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DETAINED

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

Armando Blandon Raudez
Petitioner,
v.

Pam Bondi,

Attorney General of the United States;

Case Number: 1:25-cv-12593

Kristi Noem,

Secretary of the Department of Homeland Security;

Todd M. Lyons,

Acting Director of U.S. Immigration and Customs Enforcement;

Russell Hott, ICE Field Office Director, Chicago;

Respondents.

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

INTRODUCTION

1. Mr. Blandon is a Citizen of Nicaragua who applied for Asylum and Withholding of removal with the Chicago Immigration Court and was granted Withholding of Removal by a

Judge at his Individual Hearing on April 15, 2025. Due to this, we believe he qualifies for release under an order of supervision. During his removal proceedings, the Department of Homeland Security waived appeal, and no third country had been designated for removal. Therefore Mr. Bandon should be eligible for relief as he has been awarded relief by the immigration judge.

The Petitioner is Armando Bandon Raudez who was awarded withholding of removal in the immigration court on 04/15/2025. An award of this status affirms that he will not be deported to his native country of Nicaragua. He had been detained for removal proceedings and after receiving an award for relief through an immigration judge he remained in custody. He had been denied bond and parole and has remained in ICE custody for several months after being awarded relief. Custody review occurred 90 days after his final hearing before the immigration court and ICE kept him detained due to the fact that they were looking for a third country to remove him to. As of the date of preparation of this document, Mr. Bandon has been in ICE custody for about 170 days. In prior communication between Mr. Bandon's counsel and ICE, counsel was told that ICE did not find a third country to remove him to and after 180 days his custody would be reviewed once more. However as of 09/19/2025 counsel was notified by Mr. Bandon, and not ICE that Mr. Bandon, a citizen of only Nicaragua, would be deported to Mexico on either the same day or on 09/20/2025, giving counsel extremely little notice to challenge this deportation. This also comes after counsel had filed a stay of removal with ICE in the form of a form I-246. This document was filed with ICE on 07/14/2025 and no denial had ever been tendered to either Mr. Bandon or his counsel. Such a document is designed to pause the deportation of an individual due to various legal or humanitarian reasons.

Accordingly, to vindicate Petitioner's rights this Court should grant the instant petition for a writ of habeas corpus.

1. The lack of statutory authority: Under 8 U.S.C. §1231(b)(2), DHS must remove the person to: either their country of nationality or citizenship or a country that has accepted to take them. In the case of Mr. Bandon, Mexico has not agreed to accept Mr. Bandon and this deportation is an abuse of the agency's lawful power.
2. Constitutional violation: There is a violation of Mr. Bandon's due process rights. During his individual hearing before an immigration court the counsel representing the Department of Homeland Security only designated Nicaragua as its intended country of removal. Despite having a full trial on his removability, the removal to Mexico was not something mentioned or even designated as a possibility by the Department of Homeland Security. Mr. Bandon has no ties or family in Mexico and the selection of Mexico as a country for his removal has been completely arbitrary and sudden with the intention of giving Mr. Bandon little time to prepare or respond. Courts have recognized habeas jurisdiction over unlawful detention and unlawful removal orders where DHS acts outside its statutory limits.
2. Absent an order from this Court, Petitioner will also be seeking a stay of removal with the board of immigration appeals.
3. Petitioner asks this Court to find the prolonged and indefinite detention of Mr. Bandon to be unlawful and the order for his deportation to be unlawful and order his deportation to be paused and for him to be released from custody.

JURISDICTION & VENUE

4. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*

5. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause). Under 8 U.S.C. § 1252(e)(2), this Court has habeas authority to determine whether Petitioner is a noncitizen / whether Petitioner was ordered removed under 8 U.S.C. § 1225(b)(1)

6. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

7. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody under the authority of the United States, and his detention is in violation of the Constitution and laws of the United States.

8. Venue is proper in the Northern District of Illinois because the Petitioner's immigration case was determined by the immigration court of Chicago, Illinois located within the Northern District.

REQUIREMENTS OF 28 U.S.C. § 2243

9. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require respondents to file a return "within *three days* unless for good cause additional time, not exceeding twenty days, is allowed." *Id.* (emphasis added).

10. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as "perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and

imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

11. Petitioner has been granted Withholding of Removal. He is in custody, and under the direct control, of Respondents and their agents.

12. Todd M. Lyons is the Acting Director of U.S. Immigration and Customs Enforcement;

13. Respondent Russell Hott is sued in his official capacity as the Director of the Chicago Field Office of U.S. Immigration and Customs Enforcement. Respondent Olsen is a legal custodian of Petitioner and has authority to release him.

14. Respondent Kristi Noem is sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement/U.S. Customs and Border Protection, the component agency responsible for Petitioner’s detention. Respondent Noem is a legal custodian of Petitioner.

15. Respondent Pam Bondi is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent Bondi is a legal custodian of Petitioner.

STATEMENT OF FACTS

16. Petitioner is a 42-year-old citizen of Nicaragua. He had been previously living in Indianapolis, Indiana. He was arrested for a criminal incident which was concluded and immediately after he was brought into ICE custody and placed in Removal Proceedings

17. An immigration judge awarded him withholding of removal to prevent deportation to his home country of Nicaragua on 04/15/2025. In the course of his immigration court proceedings, the Department of Homeland Security never designated any other country besides Nicaragua for Mr. Blandon's removal.

18. Despite receiving relief, ICE has refused to release him from custody. After custody review, DHS and ICE kept Mr. Blandon in custody to pursue other methods to remove Mr. Blandon.

19. In July of 2025 Mr. Blandon filed a I-246 stay of removal to pause any deportation efforts. Denial was never given to either him or his counsel.

20. approximately 10 days before the completion of his 180 day custody period which would trigger another custody review. ICE claimed that they will remove him to Mexico, the decision was made by ICE on 09/19/2025 and told Mr. Blandon and his counsel that he will either be deported the same day or the next day of 09/20/2025.

LEGAL FRAMEWORK

I. Constitutional Violations

There is a violation of Mr. Blandon's due process rights. During his individual hearing before an immigration court the counsel representing the Department of Homeland Security only designated Nicaragua as its intended country of removal. Despite having a full trial on his removability, the removal to Mexico was not something mentioned or even designated as a possibility by the Department of Homeland Security. Mr. Blandon has no ties or family in

Mexico and the selection of Mexico as a country for his removal has been completely arbitrary and sudden with the intention of giving Mr. Blandon little time to prepare or respond. Courts have recognized habeas jurisdiction over unlawful detention and unlawful removal orders where DHS acts outside its statutory limits.

II. Statutory Authority

Under 8 U.S.C. §1231(b)(2), DHS must remove the person to: either their country of nationality or citizenship or a country that has accepted to take them. In the case of Mr. Blandon, Mexico has not agreed to accept Mr. Blandon and this deportation is an abuse of the agency's lawful power.

CLAIMS FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

Due to the violation of Mr. Blandon's due process rights, Mr. Blandon claims that

1. The Petitioner's detention and deportation violates the Due Process Clause of the Fifth Amendment.

COUNT TWO

Violation of 8 U.S.C. §1231(b)(2), and Implementing Regulations

Due to statutory violations on the part of the Respondents, Mr. Blandon claims

1. The Petitioner's detention and deportation violates 8 U.S.C. §1231(b)(2).

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

- (1) Assume jurisdiction over this matter;
- (2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.

- (3) Declare that the Petitioner's detention and scheduled deportation violates the Due Process Clause of the Fifth Amendment, 8 U.S.C. § §1231(b)(2).
- (4) Issue a Writ of Habeas Corpus ordering Respondents to pause the schedule deportation of Mr. Blandon and release Petitioner immediately.
- (5) Grant any further relief this Court deems just and proper.

Respectfully submitted,



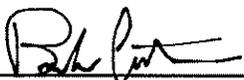
Brandon Carter
Counsel for Petitioner

Dated: September 19, 2025

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Armando Jose Blando Raudez, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 19 day of September 2025.



Brandon Carter