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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 PERDOMO-GONZALEZ, FREDY)

10 Petitioner,)

11 V.)

12 KRISTI NOEM, Secretary of)
13 the United States Department of Homeland)
14 Security; PAM BONDI,)
15 United States Attorney General;)
16 TODD LYONS, Director of)
17 United States Immigration and Customs)
18 Enforcement; BRYAN WILCOX,)
19 Field Office Director for Detention and)
20 Removal, U.S. Immigration and Customs)
21 Enforcement, Department of Homeland)
22 Security; John Mattos Warden,)
23 Nevada Southern Detention Center;)
24 UNITED STATES DEPARTMENT OF)
25 HOMELAND SECURITY; UNITED)
26 STATES IMMIGRATION AND)
27 CUSTOMS ENFORCEMENT;)

28 Respondents)

A  Detained

Case File No.:

Immigration file No.:

**PETITIONER'S AMENDED
WRIT OF HABEAS
CORPUS**

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

22 This is a petition for a writ of habeas corpus filed on behalf of Fredy Perdomo
23 ("Petitioner") seeking relief to remedy his unlawful detention. Respondents are
24 detaining Petitioner pending his deportation proceedings. Petitioner has fully
25 cooperated with Respondents for said proceedings. To date, Petitioner has been
26 detained for more than sixty (60) days. Petitioner is not a flight risk or a danger to

1 the community. His prolonged detention is no longer justified under the
2 Constitution or the Immigration and Nationality Act (INA).

3
4 Respondents placed Petitioner in the custody of the Nevada Southern Detention
5 Center. Petitioner's detention is for the purpose of conducting his deportation
6 proceedings.

7
8 On or about September 17, 2025, an Immigration Judge ("IJ") denied
9 Petitioner bond, finding no jurisdiction under *Matter of Yajure Hurtado*, 29 I&N
10 Dec. 216 (BIA 2025).

11
12 Respondents' actions defy the U.S. Constitution and the Immigration and
13 Nationality Act (INA). Petitioner seeks an order from this Court declaring his
14 continued and prolonged detention unlawful and ordering Respondents to release
15 Petitioner from their custody with or without the posting of the relevant bond.

16 CUSTODY

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18 1. Petitioner is in the physical custody of Respondents. At the time of the filing of
19 this petition, Petitioner is detained at the Nevada Southern Detention Center
20 ("NSDC") in Pahrump, NV. NSDC contracts with the Department of Homeland
21 Security to detain aliens such as Petitioner. Petitioner is under the direct control of
22 Respondents and their agents.
23
24

25 JURISDICTION

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27 2. This action arises under the Constitution of the United States, the Immigration
28 and Nationality Act ("INA"), 8 U.S.C. § 1101 et. seq., as amended by the Illegal

1 Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”), Pub.
2 L. No. 104-208, 110 Stat. 1570. This Court has jurisdiction under 28 U.S.C. 2241,
3 art. I, § 9, cl. 2 of the United States Constitution (“Suspension Clause”) and 28
4 U.S.C. § 1331, as Petitioner is presently in custody under color of authority of the
5 United States and such custody is in violation of the U.S. Constitution, laws, or
6 treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. §
7 2241, and the All Writs Act, 28 U.S.C. § 1651.
8

10 VENUE

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12 3. Venue lies in the United States District Court for the District of Nevada, the
13 judicial district where Petitioner is detained. 28 U.S.C. § 1391(e).

14 PARTIES

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16 4. Petitioner is a national and citizen of Mexico.

17 5. Respondent KRISTI NOEM is the Secretary of the U.S. Department of
18 Homeland Security (“DHS”), an agency of the United States. She is responsible for
19 the administration of immigration laws pursuant to 8 U.S.C. § 1103(a). Secretary
20 Noem is a legal custodian of Mr. Perdomo. She is named in her official capacity.
21 Respondent’s address is Department of Homeland Security, Washington, D.C.
22 20528.
23

24
25 6. Respondent Pam Bondi is the Attorney General of the United States and the
26 most senior official in the U.S. Department of Justice (“DOJ”). She has the
27 authority to interpret immigration laws and adjudicate removal cases. 8 U.S.C. §
28

1 1103(g). The Attorney General delegates this responsibility to the Executive Office
2 for Immigration Review (“EOIR”), which administrates the immigration courts
3 and the BIA. She is named in her official capacity. Respondent’s address is 950
4 Pennsylvania Avenue, NW, Washington, D.C. 20520-0001.

6 7. Respondent TODD LYONS is the Director of the United States Immigration and
7 Customs Enforcement within the Department of Homeland Security, an agency of
8 the United States. He is responsible for the administration and enforcement of
9 immigration laws. He is named in his official capacity. Respondent’s address is
10 500 12th St. SW, Washington, D.C. 20536.

13 8. Respondent Bryan Wilcox is the Field Office Director for Detention and
14 Removal, U.S. Immigration Customs and Enforcement, Department of Homeland
15 Security. Pursuant to Respondent Wilcox’s orders, Mr. Perdomo remains detained.
16 Respondent Wilcox is named in his official capacity. Respondent’s address is 2975
17 Decker Lane Dr, Suite 100, West Valley City, UT 84119.

20 9. Respondent Warden is Petitioner’s immediate custodian and resides in the
21 judicial jurisdiction of the Ninth Circuit of the United States Court of Appeals.
22 Warden is named in his official capacity.

24 10. The Department of Homeland Security (DHS) is a federal agency charged with
25 administering statutes and regulations governing immigration pursuant to 6 U.S.C.
26 §§ 111-115. Respondent’s address is Department of Homeland Security,
27 Washington, D.C. 20528.
28

1 11. The United States Immigration and Customs Enforcement is a federal sub-
2 agency under DHS responsible for the administration and enforcement of the
3 United States' immigration laws pursuant to 22 C.F.R. 127.4. Respondent's field
4 office address here in Las Vegas is 501 S Las Vegas Blvd, Suite 200, Las Vegas,
5 NV 89101.
6

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8 EXHAUSTION OF ADMINISTRATIVE REMEDIES

9 12. Petitioner has exhausted his administrative remedies to the extent required by
10 law. Petitioner's only remedy is by way of this judicial action.
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12 STATEMENT OF FACTS

13 13. Petitioner is a national and citizen of Mexico who entered the U.S. sometime in
14 2005 without inspection and has resided continuously in the U.S. ever since.
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16 14. Petitioner has now been in detention for more than sixty (60) days pending his
17 deportation proceedings starting on September 2, 2025 when ICE officers initiated
18 a traffic stop on Petitioner's vehicle in Las Vegas, NV at Tropicana Ave and
19 Paradise St, taking Petitioner into custody without incident pursuant to an
20 administrative warrant issued under Section 236 of the INA. Petitioner is charged
21 as removable under Sections 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the INA.
22

23 15. Petitioner is not a danger to the community or a flight risk.
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25 16. Petitioner has deep roots in this community.
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27 17. Prior to his detention, Petitioner was working, paying his taxes, and providing
28 for his family. His continued detention deprives his family of his companionship

1 and income. Nonetheless, Immigration Judge Baker was unable to take these facts
2 into consideration at Petitioner's Bond Hearing on September 17, 2025, finding
3 that he lacked jurisdiction to grant bond pursuant to *Matter of Hurtado*. See,
4 *Exhibit A* Bond Order. No other arguments were considered because jurisdiction
5 was treated as a threshold question. No appeal has been taken.
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8 18. Respondents' continued detention of Petitioner is contrary to the law.

9 CLAIMS FOR RELIEF

10 COUNT ONE CONSTITUTIONAL CLAIM

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12 19. Petitioner alleges and incorporates by reference paragraphs 1 through 18 above.

13 20. Petitioners' detention violates his right to substantive and procedural due
14 process guaranteed by the Fifth Amendment to the U.S. Constitution. *Hope v.*
15 *Warden York City Prison*, 972 F.3d 310, 323-25 (3d Cir. 2020) (seeking release
16 due to unconstitutional conditions of confinement); *Yanes v. Martin*, 464 F. Supp.
17 3d 467, 468 n.1 (D.R.I. 2020); *Zepeda Rivas v. Jennings*, 465 F. Supp. 3d 1028,
18 1035-36 (N.D. Cal. 2020).
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22 COUNT TWO STATUTORY CLAIM

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24 21. Petitioner alleges and incorporates by reference paragraphs 1 through 20 above.

25 22. Petitioner's continued detention violates the Immigration and Nationality Act
26 and the U.S. Constitution.
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COUNT THREE

23. If he prevails, Petitioner requests attorney’s fees and costs under the Equal Access to Justice Act (“EAJA”), as amended, 28 U.S.C. § 2412.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief: 1. Assume jurisdiction over this matter; 2. Issue an order directing Respondents to show cause why the writ should not be granted; 3. Issue a writ of habeas corpus ordering Respondents to release Mr. Perdomo on his own recognizance or under parole, a low bond or reasonable conditions of supervision show; 4. Award Petitioner reasonable costs and attorney’s fees; and, 5. Grant any other relief which this Court deems just and proper.

Respectfully submitted,

/S/ JEREMY MONDEJAR

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VERIFICATION OF COUNSEL

I, Jeremy Mondejar, hereby certify that I am familiar with the case of the named petitioner and that the facts as stated above are true and correct to the best of my knowledge and belief.

/S/ JEREMY MONDEJAR

Jeremy Mondejar