

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HECTOR MIGUEL HERRERA-MORENO,

Petitioner,

Case No. 1:25-cv-1411
Honorable Hala Y. Jarbou

v.

UNKNOWN PARTY et al.,

Respondents.

**PETITIONER'S SUPPLEMENTAL NOTICE OF MATERIAL DEVELOPMENTS
IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Hector Miguel Herrera-Moreno, through undersigned counsel, respectfully submits this Supplemental Notice to inform the Court of **material post-filing developments** demonstrating that his continued detention has become **unreasonable, arbitrary, and unrelated to any legitimate governmental purpose**.

This supplement is based on events that occurred **after the filing of the Petition**, and does not restate prior arguments.

I. RELEVANT BACKGROUND

1. Petitioner is detained pursuant to INA § 236(a) at North Lake Correctional Facility.
2. Petitioner has sought release through all available administrative channels, including a bond redetermination request and a timely appeal to the Board of Immigration Appeals, which was filed on December 3, 2025 and accepted and docketed on December 9, 2025.
3. Petitioner's removal proceedings remain pending before the Detroit Immigration Court.

II. NEW MATERIAL FACTS: COURT-CAUSED, INDEFINITE DELAY

4. Petitioner's detained Master Calendar Hearing was scheduled for **December 17, 2025**, before Immigration Judge Hansen.
5. At the last minute, the Immigration Court **reset the hearing to December 22, 2025**, before Immigration Judge Rainey.
6. On **December 22, 2025**, Petitioner logged onto WebEx and remained present and available for hearing.
7. At that time, the Immigration Judge stated **on the record** that **all detained cases scheduled for the afternoon would be reset**, as the Court did not have sufficient time to reach them.
8. As a result, **no hearing occurred**, and Petitioner remains detained **without a date certain for adjudication**, through no fault of his own.
9. Petitioner's continued detention is therefore the direct result of **Immigration Court scheduling failures**, not any action or delay attributable to Petitioner.

III. LEGAL SIGNIFICANCE

10. Civil immigration detention is constitutionally permissible only so long as it bears a reasonable relationship to its non-punitive purpose.
11. Where detention is prolonged **solely due to administrative or judicial delay**, and the government cannot provide a timely opportunity to be heard, continued detention becomes **arbitrary and unreasonable**.
12. Petitioner's detention is now **open-ended**, with no meaningful assurance of a prompt hearing, and therefore no longer reasonably related to ensuring appearance or protecting the community.
13. The government cannot justify continued incarceration when the Immigration Court itself has been unable to adjudicate Petitioner's case.

IV. RELIEF REQUESTED

In light of these material developments, Petitioner respectfully requests that the Court:

- A. **Order Petitioner's immediate release** under reasonable conditions; or
- B. In the alternative, **order Respondents to provide a prompt and meaningful custody hearing by a date certain**; or
- C. Order Respondents to **justify Petitioner's continued detention with individualized findings**, notwithstanding court-caused delay.

Dated: December 22, 2025

Respectfully submitted,

/s/ Kimberly S. Weiss
Kimberly S. Weiss
Attorney for Petitioner
Spagui Law
736 N. Western Avenue, Suite 420
Lake Forest, IL 60045
Tel: (847) 780-7080
Email: kspagui@spaguilaw.com