

WESTERN DISTRICT OF TEXAS – SAN ANTONIO DIVISION

Maria Alejandra Montoya Sanchez, individually and as Next Friend of [REDACTED]
[REDACTED] a minor, Petitioners

FILED

OCT 31 2025

v.

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

ALEJANDRO MAYORKAS, Secretary, Department of Homeland Security,
PATRICK J. LECHLEITNER, Acting Director, U.S. Immigration and Customs Enforcement;
Jose Rodriguez Jr., Warden, Dilley Immigration Processing Center, and
MERRICK B. GARLAND, Attorney General of the United States,
Respondents.

Case No. **SA 25 CA 1410** **FB**

PETITION FOR WRIT OF HABEUS CORPUS

(28 U.S.C. § 2241)

I. INTRODUCTION

Petitioners seek a Writ of Habeas Corpus ordering their immediate release from immigration detention.

Maria Alejandra Montoya Sanchez A – [REDACTED] and her nine-year-old daughter [REDACTED] [REDACTED] A – [REDACTED] have been detained at the Dilley Immigration Processing Center, 300 El Rancho Way in Dilley, Texas, since October 4, 2025 following the arrival of the nine-year-old [REDACTED] on October 2, 2025 at Miami International Airport. The daughter entered the United States from Colombia on a valid tourist visa, which was revoked at the port of entry, and the Mother was detained while picking her up. A bond hearing was held and denied, a bond redetermination motion was filed and denied on the ground of “no new evidence”. They have now been detained more than 25 days in a facility that is not licensed for the long term detention of minors. Their continued custody violates the *Flores v. Reno* settlement as well as their Fifth Amendment due process rights.

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II. PARTIES

1. Petitioner Maria Alejandra Montoya Sanchez, [REDACTED] currently detained at Dilley Immigration Processing Center, 300 El Rancho Way, Dilley, Texas 78017
2. Petitioner [REDACTED] age 9, A - [REDACTED] detained with her mother at the same facility.
3. Respondents:
 - (a) Alejandro Mayorkas, Secretary of Homeland Security;
 - (b) Patrick J. Lechleitner, Acting Director of U.S. Immigration & Customs Enforcement (ICE);
 - (c) Jose Rodriguez Jr., Warden of Dilley Immigration Processing Center;
 - (d) Merrick B. Garland, Attorney General of the United States.

III. JURISDICTION AND VENUE

Jurisdiction lies under 28 § 2241, because Petitioners are held in custody within the District in violation of federal law and their constitutional rights. Venue is proper in the San Antonio Division of this Court because the detention facility is located in Dilley, Texas.

IV. FACTUAL BACKGROUND

1. On August 07, 2025 [REDACTED] entered the United States from Colombia on a valid B-2 tourist visa to visit Disney World and left back to Colombia on August 16, 2025.
2. On October 2, 2025, the child arrived at Miami International Airport, and the mother Maria Alejandra Montoya Sanchez was present to pick her up. At that time the child's visa was revoked by immigration officers at the port of entry, and both mother and daughter were detained once the mother presented herself to pick her daughter up from the Airlines employee.
3. On October 4, 2025, Petitioners were transferred into custody at the Dilley Immigration Processing Center, 300 El Rancho Way, Dilley, Texas 78017.
4. A bond hearing was held before an Immigration Judge, and bond was denied.
5. Petitioners subsequently filed a motion for bond redetermination, which was denied on basis of "no new evidence."
6. Petitioners have now been detained for over 25 days in a facility that is not licensed for long term child custody and is inconsistent with the requirements of the Flores Settlement.
7. The child has a home and school in Colombia (tuition \$1,000 per month) and was not seeking asylum or refugee status. She is neither a flight risk nor a danger to the community.

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8. On May 2, 2025, Petitioner Maria Alejandra Montoya Sanchez completed her biometrics with the United States Citizenship and Immigration Services (USCIS) as part of her pending adjustment of status (I-485)/I-130 petition – demonstrating her compliance and bona fide efforts to regularize immigration status.
 9. On October 22, 2025, USCIS send an email to Maria Alejandra Montoya Sanchez husband Richard Devin Ospina whom is a U.S citizen, stating that his humanitarian request meets the criteria to be reviewed by a supervisor and will get another email within 10 days of that notice, it is now pending. The existence of the pending humanitarian application and completed biometrics further demonstrate that Petitioners are not flight risks and that detention is unnecessary while their immigration matters are under review.

V. CLAIMS FOR RELIEF

Count 1 – Violation of the Flores Settlement Agreement

ICE's continued detention of a minor child for more than "prompt" release without unnecessary delay, especially in an unlicensed facility breaches the Flores Settlement and ICE's obligation under it.

Count 2 – Violation of Procedural and Substantive Due Process (Fifth Amendment)



Civil detention of a minor and her accompanying parent, without individualized justification and without meaningful review (especially after bond was denied and redetermination refused), constitutes an arbitrary deprivation of liberty and violates Petitioners due process rights.

Count 3 – Arbitrary Detention despite Pending Humanitarian and Adjustment Filings

Petitioners' continued detention while USCIS is actively reviewing a humanitarian request and a pending family based adjustment petition (I-130/I-485) is arbitrary and capricious. ICE's refusal to release Petitioners pending that review violates their right to due process and exceeds the government's lawful authority.

VI. REQUEST FOR RELIEF

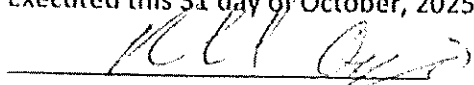
Petitioners respectfully request that this Court:

1. Issue a Writ of Habeas Corpus directing Respondents to immediately release  and Maria Alejandra Montoya Sanchez from detention. 
2. Alternatively, order Respondents to release Petitioners under parole, recognizance, or conditional supervision pending the resolution of immigration proceedings.
3. Award Petitioners any additional relief the Court deems just and proper.

VII. VERIFICATION


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I Richard Ospina, being the Petitioner and Next Friend of Maria Alejandra Montoya Sanchez and [REDACTED] declare under penalty of perjury under the laws of the United States of America that the facts stated in this Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

Executed this 31 day of October, 2025, at Flushing, NY 11367.


Signature of Petitioner / Next Friend

Richard Ospina

On behalf of [REDACTED] and Maria Alejandra Montoya Sanchez


Richospina1683@icloud.com

VIII. CERTIFICATE OF SERVICE


I certify that on this 31 day of October, 2025, a copy of this petition was served by (mail/hand delivery) to:


- Civil Chief, U.S. Attorney's Office, Western District of Texas, San Antonio Division, 601 N.W. Loop 410, Suite 600, San Antonio, TX 78216
- Attorney General of the United States, 950 Pennsylvania Avenue NW, Washington, DC 20530
- Office of Chief Counsel, U.S. Immigration & Customs Enforcement, 1777 N.E. Loop 410, Suite 1500, San Antonio, TX 78217.
- Jose Rodriguez Jr., Administrator, Dilley Immigration Processing Center, 300 El Rancho Way, Dilley, TX 78017
- Clerk of Court, U.S. District Court, Western District of Texas San Antonio Division, 655 E. Cesar E. Chavez Blvd, Room G65, San Antonio, TX 78206

Note regarding filing method.

This petition has been signed by hand, scanned, and transmitted electronically for immediate emergency filing due to the urgent nature of the child's continued detention under the Flores Settlement Agreement.

Executed on this 31 day of October, 2025


Richard Ospina

Petitioner / Next Friend for Maria Alejandra Montoya Sanchez and 


Richospina1683@icloud.com

1. [REDACTED] (MINOR) Visa and I94 Travel History;
2. LATAM airline receipts with August travel to Orlando (08-07-2025 – 08-16-2025);
3. American Airline tickets from recent trip to Miami (10-02-2025) day detained in Miami International Airport and was supposed to depart (10-12-2025);
4. School letter from Maria Antonia Guerra Montoya Stating she is enrolled in school in Colombia;
5. USCIS Expedited request;
6. I130 Receipt notice, I485 Receipt notice, Biometrics completion paperwork;
7. Motion for Bond Redetermination;
8. Denial of Bond Redetermination;
9. Marriage Certificate and Spouse U.S. Passport;
10. Maria Alejandra Montoya Sanchez Driver License;
11. Maria Alejandra Montoya Sanchez statement;
12. Richard Ospina Statement;
13. Certificate of Disposition and dismissal of Complaint showing Maria Alejandra Montoya Sanchez has no pending charges and everything was resolved.


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View Travel History

Travel history includes up to 100 arrivals and departures spanning the last ten years

Travel History Results

Document Number 

Document Country of Issuance: Colombia

Row	DATE	TYPE	LOCATION
1	2025-10-02	Arrival	MIA
2	2025-08-16	Departure	ORL
3	2025-08-07	Arrival	ORL
4	2024-07-26	Departure	ORL
5	2020-12-02	Arrival	NYC
6	2020-01-28	Departure	NYC
7	2019-12-24	Arrival	NYC

2

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07 AUG 2025 ▶ 16 AUG 2025 TRIP TO ORLANDO INTL, FL

PREPARED FOR



RESERVATION CODE MJPKYI



DEPARTURE: THURSDAY 07 AUG Please verify flight times prior to departure

LATAM AIRLINES
GROUP
LA 4406

Operated by:
LATAM AIRLINES COLOMBIA

Duration:
4hr(s) 20min(s)

Cabin:
Economy

Status:
Confirmed

BOG
BOGOTA, COLOMBIA

Departing At (local time):
10:15

Terminal:
TERMINAL 1

▶ MCO
ORLANDO INTL, FL

Arriving At (local time):
15:35

Terminal:
TERMINAL B

Aircraft
AIRBUS INDUSTRIE
A320 JET

Distance (in Miles
ORIGIN/DESTINATION):
1698

Meals
Breakfast

Passenger Name



Seats:

Check-In Required

eTicket Receipt(s):

0452242942338



DEPARTURE: SATURDAY 16 AUG Please verify flight times prior to departure

LATAM AIRLINES
GROUP
LA 4407

Operated by:
LATAM AIRLINES COLOMBIA

Duration:
4hr(s) 5min(s)

Cabin:
Economy

Status:
Confirmed

MCO
ORLANDO INTL, FL

Departing At (local time):
17:05

Terminal:
TERMINAL B

▶ BOG
BOGOTA, COLOMBIA

Arriving At (local time):
20:10

Terminal:
TERMINAL 1

Aircraft
AIRBUS INDUSTRIE
A320 JET

Distance (in Miles
ORIGIN/DESTINATION):
1698

Meals
Meals

Passenger Name:



Seats:

Check-In Required

eTicket Receipt(s):

0452242942338

3

3

7:42

5G

aa.com

Resumen del costo >

Mostrar más v

Salida Retorno

Sunday, October 12, 2025

Miami, FL to Medellin,
Colombia

Sin escalas · Horas de viaje: 3h 25m

AVIAR

Duración: 3h 25m

Salida: MIA Llegada: MDE

10:10 AM ✈ 12:35 PM
Miami, FL Medellin, Colombia

AA 1127 · Económica Básica ^

SALIDA

Programado: 10:10 AM

Estimado: 10:10 AM

Terminal: --

Puerta de embarque: --

LLEGADA

Programado: 12:35 PM

Estimado: 12:35 PM

Terminal: --

Puerta de embarque: --

Área de entrega de equipaje: --

DETALLES

Asientos 26

Equipaje --

Comida: Food for purchase

Servicios --

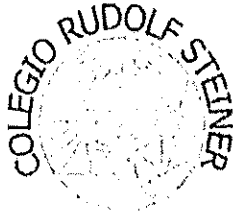
Avion: Boeing 737-800

Compartir alertas para este vuelo >



4

4



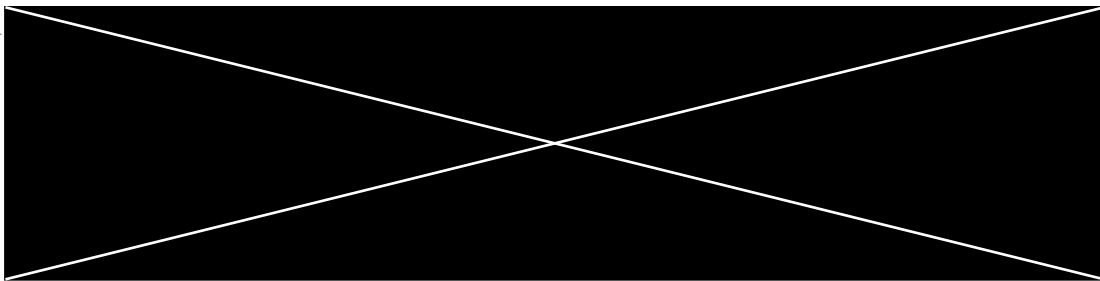
La Estrella

COLEGIO RUDOLF STEINER

LICENCIA N° 27743
DEL 14 DE MARZO DE 2018

Las suscritas, Rectora y Secretaria del Colegio Rudolf Steiner, con Licencia de Funcionamiento, de carácter privado, autorización para impartir educación formal en los niveles de preescolar (grados: jardín y transición) básica ciclos primaria y secundaria, grados de 1° a 9° y media académica, grados de 10° y 11° y legalización de estudios mediante Resolución N° 27743 del 14 de marzo del año 2018 de la Secretaria de Educación.

Hacen constar



Para constancia se firma en el Municipio de La Estrella a los 9 días del mes de octubre de 2025.

Ana M. Salas Z

ANA MARÍA SALAS ZORRO
Rectora

Nelly Milena Guerra L

NELLY MILENA GUERRA LOPEZ
Secretaria Académica

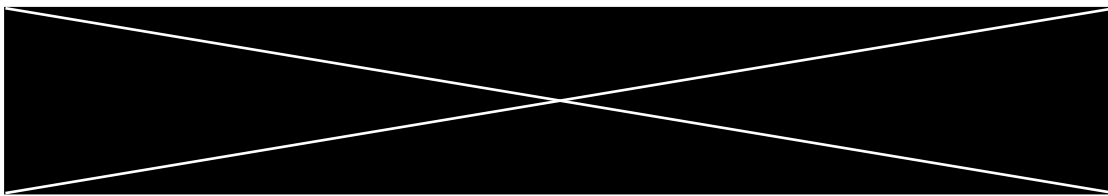
RUDOLF STEINER SCHOOL

License No. 27743

March 14, 2018

The undersigned, Principal and Secretary of the Rudolf Steiner School, with an Operating License, private, authorized to provide formal education at the preschool levels (grades: kindergarten and transition), basic primary and secondary cycles, grades 1 to 9 and academic middle school, grades 10 and 11, and legalization of studies through Resolution No. 27743 of March 14, 2018, of the Secretary of Education.

State:



For the record, it is signed in the Municipality of La Estrella on the 9th day of October 2025.

Ana Maria Salas Zorro
Principal

Nelly Milena Guerra Lopez
Academic Secretary

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[< Back to inbox](#)

[REDACTED]

RICHARD OSPINA, I want to
request expedited
processing on my case

Form: I-130

Receipt number: [REDACTED]

ZIP code: [REDACTED]

Phone number: [REDACTED]

Text messages: Yes

Service item: 40966324



Immigration Services Officer

<https://my.uscis.gov/secure-messaging/applicant/inquiries>

1/7

10/22/25, 10 58 AM

myUSCIS Account: lnb0z

October 22, 2025

([/secure-messaging/applicant/inquiries](#))

;

Dear RICHARD OSPINA,

Thank you for your inquiry dated October 16, 2025.

We have determined that your situation and evidence meets the minimum criteria for your expedite request to be forwarded to the office with jurisdiction over your case. **Please Note:** This does not mean your case will be expedited, as that decision will be made by the reviewing

<https://my.uscis.gov/secure-messaging/applicant/inquiries>

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office. As such, the reviewing office may request additional documentation to support expedited processing. Also, if your documentation is in any language other than English, it must be accompanied by a Certified English Translation.

The referral ID for this inquiry is **WKD2942500164QNS**. The Queens Field Office will contact you concerning your case once they have reviewed your inquiry. Please allow the USCIS office 10 days to contact you through email.

Please Note: If your expedite request is denied, please do not submit another expedite request for the same reason if your circumstances have not changed since your last request. For more information and examples, please visit our Expedite Request webpage at

www.uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request

[https://www.uscis.gov/forms/filing-guidance/how-to-make-an-expedite-](https://www.uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request)

<https://my.uscis.gov/secure-messaging/applicant/inquiries>

3/7

request).

If you need more assistance with your
USCIS online account

(<https://myaccount.uscis.gov>), you
can send USCIS Contact Center a secure
message from your inbox located under
the **MyAccount** menu. If you are having
technical issues with accessing your
account, go to

my.uscis.gov/account/v1/needhelp
(<https://my.uscis.gov/account/v1/needhelp>) to submit a request for
assistance.

If you haven't done so already, visit
myaccount.uscis.gov
(<https://myaccount.uscis.gov>) to sign
up for a USCIS online account where you
can explore filing online, send us secure
messages through your account inbox and
get instant updates on the status of your
case. If you have any other questions,
please visit the **USCIS Contact Center**


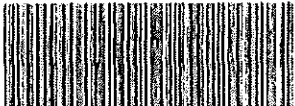
(<https://www.uscis.gov/contactcenter>)

<https://my.uscis.gov/secure-messaging/applicant/inquiries>

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Receipt Number ICE904781384		Case Type I-130 - PETITION FOR ALIEN RELATIVE
Received Date 11/25/2024	Priority Date 11/25/2024	Petitioner OSPINA, RICHARD DEVIN
Notice Date 11/25/2024	Page 1 of 1	Beneficiary MONTOYA SANCHEZ, MARIA ALEJANDRA
OSPINA, RICHARD DEVIN 		Notice Type: Receipt Notice Amount received: \$625.00 U.S. Section: Husband or wife of U.S Citizen, 201(b) INA
<p>This notice confirms that USCIS received your application or petition ("this case") as shown above. If any of the information in your notice is incorrect or you have any questions about your case, you can connect with the USCIS Contact Center at www.uscis.gov/contactcenter or ask about your case online at www.uscis.gov/e-request. You will need your Alien Registration Number (A-Number) and/or the receipt number shown above.</p> <p>You can receive updates on your case by visiting www.uscis.gov/casestatus to get the latest status or you can create an account at my.uscis.gov/account and receive email updates for your case.</p> <p>This notice does not grant any immigration status or benefit, nor is it evidence that this case is still pending. It only shows that the application or petition was received on the date shown.</p> <p>Processing time - Processing times vary by form type.</p> <ul style="list-style-type: none"> Visit www.uscis.gov/processingtimes to see the current processing times by form type and field office or service center. If you do not receive an initial decision or update within our current processing time, you can try our online tools available at www.uscis.gov/tools or ask about your case online at www.uscis.gov/e-request. When we make a decision on your case or if we need something from you, we will notify you by mail and update our systems. <p>If this case is an I-130 Petition - Filing and approval of a Form I-130, Petition for Alien Relative, is only the first step in helping a relative immigrate to the United States. The beneficiaries of a petition must wait until a visa number is available before they can take the next step to apply for an immigrant visa or adjustment of status to lawful permanent residence. To best allocate resources, USCIS may wait to process I-130 forms until close to the time when a visa number will become available, which may be years after the petition was filed. Nevertheless, USCIS processes I-130 forms in time not to delay relatives' ability to take the next step toward permanent residence once a visa number does become available. If, before final action on the petition, you decide to withdraw your petition, your family relationship with the beneficiary ends, or you become a U.S. citizen, call 800-375-5283.</p> <p>If your address changes - If you move while your case is pending, please visit www.uscis.gov/addresschange for information on how to update your address. Remember to update your address for all your receipt numbers.</p> <p>Return of Original Documents - Use Form G-884, Request for the Return of Original Documents, to request the return of original documents submitted to establish eligibility for an immigration or citizenship benefit. You only need to submit one Form G-884 if you are requesting multiple documents contained in a single USCIS file. However, if the requested documentation is in more than one USCIS file, you must submit a separate request for each file. (For example: If you wish to obtain your mother's birth certificate and your parents' marriage certificate, both of which are in the USCIS file that pertains to her, submit one Form G-884 with your mother's information.)</p> <p>NOTICE: The information you provide on and in support of applications and petitions is submitted under the penalty of perjury. USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.</p>		
Please see the additional information on the back. You will be notified separately about any other cases you filed.		
USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to https://www.uscis.gov/file-online .		
Vermont Service Center U.S. CITIZENSHIP & IMMIGRATION SVC 38 River Road Essex Junction VT 05479-0001		
USCIS Contact Center: www.uscis.gov/contactcenter		

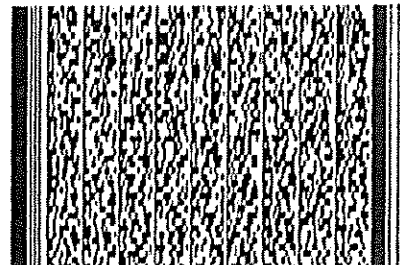
THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

ASC Appointment Notice		CASE TYPE H85 - APPLICATION TO REGISTER PERMANENT RESIDENCE OR ADJUST STATUS		NOTICE DATE 6/9/11/2025
[REDACTED]		USCIS OFFICE [REDACTED]	CODE 3	
[REDACTED]		APPLICANT MONTROYA SANCHEZ	SERVICE CENTER NBC	PAGE 1 of 2

MARIA ALEJANDRA MONTROYA SANCHEZ



[Handwritten Signature]
MAY 2 2025



READ THIS ENTIRE NOTICE CAREFULLY. To process your application, petition, or request, U.S. Citizenship and Immigration Services (USCIS) must collect your biometrics. Please appear at the Application Support Center (ASC) at the date and time specified. TO REQUEST THAT USCIS RESCHEDULE YOUR APPOINTMENT, SEE THE INSTRUCTIONS AT THE BOTTOM OF THIS NOTICE. IF YOU FAIL TO APPEAR AS SCHEDULED, USCIS WILL CONSIDER YOUR BENEFIT REQUEST ABANDONED AND IT MAY BE DENIED.

APPLICATION SUPPORT CENTER
USCIS QUEENS/JAMAICA
153-01 Jamaica Avenue
Jamaica NY 11432

DATE AND TIME OF APPOINTMENT
05/02/2025
11:00AM

WHEN YOU APPEAR AT THE ASC FOR BIOMETRICS SUBMISSION, YOU MUST BRING:

1. **THIS APPOINTMENT NOTICE.** If you received multiple ASC notices, bring all notices to your first appointment, and
2. **PHOTO IDENTIFICATION.** You must bring a valid government-issued photo identification. If the name on your identification is different than the name on your ASC notice, bring supporting documents. If you filed an Application for Naturalization (Form N-400) or Application to Replace Permanent Resident Card (Form I-90), you must bring your Permanent Resident Card (also known as a Green Card).

If you are sick, do not visit a USCIS office, follow the instructions on this notice to reschedule your appointment. If you have injuries that may interfere with your biometrics submission, USCIS may reschedule your appointment.

Cell phones or electronic devices must be turned off during biometrics submission. No one may photograph or record at an ASC.

For more information regarding your ASC appointment, visit <https://www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment>.

NOTE: If an ASC closes due to weather or other reasons, USCIS will automatically reschedule your appointment for the next available date and time and you will receive a new ASC appointment notice. For the latest information on the status of an office, visit <https://www.uscis.gov/about-us/uscis-office-closings>. Please check this page on the day of your appointment.

You must update your address if you move. For instructions, visit <https://www.uscis.gov/addresschange>.

USCIS may use your biometrics to check the criminal history records of the FBI, for identity verification, to determine eligibility, to create immigration documents (e.g., Green Card, Employment Authorization Document, etc.), or for any purpose authorized by the Immigration and Nationality Act.

You may obtain a copy of your FBI record using the procedures outlined in 28 C.F.R. 16.32. Visit: <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks> for more information. For Privacy Act information, please visit <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/compact-council/privacy-act-statement>.

If you cannot attend your scheduled appointment, you may request to reschedule at <https://my.uscis.gov/accounts/biometrics/overview> or by calling the USCIS Contact Center at 1-800-375-5283 (TTY 800-767-1833). You must make your request before the date and time of the original appointment, and you must establish good cause for rescheduling. If you fail to make a request before your scheduled appointment or fail to establish good cause, and you do not appear at your appointment, USCIS may consider your application, petition, or request abandoned and, as a result, it may be denied. For more information about rescheduling, see <https://www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment>.

If you cannot leave your home/hospital due to a serious ongoing medical condition, you may request a mobile biometrics appointment by following the instructions on the back of this notice under "Notice for People with Disabilities," or by visiting www.uscis.gov/accommodations.

If you have any questions regarding this notice, please contact the USCIS Contact Center at 1-800-375-5283.

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MOTION FOR BOND REDETERMINATION

Immigration Court: South Texas

A Number: 

In the Matter of: Maria Alejandra Montoya Sanchez

Detained at: Dilley ICE Processing Center, 300 El Rancho Way, Dilley, TX 78017

MOTION FOR BOND REDETERMINATION

The respondent, Maria Alejandra Montoya Sanchez respectfully requests a bond redetermination hearing before the Immigration Judge pursuant to 8 C.F.R. § 1003.19(e). The respondent is currently detained at the Dilley ICE Processing Center in Dilley, Texas.

This motion is submitted because there are new and clarifying facts since the prior bond denial.

STATEMENT OF FACTS AND GROUNDS FOR DETERMINATION

1. The respondent was previously denied bond. The prior decision may have been based on incomplete or unclear information regarding her record.
2. The respondent has no criminal convictions. All matters either resulted in non-criminal traffic infractions or were fully dismissed.
3. In New York, the respondent was charged with several traffic-related violations, all of which were marked "covered satisfaction", meaning resolved without conviction. The only charge she pled guilty to was VTL 509(1) – Operating a Motor Vehicle Without a License, which is classified as a traffic infraction, not a crime.
 - She was fined \$150, with a \$93 surcharge.
 - No jail sentence, probation, or supervised release was imposed.
4. In Hennepin County, Minnesota, the respondent was previously charged in a single case with one count of theft (take/use/transfer movable property, no consent). This matter was fully dismissed after successful completion of the Pretrial Diversion Program.
 - The official record states that she "made satisfactory progress" and the case was dismissed without a plea.
 - Therefore, the respondent has no criminal record in Minnesota.

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Case 5:25-cv-01410-EE Document 1 Filed 10/31/25 Page 31 of 48
5. The respondent has fully complied with immigration requirements, including completion of biometrics.
 6. The respondent has strong family ties in the United States, a U.S. citizen spouse, and a stable home address in.
 7. The respondent is not a flight risk and poses no danger to the community.
 8. The respondent is the primary caregiver of her minor daughter, who remains detained with her at the Dilley facility.
 9. Humanitarian factors, including the child's emotional well being and the family's ongoing immigration process, strongly support her release.

REQUEST FOR RELIEF

For the foregoing reasons, the respondent respectfully requests that the Immigration Court:

1. Schedule and grant a **Bond Redetermination Hearing**, and
2. Upon review, grant a reasonable bond or release the respondent on her own **recognizance**.

RESPECTFULLY SUBMITTED,

Maria Alejandra Montoya Sanchez

A# 

Dilley ICE Processing Center

300 El Rancho Way

Dilley, TX 78017

8

8



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
PEARSALL IMMIGRATION COURT

Respondent Name:

MONTOYA SANCHEZ, MARIA
ALFJANDRA

To:

Ugeh, Ugo C
8900 Sutphin Blvd
Suite 204
Jamaica, NY 11434

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

10/23/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

Denied, because

This is Respondent's 2nd bond request. There is nothing to indicate that the evidence provided in this 2nd bond request was not available to be presented to the Court at the 1st bond hearing. The Court does not find that there is a change in circumstances that would mitigate the Court's previous finding that Respondent did not demonstrate that she was not a danger to the community.

Granted. It is ordered that Respondent be:

- released from custody on his own recognizance.
- released from custody under bond of \$
- other:

Other:



Immigration Judge: Veronica M. Segovia 10/23/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved

Appeal Due: 11/24/2025

Certificate of Service

This document was served:

Via: M | Mail | P | Personal Service | E | Electronic Service | U | Address Unavailable

To: Alien | Alien c/o custodial officer | E | Alien atty/rep. | E | DHS

Respondent Name : MONTOYA SANCHEZ, MARIA ALEJANDRA | A-Number : 

Riders:

Date: 10/23/2025 By: PARSONS, LINDA, Court Staff

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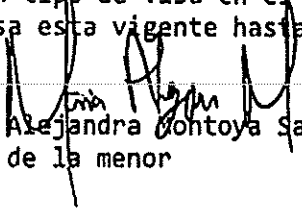
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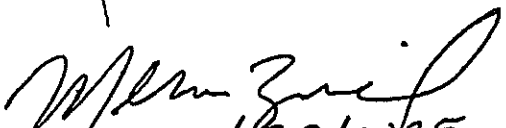
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28 de octubre del 2025

a quien pueda interesar
el dia 2 de octubre del 2025 mi hija [REDACTED] de 9 años viajo con su visa de turista # [REDACTED] visa otorgada el 13 de julio del 2018 y con fecha de expiración el 11 de julio del 2028 , la cual se encuentra vigente a la fecha del viaje que se realizó en el vuelo comercial # AA 924 proveniente de medellin colombia con destino al aeropuerto de miami el 2 de octubre del 2025 y tenia regreso el dia 12 de octubre del 2025 en el vuelo comercial # AA 1127 proveniente de miami con destino a Medellín Colombia , viajaba acompañada por personal de la aerolínea , anterior a este último viaje la niña visitó con esta misma visa los estados unidos durante 9 días : desde el 7 de agosto del 2025 en el vuelo comercial #LA4406 proveniente de Bogotá colombia con destino MCO Orlando y regreso el dia 16 de agosto del 2025 en el vuelo comercial #LA4407proveniente de MCO Orlando con destino Bogotá Colombia , lo que refuerza el hecho de que la niña no pretendia quedarse de forma ilegal en el pais y que el día 2 de octubre del 2025 que fue detenida su visa de turismo estaba vigente y que tampoco pretendia tramitar ningún tipo de visa en el aeropuerto de Miami , ya que como mencione anterior mente su visa esta vigente hasta el año 2028 .

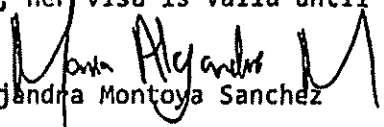
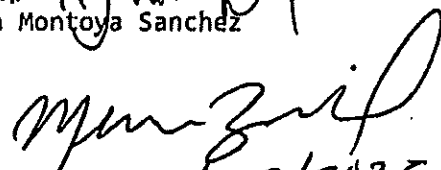
firma 
Maria Alejandra Montoya Sanchez
madre de la menor


10/29/2025



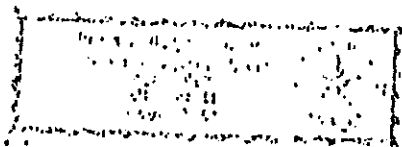
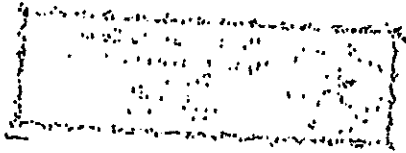
October 28, 2025

To whom it may concern
On October 2, 2025, my 9-year-old daughter, [REDACTED] traveled with her tourist visa # [REDACTED], issued on July 13, 2018, with an expiration date of July 11, 2028. This visa is valid as of the date of travel. She took commercial flight # AA 924 from Medellín, Colombia, to Miami Airport on October 2, 2025, and was scheduled to return on October 12, 2025, on commercial flight # AA 1127 from Miami to Medellín, Colombia. She was traveling accompanied by airline personnel. Prior to this last trip, the girl visited the United States with this same visa for 9 days: from August 7, 2025, on commercial flight #LA4406 from Bogotá, Colombia, bound for MCO Orlando, and returning on August 16, 2025, on commercial flight #LA4407 from MCO Orlando, bound for Bogotá, Colombia. This reinforces the fact that the girl did not intend to remain in the country illegally and that on October 2, 2025, when she was detained, her tourist visa was valid. She also did not intend to apply for any type of visa at the Miami airport, since, as previously mentioned, her visa is valid until 2028.

Signature 
Maria Alejandra Montoya Sanchez

10/28/2025



mother of the minor



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I, Richard Ospina, declare under penalty of perjury that the following is true and correct:

1. My wife, Maria Alejandra Montoya Sanchez A - [REDACTED] and her daughter [REDACTED] A - [REDACTED] have been detained at the Dilley Processing Immigration Center in Dilley, Texas. Their detention has placed an enormous burden on our family and our livelihood.
2. Before her detention, my wife and I ran a small family food truck business called LOS ASADOS. She is the heart of the business – not only managing the finances, but also preparing the food. Many of our customers come specifically for her cooking. She uses a special family recipe passed down from her grandmother, including a homemade pork sausage, cheese, and arepas that she prepares herself.
3. Since she has been detained, I have not been able to reopen the food truck. I don't have access to the business bank account or know the preparation process that make our food unique. As a result, our income has completely stopped. The employees who work with us are also out of work.
4. This situation has caused serious financial hardship. Our bills and expenses continue, but we have no business income. Emotionally, it has been devastating. My wife's daughter, who attends school in Colombia, has been deeply affected by their detention and the uncertainty about when they will be released.
5. My wife has no criminal record, poses no danger to the community, and has an approved marriage-based immigration petition (Form I130 and I485 pending). We are only asking that she can be released so she can continue her immigration process while contributing to our family and community again.

I respectfully ask the Court to grant her release so our family can be reunited and resume our life and work together.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: October 31, 2025

At: Flushing, NY 11367

Signature: _____

Richard Ospina

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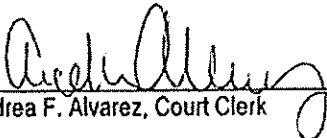
People of the State of New York versus:

María A. Montoya Sanchez
 21515 38Th Ave Fl 2
 Bayside, NY 11361

Case No: 21040045
 DOB: 11/09/1994

Original Charge(CNTS)	Disposed Charge(CNTS)	Disp. Chg. Weight*	Ticket No & Disp. Chg. Description	Disposition	Sentence/ Dispo. Date	Fine/Fees
VTL 0401 01A(001)	VTL 0401 01A(001)	01	0999D08ZBK REGISTRATN VIO	Covered Satisfaction	Dispo.08/10/2021	
VTL 0402 04(001)	VTL 0402 04(001)	01	0999D08ZJK NUM PLATE VIOL	Covered Satisfaction	Dispo.08/10/2021	
VTL 0509 01(001)	VTL 0509 01(001)	01	0999D08ZRB UNLIC DRIVER	Fine/fee	Sent.07/13/2021 Dispo.08/10/2021	Fine: 150.00 SurChg: 93.00
VTL 1163 0D(001)	VTL 1163 0D(001)	01	0999D0909D TURN SIGNAL VIO	Covered Satisfaction	Dispo.08/10/2021	

Dated: The 15th day of October 2025


 Andrea F. Alvarez, Court Clerk

CAUTION; THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL

* Weight of Charge: V-Violation, I-Infraction, M-Misdemeanor, F-Felony

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of '1 year', '12 months' or '365 days', by operation of law, shall be changed to, mean and interpreted and applied as a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of 1 year, 12 months or 365 days for a misdemeanor conviction shall be interpreted as a sentence of 364 days.