United States Courts
Southern District of Texas
FILED

DEC 23 2025

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ROBERT CARLOS CAMAJUANI DESPAIGNE,
Petitioner, Pro Se

v.

WARDEN RAYMOND THOMPSON,
Joe Corley Processing Center, Conroe, TX,

and

BRET A. BRADFORD, Director,
Houston Field Office, U.S. Immigration and Customs Enforcement,
Respondents.

Case No. 4:25-cv-05305

PETITIONER'S RESPONSE TO THE GOVERNMENT'S ANSWER

I, Robert Carlos Camajuani Despaigne, respectfully submit this Response pursuant to this Court's Order. The Government contends that my detention is mandatory under INA § 1225(b). I respectfully submit that accepting this position produces a constitutionally impermissible outcome: prolonged civil detention without an active removal proceeding, without a competent administrative forum, without meaningful review, and without a lawful avenue for release.

UNDISPUTED PROCEDURAL HISTORY

I sought administrative closure before the Immigration Judge on three (3) separate occasions in order to pursue adjustment of status before USCIS. Each request was denied. Thereafter, DHS itself moved for dismissal of my immigration proceedings, which the Immigration Judge granted pursuant to INA § 239.2(a). (See Exhibit A)

I subsequently filed Form I-485, which USCIS accepted and over which USCIS assumed jurisdiction. My appeal before the Board of Immigration Appeals was dismissed (See Exhibit B). There is currently no active removal proceeding, no pending hearing, and no final order of removal. I have submitted four (4) requests for humanitarian parole to ICE, all of which were ignored or left unresolved. ICE's failure to adjudicate these parole requests while continuing to detain me constitutes agency inaction that forecloses any lawful avenue for release, rendering my continued detention arbitrary and constitutionally infirm.

THE GOVERNMENT'S AUTHORITIES DO NOT CONTROL

The authorities cited by the Government do not govern the circumstances of my case. Cabanas v. Bondi involved a petitioner without a pending adjustment application accepted by USCIS and arose under a materially different procedural posture. Barton v. Barr addressed the stop-time rule for cancellation of removal and did not concern detention, habeas corpus, or prolonged custody. Unlike Cabanas, I am not in removal proceedings, have no pending hearing, and DHS itself terminated proceedings under INA § 239.2(a), eliminating any administrative mechanism that could justify continued detention under INA § 1225(b).

APPLICABLE LEGAL FRAMEWORK

Under Matter of Yajure Hurtado, individuals detained under INA § 1225(b) are ineligible for bond and are left entirely within DHS custody. In turn, Matter of Q. Li makes clear that parole under INA § 212(d)(5) is the sole lawful mechanism for release under this detention scheme, and that DHS may not rely on its own administrative errors to justify prolonged or indefinite detention. Absent parole, continued detention serves no removal-related purpose and becomes purely administrative confinement, a form of detention the Supreme Court has repeatedly held cannot be indefinite under the Due Process Clause of the Fifth Amendment. (See Exhibit C)

RELIEF REQUEST

For these reasons, I respectfully request that this Court grant the writ of habeas corpus and order my immediate release. In the alternative, I request that the Court order DHS/ICE to grant parole pursuant to INA § 212(d)(5), or to issue a reasoned parole decision within a specified and reasonable time period, thereby prohibiting continued indefinite detention without resolution. Any other outcome would sanction arbitrary detention in violation of the Due Process Clause of the Fifth Amendment.

Respectfully submitted,

Robert Carlos Camajuani Despaigne

A# [redacted]

Joe Corley Processing Center

Conroe, Texas ,77031

Date: 12/22/2025

CERTIFICATE OF SERVICE

I hereby certify that on **December 22, 2025**, a true and correct copy of the foregoing Petitioner's Reply to Respondents' Answer was served on counsel for Respondents as follows:

Hilda M. Garcia Concepcion
Assistant United States Attorney
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via electronic mail at: **hilda.garcia.concepcion@usdoj.gov**
and via U.S. Mail to the address listed above.

Respectfully submitted,

Robert Carlos Camajuani Despaigne
Petitioner, Pro Se
ICE Detainee – Joe Corley Processing Center