 (2018) (not addressing constitutional limits on mandatory detention).

Third Claim: Ultra Vires Application of INA § 235(b)(2)(A)

55. The BIA's holding in *Matter of Yajure Hurtado* exceeds statutory authority by treating all unauthorized entrants as "applicants for admission" ineligible for bond, contrary to INA § 235's structure and congressional intent. Regulations at 8 C.F.R. § 1003.19(h)(2)(i)(B)

previously authorized bond hearings for such individuals; the BIA's override is arbitrary and capricious under the Administrative Procedure Act, 5 U.S.C. § 706.

56. Petitioner, present for over 28 years in the United States is not an "arriving" alien subject to expedited removal and mandatory detention without review.

Fourth Claim: Violation of the Suspension Clause

57. The Suspension Clause, U.S. Const. art. I, § 9, cl. 2, prohibits suspension of habeas corpus. Denying any custody review suspends this right without due process, especially where detention is not "reasonably related" to removal goals.

Fifth Claim: Violation of Bond Regulations

58. Petitioner incorporates by reference the law and allegations of fact set forth in preceding paragraphs.

59. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of "Apprehension, Custody, and Detention of [Noncitizens]," the agencies explained that "[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) will be eligible for bond and bond redetermination." 62 Fed. Reg. at 10323 (emphasis added). The agencies thus made clear that individuals who had entered without inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations. Nonetheless, pursuant to *Matter of Yajure Hurtado*, DHS, ICE, and EOIR have a policy and practice of

unlawfully applying § 1225(b)(2) to individuals like Petitioner, who are instead detained under § 1226(a). The application of § 1225(b)(2) to Petitioner unlawfully mandates her continued detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

X. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

A. Order that Petitioner shall not be transferred outside the Western District of Texas while this habeas petition is pending.

B. Declare that Petitioner's mandatory detention without a bond hearing is unlawful and that *Matter of Yajure Hurtado* was wrongly decided or inapplicable;

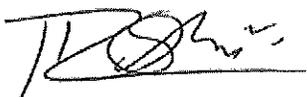
C. Issue a writ of habeas corpus ordering Respondents to provide an immediate bond hearing or release Petitioner from custody under reasonable conditions of supervision;

D. Award Petitioner his costs and attorney's fees; and

E. Grant such other and further relief as the Court deems just and proper;

I declare under penalty of perjury that I am the petitioner's attorney, 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.

Respectfully submitted, October 23, 2025.



Patricio Garza Izaguirre

Attorney for the Petitioner

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TX SBN 24087568

CERTIFICATE OF SERVICE

I, Patricio Garza Izaguirre, certify that on this date a true and correct copy of this **EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241**, and all the attached documents described in the index above, were served to:

1. KRISTI NOEM, Secretary of the United States Department of Homeland Security;
2. PAMELA BONDI, United States Attorney General;
3. MIGUEL VERGARA, San Antonio Field Office Director for Enforcement and Removal, U.S. Immigration and Customs Enforcement, Department of Homeland Security;
4. CHARLOTTE COLLINS, Warden, T. Don Hutto Detention Center, Taylor, Texas;
5. OSCAR MONTEMAYOR; Acting Chief Counsel, U.S. Immigration and Customs Enforcement, Department of Homeland Security;
6. CELESTIN NKENG; Assistant Chief Counsel, U.S. Immigration and Customs Enforcement, Department of Homeland Security;
7. UNITED STATES DEPARTMENT OF HOMELAND SECURITY;
8. UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT;

On October 23, 2025



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