

DEC 4 2025 4:07
FILED - USDC - NDTX - CU

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

AMENDED
PETITION FOR WRIT OF HABEAS CORPUS
UNDER 28 U.S.C. § 2241

Fabiana Gabriela Mujica Gimenez
PETITIONER
(Full name of Petitioner)

Bluebonnet Detention Center
CURRENT PLACE OF CONFINEMENT

vs.


PRISONER ID NUMBER

Warden, Bluebonnet Detention Center
RESPONDENT
(Name of TDCJ Director, Warden, Jailor, or
authorized person having custody of Petitioner)

1:25-cv-229-H
CASE NUMBER
(Supplied by the District Court Clerk)

INSTRUCTIONS - READ CAREFULLY

1. The petition must be legibly handwritten or typewritten, and signed and dated by the Petitioner, under penalty of perjury. Any false statement of an important fact may lead to prosecution for perjury. Answer all questions in the proper space on the form.
2. Additional pages are not allowed except that ONE separate additional page is permitted in answering question 10.
3. Receipt of the \$5.00 filing fee or a grant of permission to proceed *in forma pauperis* must occur before the court will consider your petition.
4. If you do not have the necessary filing fee, you may ask permission to proceed *in forma pauperis*. To proceed *in forma pauperis*, (1) you must sign the declaration provided with this petition to show

that you cannot prepay the fees and costs, and (2) if you are confined in TDCJ-CID, you must send in a certified *In Forma Pauperis* Data Sheet form from the institution in which you are confined. If you are in an institution other than TDCJ-CID, you must send in a certificate completed by an authorized officer at your institution certifying the amount of money you have on deposit at that institution. If you have access or have had access to enough funds to pay the filing fee, then you must pay the filing fee.

5. Only one sentence, conviction, disciplinary proceeding, or parole matter may be challenged in a single petition. If you challenge more than one, you must do so by separate petition(s).
6. Mail the completed petition and one copy to the U. S. District Clerk. The "Venue List" in your unit law library lists all of the federal courts in Texas, their divisions, and the addresses for the clerk's offices.
7. It is your responsibility to immediately notify the court in writing of any change of address. Failure to notify the court of your change of address could result in the dismissal of your case.

PETITION

PLEASE COMPLETE THE FOLLOWING: (check the appropriate number)

This petition concerns:

1. pretrial detention;
2. a conviction;
3. a sentence;
4. jail or prison conditions;
5. a prison disciplinary proceeding;
6. parole or mandatory supervision;
7. time credits;
8. other (specify): Immigration detention under removal order, challenging ICE custody

Have you pursued to completion all relevant state and/or prison administrative remedies relevant to your complaint(s) before filing this petition. Yes No If yes, what was the date of the result and the result of any such proceeding. If no, explain why you have not pursued all such remedies.

Filed motion to reopen with immigration court on September 26, 2025. Pending
Filed I-246 stay of removal with ICE Dallas EPO - pending. Federal Court
ordered me to file this amended § 2241 petition complying now.

1. Place of detention: Blue Bonnett Detention Center 400 East 2nd Street
Anson TX, 79501. (C5)
2. State the offense with which you have been charged and whether you have been convicted of the charged offense(s) or whether you are still awaiting trial: not detained for criminal charges
no criminal convictions. Detained only under immigration law.
3. Name and location of court in which your case is pending or in which you were convicted: Orlando Immigration court 500 N Orange Avenue, suite 1100
Orlando, FL 32801
4. The criminal docket or case number and the offense(s) for which you have been charged or convicted: A# [REDACTED]
(Not criminal case - N/A for criminal docket)
5. If you have been convicted of the charged offense(s), the date upon which sentence was imposed and the length of the sentence: N/A
I have not been convicted of any crime.
6. Check whether a finding of guilty was made:
 - a. after a plea of guilty N/A
 - b. after a plea of not guilty N/A
 - c. after a plea of nolo contendere N/A
7. If you were found guilty, check whether that finding was made by:
 - a. a jury N/A
 - b. a judge without a jury N/A
8. Did you appeal from the judgment of conviction or the imposition of sentence?
Yes No

9. If you did appeal, give the following information for each appeal:

a. (1) Name of court and docket or case number:

N/A

Not charged with any crime in this or any other detention

(2) Result and date of result:

N/A

(3) Grounds raised (list each):

(a)

(b)

(c)

(d)

N/A

N/A

b. (1) Name of court and docket or case number:

N/A

N/A

(2) Result and date of result:

(3) Grounds raised (list each):

(a)

(b)

(c)

N/A

N/A

(d)

N/A

10. State concisely every ground on which you claim that you are held unlawfully. Summarize briefly the facts supporting each ground. If necessary, attach a single page only behind page 6.

CAUTION: If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date. You must state facts, not conclusions, in support of your grounds. Do not argue or cite law. Just state the specific facts that support your claim. Legal arguments and citation to cases or law should be presented in a separate memorandum.

a. GROUND ONE:

Prolonged civil detention without bond hearing violates due process. I am not a flight risk

Supporting facts: I have been detained for months without a bond hearing. I came here legally with a visa. I am not a flight risk or public danger. Prolonged detention without review violates 5th amendment. I have verified work history, stable community ties, and US Citizen sponsors ready to support me. Continued detention is punitive, not administrative.

b. GROUND TWO:

Serious medical needs not properly considered, I have serious medical conditions requiring care.

Supporting facts: I have documented medical issues requiring stability and care. Detention at Blue Bonnett limits access to consistent treatment this violates due process standards for medical care of detainees.

c. GROUND THREE: Removal would be illegal while motion to reopen & stay are pending

Supporting facts: ICE accepted my Form I-246 Stay of removal EOIR received my motion to reopen, removal at this stage would unlawfully interfere with my statutory rights. Removal can not lawfully proceed while my motion to removal and stay are pending.

d. GROUND FOUR: Imminent Danger if Returned to Venezuela I face severe danger if I returned to Venezuela due Political persecution of my family

Supporting facts: Me and my family were targeted as political enemies modern humans. Rights reports confirm extreme danger to returnees. Removal would expose me to grave risk of persecution or torture.

11. Relief sought in this petition: Order my immediate release from ICE custody, or order a bond hearing before an Immigration judge, and STOP ICE from removing me until my case is decided.

12. Have you filed a previous application or petition for habeas corpus or any other application, petition or motion with respect to the grounds raised in this petition?

Yes No

13. If your answer to Question No. 12 is yes, give the following information as to each previous application, petition, or motion:

a. (1) Name of court and docket or case number: N/A

(2) Result and date of result: _____

(3) Grounds raised (list each):

(a) _____

(b) N/A

(c) N/A

(d) _____

b. (1) Name of court and docket or case number: _____

(2) Result and date of result: N/A

(3) Grounds raised (list each):

(a) _____

(b) _____
_____ N/A _____
(c) _____
_____ N/A _____
(d) _____

14. If applicable, state whether you have filed a motion under 28 U.S.C. § 2255, and if you filed such a motion and it was denied, state why your remedy by way of such motion is inadequate or ineffective to test the legality of your detention.

_____ N/A _____
_____ N/A _____

15. Are you presently represented by counsel? Yes No N/A
If so, name, address and telephone number of attorney: _____

No current attorney for immigration detention

16. If you are seeking leave to proceed *in forma pauperis*, have you completed an application setting forth required information? Yes No

1. AMENDED PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241 (DETAILED TEMPLATE)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

FABIANA GABRIELA MUJICA GIMENEZ,

Petitioner,

v.

WARDEN, BLUEBONNET DETENTION FACILITY,

and

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,

Respondents.

Case No.: 1:25-CV-00229-H

AMENDED PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

(Template for Petitioner to complete, sign, and file)

I. PETITIONER INFORMATION

1. My name is FABIANA GABRIELA MUJICA GIMENEZ, and my Alien Registration Number is [REDACTED]
2. I am a citizen of Venezuela.
3. I am currently detained by ICE at:

Bluebonnet Detention Center

400 County Road 167

Anson, Texas 79501

Housing Unit: [REDACTED]

4. I am filing this petition myself (pro se).
-

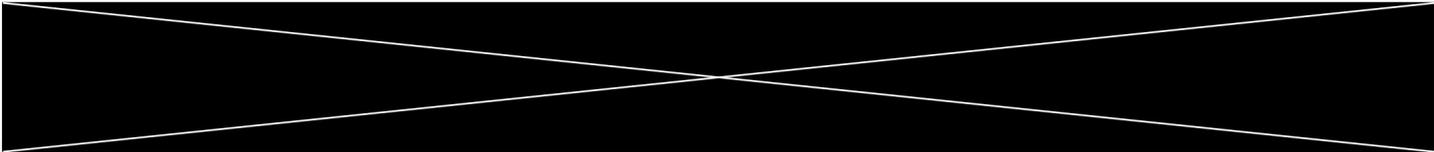
II. JURISDICTION

5. I am detained within the jurisdiction of the Northern District of Texas, making this Court the proper venue for this petition.
 6. This Court has jurisdiction under 28 U.S.C. §2241, because I am "in custody" under federal authority and I challenge the legality of that custody.
-

III. PROCEDURAL HISTORY (DETAILED)

7. I came to the United States legally on a visa with my family after we were forced to flee Venezuela due to severe government threats.

8.

- 
9. My family fled Venezuela by plane and sought asylum in the United States.
 10. While living in Texas, I experienced a medical seizure, which police misinterpreted as a DWI incident. I was charged with misdemeanor DWI and misdemeanor marijuana possession, but neither case resulted in convictions.
 11. I was taken into ICE custody and transferred to Bluebonnet Detention Facility.
 12. My removal proceedings took place in the Orlando Immigration Court, which issued a removal order dated April 8, 2025.
 13. I never received proper notice because DHS sent critical documents to an outdated Florida address even though I updated my address multiple times.
 14. I filed a Motion to Reopen with EOIR, which EOIR's automated system confirms was received.
 15. I also filed a Form I-246 Stay of Removal with ICE in Dallas, which was accepted, and I received a receipt.
 16. A federal habeas petition was filed on my behalf, but on October 31, 2025, this Court ordered that the petition must be signed and filed by me personally.

I am now submitting this amended petition in compliance with that order.

IV. FACTUAL BACKGROUND (EXPANDED DETAIL)

17. I am a peaceful woman with no criminal convictions.
18. I have extensive employment history, including:

- Waitress at Olive Garden, Garland, Texas
- Social media/marketing work for two businesses:
 - Real Estate Services (Rowlett, TX)
 - Oscar Mike Moving (Richardson, TX)

19. Multiple employers and business owners are willing to state I am reliable, responsible, and not a flight risk.
20. I suffered a medical seizure, not a DWI. Medical records are available.
21. I suffer from serious health issues, including:

- Seizure disorder
- Anemia
- Anxiety related to confinement

22. I have two U.S. citizen sponsors ready to house and support me:

- Deb Law, ordained minister, former director of Exodus Women's Outreach, known for helping women in crisis
- Jackie Dean Scott Jr., Texas business owner

23. Venezuela's country conditions are extremely dangerous, especially for people connected (even falsely) to allegations against the government. Reports show:

- torture
- disappearances
- political imprisonment
- persecution of perceived opponents

24. Returning me to Venezuela places me in severe danger of imprisonment or violence.

25. My Motion to Reopen and Stay of Removal are still pending, making immediate removal improper.

V. LEGAL GROUNDS FOR RELIEF (FULLY EXPANDED)

Ground 1 — Prolonged Civil Detention Violates Due Process

26. I have been detained for months without a bond hearing.

27. I am not a flight risk or public danger.

28. Prolonged detention without review violates the 5th Amendment.

Ground 2 — Serious Medical Needs Not Properly Considered

- 29. I have documented medical issues requiring stability and care.
- 30. Detention at Bluebonnet limits access to consistent treatment.
- 31. This violates due process standards for medical care of detainees.

Ground 3 — Removal Would Be Illegal While Motion to Reopen & Stay Are Pending

- 32. ICE accepted my Form I-246 Stay of Removal.
- 33. EOIR received my Motion to Reopen.
- 34. Removal at this stage would unlawfully interfere with my statutory rights.

Ground 4 — Imminent Danger If Returned to Venezuela

- 35. My family was targeted as political enemies.
- 36. Modern human-rights reports confirm extreme danger to returnees.
- 37. Removal would expose me to grave risk of persecution or torture.

Ground 5 — I Am Not a Flight Risk

- 38. I have verified work history, stable community ties, and U.S. citizen sponsors ready to support me.
- 39. Continued detention is punitive, not administrative.

VI. REQUEST FOR RELIEF

I respectfully request that this Court:

- A. Grant immediate release on conditions the Court deems appropriate;

or

B. Order a prompt bond hearing before an immigration judge;

or

C. Enjoin ICE from removing me while my Motion to Reopen is pending;

or

D. Grant any other relief that justice requires.

VII. VERIFICATION

I, FABIANA GABRIELA MUJICA GIMENEZ, declare under penalty of perjury that the facts stated in this petition are true and correct.

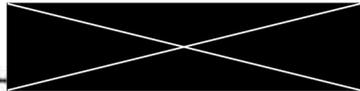
Executed on: November 21, 2025 (date)

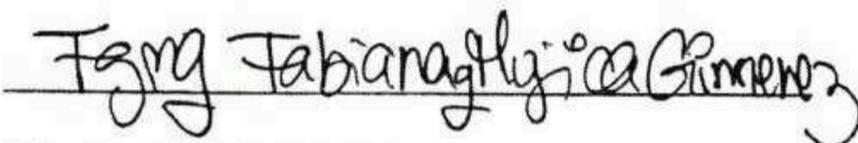
At:

Bluebonnet Detention Center

400 County Road 167

Anson, TX 79501

Housing Unit: 



(Signature of Petitioner)

FABIANA GABRIELA MUJICA GIMENEZ

A# 



2. CERTIFICATE OF SERVICE (DETAILED TEMPLATE)

I, FABIANA GABRIELA MUJICA GIMENEZ, certify that on the date shown below, I placed this Amended Petition for Writ of Habeas Corpus in the institutional mail at Bluebonnet Detention Center, addressed to:

Clerk of Court

U.S. District Court, Northern District of Texas

Abilene Division

1205 Texas Avenue

Room 209

Lubbock, TX 79401

United States Attorney

Northern District of Texas

1205 Texas Avenue

Suite 700

Lubbock, TX 79401

Warden

Bluebonnet Detention Center

400 County Road 167

Anson, TX 79501

Executed on: November 21 / 2025 (date)

Fabiana Gabriela Mujica Gimenez

(Signature of Petitioner)

FABIANA GABRIELA MUJICA GIMENEZ

A# 



3. MAILING INSTRUCTIONS (VERY IMPORTANT — DETAILED)

Fabiana must mail THREE copies:

1. Original + signature → Clerk of Court (address above).
2. Copy → U.S. Attorney (address above)
3. Copy → Warden (address above)