

Minnesota, October 26, 2025.

**UNITED STATES DISTRICT COURT**

District of Minnesota  
The Honorable Patrick J. Schiltz, Chief Judge  
United States Courthouse, Minneapolis Building  
202 U.S. Courthouse  
300 S. 4th Street  
Minneapolis, MN 55415

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CLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

25-cv-4238-ECT/LIB

Subject: Unlawful detention of Mr. MUÑOZ MENCO, LUIS with Alien Registration Number [REDACTED] in violation of Article I, Section 9 of the U.S. Constitution, which specifically mentions "the right of Habeas Corpus," and the Fifth and Fourteenth Amendments to the U.S. Constitution, which pertain to Due Process.

Honorable Judge:

I appeal to you seeking the fundamental right to challenge the legality of my detention before you or a federal court, so that your office may determine whether the federal government or the state government of Minnesota has a legal basis to keep me in custody. I proceed to respectfully describe to you what happened to me on the day of my illegal detention, Saturday, October 18, 2025. In this regard, I state the facts that support my petition, which I will describe below:

**FACTS:**

**FIRST:** On November 7, 2023, I entered the United States with humanitarian parole granted to me by the United States of America, and I was also granted permission to enter the United States.



Work ID and Social Security number [REDACTED] These are attached.

**SECOND:** I have Alien Identification Number [REDACTED] and Social Security number [REDACTED]

**THIRD:** Two weeks ago, I signed the documents to send to the Chicago Court to request MY ASYLUM, but due to my arrest in Chicago on October 18, 2025, this request was sent to the Minnesota Court, along with this Habeas Corpus petition, which I support below.

**FOURTH:** On Saturday, October 18, 2025, I left my house to go to work and met up with a friend. We went to a store to buy groceries and lunch. While paying for groceries and lunch, before leaving the store, we were told to be careful because there were two black vehicles with very strange tinted windows on the outside. I got into my vehicle and started driving, and immediately two black vehicles began following us. I managed to drive approximately 12 blocks, and the two vehicles caught up with us. One pulled in front of me and the other pulled behind me. I braked and tried to reverse slightly, lightly hitting the vehicle behind me. I had the driver's seat windows down. Immediately, the occupants of the cars, hooded and indiscriminate, with guns drawn, approached us, opened my door, and roughly pulled me out. They shoved me, hit me, and handcuffed me.

At that moment, they put me in one car and put my partner in the other. I left my car open with the food I had bought, in the car, with the car keys in the ignition, with all my documents and belongings inside the vehicle that I had to leave behind.

**FIFTH:** They put me handcuffed in one of the cars and took us to the ICE station in Chicago, and from there, I was transferred to another location, without knowing where I was going.

**SIXTH:** Later, they put me handcuffed in a car, and one of the people in the car began to tell me, "We're going to send you to the El Salvador prison, so you can meet your Venezuelan colleagues there." During the transfer, they beat me and psychologically abused me, because he started repeating, "**We're going to send you to the El Salvador prison, you're going to die there,**" and the psychological abuse began. I told them: "**Gentlemen, I'm not a criminal, I'm not a drug trafficker, I'm not a murderer, I'm not a rapist, I've never broken the law, and I can prove that. I've never had a violation for any reason.**" And they continued psychologically abusing me until they took me to the place where I was, which I don't know where it was because they never told me. I learned after they took me away that I had been taken to a jail in Minnesota. The time I spent inside the car with those men, dressed in black, who had no identification from any government entity, was the worst of my life. That pressure is unbelievable for a human being. I felt so scared and anguished, I can't measure that. I only know that they were moments of total panic and anguish. The men finally told me they were from the Border Patrol, the United States Immigration and Customs Enforcement (ICE).

**SEVENTH:** The men dressed in black who detained me never told me the reason for their arrest, nor the crime or infraction I had committed, nor did they inform me anything about it; they just detained me. Nor did they inform me when I was in Chicago with ICE why I was being detained, nor the reasons for my detention.

**EIGHTH:** Later my family found out about my arrest, which appeared on October 18, 2025

I was detained by ICE, and on the 19th, I was already detained in a Minnesota jail. I attach a document proving this. "(Find an ICE detainee in Chicago)."

**NINTH:** I was astonished to learn that I was taken to a Minnesota jail, without knowing why. I was also informed that I have the numbers [REDACTED] and the [REDACTED], without knowing what those numbers are.

I was also very concerned, knowing that my home address is [REDACTED] [REDACTED] Chicago, Illinois 60617, and that I have worked at **Chicago's Philly Steak Wings** for three years. I was transferred to another state, knowing that all my cases are in the Chicago Court.

**TENTH:** Honorable Judge: I am not a criminal. The fact that I am short, dark-skinned, of Venezuelan origin, and an operational employee of a company does not mean I am a criminal. All I do is respect the law and respect and love this great country, which has helped me get ahead. Therefore, after these factual considerations, I proceed to present the constitutional and legal grounds that support the claim I hereby file before your Honorable Court and office, as follows:

### **LEGAL GROUNDS:**

#### **1. RIGHT TO HABEAS CORPUS:**

Honorable Judge and Honorable Court:

To support the illegality of my detention, I begin by arguing that Habeas Corpus is a fundamental right derived from the United States Constitution itself. This right guarantees that a person.

A person detained by the government may request a judge review the legality of their detention.

**Article I**, Section 9 of the U.S. Constitution specifically states that "the power of habeas corpus shall not be suspended, unless in cases of rebellion or invasion, when the public safety shall require it," demonstrating its fundamental importance for the protection of individual liberties.

In this regard, I would like to transcribe what the "fourth Chief Justice of the United States Supreme Court, Justice Marshall, emphasized regarding the importance of habeas corpus, writing in his fall of 1830 that the "great object" of the writ of habeas corpus is the release of those who may be imprisoned without sufficient cause."

The Supreme Court of the United States has recognized that the writ of Habeas Corpus is the fundamental instrument for safeguarding individual liberty against arbitrary and unlawful state action and must be "administered with the initiative and flexibility essential to ensuring that judicial errors within its reach are detected and corrected."

**The Main Features of Habeas Corpus are:**

- 1. It is a Guarantee of Legality:** It allows a detained person to challenge the legality of their deprivation of liberty, ensuring that the detention is not arbitrary, as was the case in my case.
- 2. I request from you, Honorable Judge, the right to judicial review of my detention, which legally justifies it fully in accordance with legal provisions.**

**3. Protection of Liberty:** This right protects all citizens and non-citizens alike from unlawful arrest and imprisonment.

**4. Jurisdiction:** I request to be presented before your court and, if you so decide, respectfully grant me complete release without any restrictions or be granted bail with appearances before the courts or tribunals of the City of Chicago.

## **2. RIGHT TO DUE PROCESS.**

We cannot analyze HABEAS CORPUS without considering THE RIGHT TO DUE PROCESS.

Due Process is enshrined primarily in the FIFTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION.

The Fifth Amendment applies to the Federal Government and the Fourteenth Amendment applies to State Governments, and both prohibit the deprivation of a person of life, liberty, or property without due process of law.



**The Fifth Amendment:** Establishes that no person shall be deprived of life, liberty, or property without due process of law. It also includes important protections in the criminal justice system, such as the right to a grand jury, protection against self-incrimination, and the prohibition of double jeopardy.

**The Fourteenth Amendment:** Applies the same principle of due process to the states, as well as a guarantee of equal protection under the law. This amendment is crucial for incorporating the

protections of the Bill of Rights into state governments, ensuring that no state may deprive any person of "life, liberty, or property, without due process of law."

Both amendment's guarantee that all persons within U.S. jurisdiction have the right to due process and to have the government act within the law before violating their fundamental rights.

### **DOCUMENTARY EVIDENCE:**

1. Habeas Corpus and Due Process Petition.
2. Certification issued by ICE on the evening of Saturday, October 8, 2025, establishing that he was detained in Chicago by ICE custody.
3. Asylum application filed on October 26, 2025, and sent to the Minnesota court.
4. Alien Registration Number 
5. Social Security Number 

### **CLAIM:**


I request the Honorable Judge of Minnesota to proceed to:

**FIRST:** Establish that there was a violation of the current legal provisions regarding the Procedure for Carrying Out a Legal Detention, thereby violating Habeas Corpus, which also resulted in a violation of due process for Mr. Luis Muñoz Menco.

**SECOND:** Based on the evidence presented to the case, and which the ICE entity that detained Mr. Luis Muñoz Menco must demonstrate, I conclude that the procedure carried out by ICE violated Article I, Section 9 of the U.S. Constitution and the Fifth and Fourteenth Amendments to the UNITED STATES CONSTITUTION.

**THIRD:** I conclude that Mr. Luis Muñoz Menco did not violate any United States law, nor did he commit any crime, that would have given rise to the abuse and discriminatory treatment to which Mr. Luis Muñoz Menco was subjected.

**FOURTH:** I proceed to present this Right to Habeas Corpus and the Right to Violation of Due Process, within the legal term.

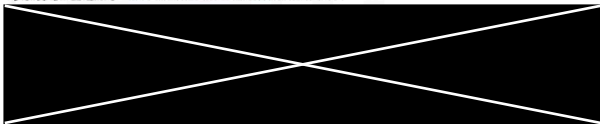
**FIFTH:** I request that the Honorable Judge proceed to release Mr. Luis Muñoz Menco, with  and order payment for his transfer to the city of Chicago, since he was arrested in Chicago and transferred to the city of Minnesota, where no one resides who can support Mr. Luis Muñoz Menco.

#### **JUDICE**

Your Honorable Judge, for Jurisdiction and Hierarchy.

#### **NOTIFICATIONS AND ADDRESSES:**

Mr. Luis Muñoz Menco



Thank you very much for your attention to this matter.

\_\_\_\_\_  
Name: Luis Muñoz Menco



\_\_\_\_\_  
Mrs. Nidia Osorio  
Immigration Assistant

\_\_\_\_\_  
Date  
October 25, 2025

**Translation Certification**

I, Gloria Lara, certify that I have translated the attached document from Spanish to English and that, to the best of my knowledge, it is a true and correct translation of the original document provided by the applicant. I also certify that I am competent, in both Spanish and English, to perform and certify the translation.

Sincerely,

*Gloria Lara*

Gloria Lara MA

October 25, 2025