

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

FILED

OCT 20 2025

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

EDDY CARBONELL LINGUENO,
Petitioner

v.

WARDEN,
South Texas ICE Processing Center

DIRECTOR,
Immigration and Customs Enforcement

KRISTI NOEM,
Secretary,
Department of Homeland Security

SA25CA1336 OG

I. INTRODUCTION

Petitioner, Eddy Carbonell Lingueno, seeks Habeas Corpus relief from this Court pursuant to 28 U.S.C. § 2241. Petitioner is filing *pro se*.

Petitioner is challenging the legality of Immigration and Custom Enforcement (ICE) revocation of my Order of Supervision (OSUP) outlined in 8 CFR §241.4(l)(2) and 8 CFR §241.13(i) and ICE's violation of the Fifth Amendment Due Process clause.

Petitioner is a Cuban citizen born in Havana, Cuba on November 11, 1962.

As a Mariel Cuban the Petitioner arrived in the United States on June 3, 1980 and is governed by 8 C.F.R. §212.12.

Petitioner is including all parties relevant to this petition as Petitioner does not have access to the information to the parities involved.

II. BACKGROUND

Petitioner was first detained by Immigration and Customs Enforcement (ICE) in 1990 while he was in a Texas state jail.

Petitioner was in immigration detention for a full year and was held until he signed an order of deportation. An ultimatum was given to him by the immigration judge, that he signs the order of deportation or stays detained.

A year later in 1991 Petitioner was released on an order of supervision (OSUP).

The second time Petitioner was detained by ICE, on May 27, 2025, is when ICE picked him up at his home.

Before the ICE arrest, Petitioner had had completed his annual OSUP check-in on January 21, 2025. Four months later ICE detains him at his house. Petitioner did not violate his OSUP.

Post OSUP revocation

At the Austin detention ICE did not conduct an interview with Petitioner.

Petitioner could not properly respond to the OSUP since ICE did not list the reasons why the OSUP is being revoked.

Petitioner was transported to the Taylor, TX detention facility. ICE did not interview him. ICE told him to sign a deportation order to Mexico. Petitioner refused to sign.

ICE then moved him to the South Texas ICE Processing Center (STIPC) in Pearsall, TX and has been detained here since July 2, 2025. ICE did not interview the Petitioner. Subsequently, at STIPC, ICE did not respond to Petitioner's request for copies of warrant and/or revocation documents via STIPC internal request system.

ICE did not conduct an interview with the Petitioner. [8 CFR §241.13(i)(3)]

Legality of OSUP revocation

Petitioner challenges the legality of the OSUP revocation outlined under 8 CFR §241.4 and 8 CFR §241.13. Petitioner claims that ICE has violated the Due Process Clause under the Fifth Amendment of the U.S. Constitution.

The following cases have challenged the legality of OSUP revocation. *Grigorian v. Bondi*, 2025 U.S. Dist. Court, Lexis 175489, U.S. District Court for the Southern District of Florida, September 9, 2025; *Sarail A. v. Bondi*, 2025 U.S. District Lexis 171005, September 3, 2025; *Rokhfirooz v. Larose*, 2025 U.S. District Lexis 180605, U.S. District Court for the Southern District of California, September 15, 2025.

The above cases are not exhaustive.

Informal interviews are not valid since reasons were not given.

ICE has not responded to several requests for copies of warrant and OSUP revocation documents via the STIPC request system, both paper (physical) and the tablet app (electronic).

ICE's failure to provide the Petitioner an informal interview promptly after his detention or to otherwise provide an opportunity to contest reasons for revocation violates both ICE's own regulations [8 CFR §241.4 and 8 CFR §241.13] and the U.S. Constitution Fifth Amendment's Due Process clause. [*Grigorian v. Bondi*, 2025].

III. PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

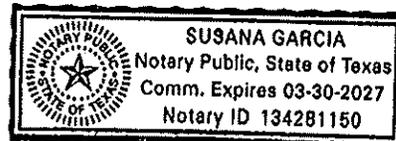
- 1) Assume jurisdiction over this matter;
- 2) Grant Petitioner a **Writ of Habeas Corpus** directing the Respondents to immediately release Petitioner from custody;
- 3) Enter a preliminary and permanent injunctive relief enjoining Respondents from further unlawful detention of Petitioner;
- 4) Grant any other and further relief that this Court deems just and proper.

I affirm to the best of my knowledge and belief that the foregoing is true and correct.

ACKNOWLEDGMENT

SUBSCRIBED TO AND SWORN before me this 14th day of October 2025 that EDDY CARBONELL LINGUENO personally appeared and known to me to be the person whose name subscribed to within instrument and acknowledge to be the same.

Eddy Carbonell Lingueno
EDDY CARBONELL LINGUENO,
Petitioner



[Signature] 10/13/25