



## II. BACKGROUND

In 2017 Petitioner was incarcerated at a Texas state jail, and ICE detained him after the completion of his sentence in 2021. Petitioner was transferred to STIPC and was released after two months on an order of supervision (OSUP).

Petitioner did his check-ins until September 5, 2025 when he was picked up by ICE at his home. His next check-in was scheduled for December 2025.

Petitioner was told he is 'on the list' when when he asked why is OSUP was revoked.

### Post OSUP revocation

Petitioner could not properly respond to the OSUP since ICE did not list the reasons why the OSUP is being revoked. 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, goes against ICE regulations and the U.S. Constitution.

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

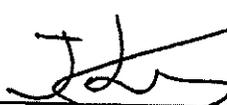
WHEREFORE, Petitioner prays that this Court grant the following relief:

- 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 \_\_\_ day of October 2025 that **JORGE LUIS RODRIGUEZ ALVAREZ** personally appeared and known to me to be the person whose name subscribed to within instrument and acknowledge to be the same.

  
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**JORGE LUIS RODRIGUEZ ALVAREZ,**  
Petitioner

