

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

**PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241**

**Instructions**

1. **Who Should Use This Form.** You should use this form if
  - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
  - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
  - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
  - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
  - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
  - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and \_\_\_\_\_ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.  
  
If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

# UNITED STATES DISTRICT COURT

for the  
Western District of Louisiana

Cecilio Trinidad Lopez Perez

*Petitioner*

v.

Brian Acuna, New Orleans Field Office Director;  
Keith Deville, Warden of Richwood Correctional Center;

...

*Respondent*

(name of warden or authorized person having custody of petitioner)

Case No. \_\_\_\_\_  
(Supplied by Clerk of Court)

## PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

### Personal Information

1. (a) Your full name: Cecilio Trinidad Lopez Perez
- (b) Other names you have used: Cesi Lopez Perez
2. Place of confinement:
  - (a) Name of institution: Richwood Correctional Center
  - (b) Address: 180 Pine Bayou Cir., Richwood, LA 71202
  - (c) Your identification number: A ~~XXXXXXXXXX~~
3. Are you currently being held on orders by:
 

Federal authorities       State authorities       Other - explain: \_\_\_\_\_
4. Are you currently:
 

A pretrial detainee (waiting for trial on criminal charges)

Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

  - (a) Name and location of court that sentenced you: \_\_\_\_\_
  - (b) Docket number of criminal case: \_\_\_\_\_
  - (c) Date of sentencing: \_\_\_\_\_

Being held on an immigration charge

Other (explain): \_\_\_\_\_

### Decision or Action You Are Challenging

5. What are you challenging in this petition:
 

How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- Pretrial detention
- Immigration detention authority, agency, or court: \_\_\_\_\_
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): \_\_\_\_\_

6. Provide more information about the decision or action you are challenging:
- (a) Name and location of the agency or court: LaSalle Immigration Court located at 830 Pine Hill Road, Jena, LA 71342.
- (b) Docket number, case number, or opinion number: \_\_\_\_\_
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
Denial of Bond. Specifically, a finding that the Court lacked jurisdiction to redetermine bond under Matter of Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025).
- (d) Date of the decision or action: 10/01/2025

**Your Earlier Challenges of the Decision or Action**

7. **First appeal**  
 Did you appeal the decision, file a grievance, or seek an administrative remedy?

Yes  No

- (a) If "Yes," provide:
- (1) Name of the authority, agency, or court: \_\_\_\_\_
  - (2) Date of filing: \_\_\_\_\_
  - (3) Docket number, case number, or opinion number: \_\_\_\_\_
  - (4) Result: \_\_\_\_\_
  - (5) Date of result: \_\_\_\_\_
  - (6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not appeal: The reviewing court, the Board of Immigration Appeals, decided Matter of Yajure-Hurtado on September 5, 2025. This precedent strikes at the heart of the Habeas Petition. It is not only futile to appeal the decision, but an appeal is likely to take several months.

8. **Second appeal**  
 After the first appeal, did you file a second appeal to a higher authority, agency, or court?

Yes  No  No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: \_\_\_\_\_
- (2) Date of filing: \_\_\_\_\_
- (3) Docket number, case number, or opinion number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a second appeal: Petitioner did not file a second appeal because Petitioner did not file a first appeal.

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes  No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: \_\_\_\_\_
- (2) Date of filing: \_\_\_\_\_
- (3) Docket number, case number, or opinion number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a third appeal: I did not file a third appeal because I did not file a second appeal.

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes  No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes  No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

- Yes  No

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**11. Appeals of immigration proceedings**

Does this case concern immigration proceedings?

- Yes  No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 09/10/2025
- (b) Date of the removal or reinstatement order: \_\_\_\_\_
- (c) Did you file an appeal with the Board of Immigration Appeals?

- Yes  No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Date of filing: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Result: \_\_\_\_\_
- (4) Date of result: \_\_\_\_\_
- (5) Issues raised: \_\_\_\_\_

(d) Did you appeal the decision to the United States Court of Appeals?

Yes  No

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Date of filing: \_\_\_\_\_
- (3) Case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes  No

If "Yes," provide:

- (a) Kind of petition, motion, or application: \_\_\_\_\_
- (b) Name of the authority, agency, or court: \_\_\_\_\_
- (c) Date of filing: \_\_\_\_\_
- (d) Docket number, case number, or opinion number: \_\_\_\_\_
- (e) Result: \_\_\_\_\_
- (f) Date of result: \_\_\_\_\_
- (g) Issues raised: \_\_\_\_\_

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

**Grounds for Your Challenge in This Petition**

- 13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

**GROUND ONE:** Petitioner's continued detention without a bond hearing as an "arriving alien" subject to mandatory detention under U.S.C. § 1225(b), as interpreted in Matter of Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025), violates constitutional due process guarantees under the Fifth Amendment.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

On October 1, 2025, Petitioner requested a bond redetermination before the Jena/LaSalle Immigration Court. The Court found it lacked jurisdiction under Matter of Yajure-Hurtado and denied the request. Petitioner subsequently requested a grant of Parole under ICE's 2010 Directive No. 11002.1, but Parole was denied on October 21, 2025. Petitioner remains detained at the Richwood Correctional Center in Richwood, LA, to this day.

(b) Did you present Ground One in all appeals that were available to you?

Yes  No

**GROUND TWO:** Petitioner's continued detention without a bond hearing as an "arriving alien" subject to mandatory detention under U.S.C. § 1225(b), as interpreted in Matter of Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025), violates his Fourth Amendment protection against unreasonable seizure.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

On October 1, 2025, Petitioner requested a bond redetermination before the Jena/LaSalle Immigration Court. The Court found it lacked jurisdiction under Matter of Yajure-Hurtado and denied the request. Petitioner subsequently requested a grant of Parole under ICE's 2010 Directive No. 11002.1, but Parole was denied on October 21, 2025. Petitioner remains detained at the Richwood Correctional Center in Richwood, LA, to this day.

(b) Did you present Ground Two in all appeals that were available to you?

Yes  No

**GROUND THREE:** The statutory construction promulgated in Matter of Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025) deviates from established circuit court precedent, valuable Supreme Court dictum, and the clear intent of Congress.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

On October 1, 2025, Petitioner requested a bond redetermination before the Jena/LaSalle Immigration Court. The Court found it lacked jurisdiction under Matter of Yajure-Hurtado and denied the request. Petitioner subsequently requested a grant of Parole under ICE's 2010 Directive No. 11002.1, but Parole was denied on October 21, 2025. Petitioner remains detained at the Richwood Correctional Center in Richwood, LA, to this day.

(b) Did you present Ground Three in all appeals that were available to you?

Yes  No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

**GROUND FOUR:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) Did you present Ground Four in all appeals that were available to you?

Yes                       No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Request for Relief**

15. State exactly what you want the court to do: (1) Assume jurisdiction over this action; (2) Issue a writ of habeas corpus commanding Respondents to produce Petitioner before this Court; (3) Declare that Petitioner's indefinite detention without a bond hearing is unlawful and violates due process; (4) Order Respondents to release Petitioner on reasonable bond or parole, or, alternatively, to provide a meaningful bond hearing before an impartial adjudicator within a reasonable time; (5) Award Petitioner costs and attorney's fees pursuant to the Equal Access to Justice Act, if applicable.

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

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I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 11-18-2025

/s/ Cecilio Trinidad Lopez-Perez

*Signature of Petitioner*

*Jason Jarvis*

*Signature of Attorney or other authorized person, if any*

JURISDICTION

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA

Cecilio Trinidad Lopez-Perez, )  
Petitioner, )

VENUE

Venue is proper under 28 U.S.C. § 2241 )  
district. )

No: \_\_\_\_\_

v. )

PARTIES

Brian Acuna, New Orleans Field Office )  
Director of Immigration and Customs )  
Enforcement; Keith Deville, Warden of )  
Richwood Correctional Center; Todd )  
Lyons, Acting Director of Immigration )  
and Customs Enforcement; Kristi Noem, )  
Secretary of the Department of Homeland; )  
Pamela Bondi, Attorney General of the )  
United States; U.S. Department of )  
Homeland Security; U.S. Immigration and )  
Customs Enforcement, )  
Respondents )

MEMORANDUM OF LAW IN SUPPORT OF PETITION FOR WRIT OF

HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

Petitioner, Cecilio Trinidad Lopez Perez, through undersigned counsel, respectfully petitions this Honorable Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 to challenge the lawfulness of Petitioner’s continued detention as an “arriving alien” subject to mandatory detention under 8 U.S.C. § 1225(b), as interpreted in Matter of Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025).

### JURISDICTION

1. This Court has jurisdiction pursuant to 28 U.S.C. § 2241 as Petitioner is in custody within the Western District of Louisiana and challenges the legality and constitutionality of his detention.

### VENUE

2. Venue is proper under 28 U.S.C. § 2241(d) because Petitioner is confined within this district.

### PARTIES

3. Petitioner is a noncitizen currently detained by U.S. Immigration and Customs Enforcement (“ICE”) as an “arriving alien” under section 235(b) of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1225(b).
4. Respondent Brian Acuna is the Field Office Director for ICE, the federal agency responsible for Petitioner’s detention and custody. He is named in his official capacity.
5. Respondent Keith Deville is the Warden of the detention facility where Petitioner is confined. He is named in his official capacity.
6. Respondent Todd Lyons is the acting director of ICE, the federal agency responsible for Petitioner’s detention and custody. Respondent Todd Lyons is a legal custodian of Petitioner. He is named in his official capacity.
7. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (“DHS”) and has authority over the operations of DHS. Respondent Kristi Noem is a legal custodian of Petitioner and is charged with faithfully administering the immigration laws of the United States. She is named in her official capacity.

8. Respondent Pamela Bondi is the Attorney General of the United States, and as such has authority over the Department of Justice and is charged with faithfully administering the immigration laws of the United States. She is named in her official capacity.
9. Respondent DHS is the federal agency responsible for implementing and enforcing the INA, including the detention of noncitizens.
10. Respondent ICE is the federal agency responsible for custody decisions relating to non-citizens charged with being removable from the United States, including the arrest, detention, and custody status of non-citizens.

#### STATEMENTS OF FACTS

11. Petitioner was apprehended on or about September 10, 2025, without having been admitted or paroled into the United States and has been detained pursuant to 8 U.S.C. § 1225(b).
12. On September 10, 2025, the Department of Homeland Security (“DHS”) filed and docketed a Notice to Appear with the Executive Office for Immigration Review (“EOIR”). Petitioner’s removal proceedings are pending before the Jena/LaSalle Immigration Court.
13. The Notice to Appear informed Petitioner that the DHS charged him under 212(a)(6)(A)(i) of the Immigration and Nationality Act and delineated him as an “alien present in the United States who has not been admitted or paroled,” in contrast to an “arriving alien.”
14. On September 5, 2025, the Board of Immigration Appeals issued a precedential decision in Matter of Yajure-Hurtado holding that immigration judges lack jurisdiction to conduct bond hearings or grant bond to individuals classified as “arriving aliens” under 8 U.S.C. § 1225(b).

15. On October 1, 2025, Petitioner appeared before the honorable Immigration Judge Richard Jacobs for a Bond Redetermination Request. Petitioner was denied a hearing under Yajure-Hurtado.<sup>1</sup>

### ARGUMENT

16. Pursuant to Yajure-Hurtado, Petitioner has been denied bond and is subject to indefinite detention without a meaningful custody review.
17. Petitioner's continued detention without a bond hearing violates constitutional due process guarantees under the Fifth Amendment and the Petitioner's Fourth Amendment protections against unreasonable seizures. The Supreme Court in Zadvydas v. Davis, 533 U.S. 678 (2001), and Demore v. Kim, 538 U.S. 510 (2003), recognized limits on prolonged detention and the necessity of custody reviews.
18. Moreover, the statutory construction in Matter of Yajure-Hurtado deviates from established precedent from other Circuits recognizing bond eligibility for arriving aliens and those subject to section 1225, including but not limited to cases such as Rodriguez v. Robbins, 715 F.3d 1127 (9th Cir. 2013), and Singh v. Holder, 638 F.3d 1196 (9th Cir. 2011), which permitted bond hearings.
19. Section 235(b)(2)(A) applies to applicants for admission at the time of arriving or being stopped at entry. It says they "shall be detained" pending proceedings.

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<sup>1</sup>The Board in Matter of Hurtado found that 'aliens who are present in the United States without admission are applicants for admission as defined under 235(b)(2)(A) of the INA, 8 U.S.C. Sec 1225(b)(2)(A), and must be detained for the duration of their removal proceedings,' Matter of Hurtado, 29 I&N Dec. 216, 220 (BIA 2025)."

20. Section 236(a), however, governs aliens already present in the U.S. awaiting a final removal decision, explicitly granting IJs discretion to set bond unless subject to mandatory detention under 236(c).
21. Reading § 235(b)(2)(A) as covering all interior arrests of aliens who enter without inspect (“EWIs”) renders § 236(a) superfluous for millions of people who entered without inspection, directly contradicting the dictates of United States v. Menasche, 348 U.S. 528, 538–39 (1955) (statutory interpretation must give effect to every provision).
22. Courts, including the Ninth Circuit in Casas-Castrillon v. DHS, 535 F.3d 942 (9th Cir. 2008), have held that aliens no longer at the threshold of entry but residing in the U.S. are detained under § 236(a), not § 235.
23. In Jennings v. Rodriguez, 583 U.S. 281 (2018), the Supreme Court recognized § 1225(b) requires mandatory custody for certain categories but carefully distinguished between § 235 and § 236 custody frameworks. Jennings did not hold that all EWIs in the interior fall under § 235(b)(2)(A). Moreover, Jennings left open constitutional due process questions if prolonged mandatory detention occurs without bond.
24. In DHS v. Thuraissigiam, 591 U.S. 103 (2020), the Court emphasized that those apprehended near entry fell under expedited removal, but this case does not extend § 235(b)(2)(A) to long-residing EWIs with extensive ties like the Petitioner.
25. Matter of X-K-, 23 I&N Dec. 731 (BIA 2005) and Matter of Joseph, 22 I&N Dec. 660 (BIA 1999) both assume that most respondents arrested after some presence in the U.S. are detained under § 236 and are thus eligible for bond. The Board’s new ruling is a radical departure from past practice without a clear statutory mandate.

26. In Zadvydas v. Davis, 533 U.S. 678 (2001), the Court imposed constitutional limits on indefinite detention, reading statutes to avoid serious due process problems. Extending § 235(b)(2)(A) to EWIs indefinitely raises the same constitutional concerns Zadvydas sought to avoid.
27. Prolonged mandatory detention without bond hearings creates substantial due process issues. Several Circuits (e.g., Rodriguez v. Robbins, 804 F.3d 1060 (9th Cir. 2015), vacated on other grounds) have recognized the constitutional necessity of bond hearings after prolonged detention.
28. The Board’s interpretation perversely treats EWIs who crossed unlawfully but remained undetected for years worse than removable aliens already admitted who get bond hearings under § 236. Courts may find this arbitrary.
29. EWIs apprehended in the interior should be treated under INA § 236(a), not § 235(b)(2)(A). Regulatory authority (8 C.F.R. §§ 1236.1, 1003.19) grants IJs jurisdiction over § 236 cases, consistent with decades of agency practice. Reading § 235(b)(2)(A) to cover any EWIs in perpetuity would undermine the critical statutory distinction between arriving aliens and aliens already inside the country—contrary to congressional intent and statutory structure.
30. 8 C.F.R. § 1236.1 authorizes IJs to review custody decisions under § 236. Historically, DHS and EOIR have treated EWIs apprehended after entry as detained under § 236.
31. The 1997 INS Interim Rule (62 Fed. Reg. 10312, 10323 (Mar. 6, 1997)) explicitly stated that those “present without admission or parole” are eligible for bond and bond redetermination, despite being statutory “applicants for admission.” This longstanding administrative construction contradicts the Board’s new analysis.

32. IIRIRA did broaden the definition of “applicant for admission” but did not repeal discretionary bond authority under § 242(a)(1) (predecessor to § 236(a)).
33. House Judiciary Report (H.R. Rep. No. 104-469, pt. 1, at 229 (1996)) affirmed that § 236(a) “restates the current provisions... regarding the authority of the Attorney General to arrest, detain, and release on bond an alien who is not lawfully in the United States.” This demonstrates congressional intent to preserve bond authority for interior arrests of EWIs—directly opposite the Board’s interpretation.
34. Yajure-Hurtado effectively imposes blanket mandatory detention without possibility of bond, contrary to principles of fairness, the purpose of the INA, and public policy favoring humane treatment and prevention of unnecessary prolonged detention.
35. Mandatory detention of immigration violators classified as arriving aliens without bond hearings fosters prolonged detention in often harsh conditions, causing irreparable harm to individuals, families, and communities.
36. Bond hearings are a critical procedural safeguard to balance the government’s interest in immigration enforcement with individual liberty interests, ensuring detention is justified by an individualized determination of flight risk or danger.
37. The denial of bond hearings removes judicial oversight of custody decisions, increasing risk of arbitrary and indefinite detention.
38. The policy underlying Matter of Yajure-Hurtado harms family unity, burdens federal courts with habeas petitions, and undermines the integrity and fairness of the immigration system.

### CONCLUSION

39. In conclusion, Petitioner’s continued detention as an “arriving alien” subject to mandatory

detention under 8 U.S.C. § 1225(b), as interpreted in Matter of Yajure-Hurtado, 29 I&N Dec. 216 (BIA 2025), violates the clear intent of Congress and is unconstitutional. Petitioner respectfully requests that this Court order Respondents to show cause why the writ should not be granted “within three days unless for good cause additional time, not exceeding twenty days, is allowed,” and set a hearing on this Petition within five days of the return, pursuant to 28 U.S.C. § 2243 and grant the Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from their custody.

**Respectfully submitted,**

**Dated: November 18, 2025**

/s/ Jason Javie

**Jason Javie**  
**Attorney for Cecilio Trinidad Lopez Perez**  
**Louisiana Bar I.D. 41795**  
Suite 900  
Two Penn Center  
1500 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19102  
(215) 563-7642  
[jason.javie@crllaw.com](mailto:jason.javie@crllaw.com)

Petitioner: Cecilio Trinidad Lopez Perez  
A-Number:   
Detention Center: Richwood Correctional Center  
Address: 180 Pine Bayou Circle, Richwood, LA 71202

**CERTIFICATE OF SERVICE**

I, Jason Javie, certify that on this 18<sup>th</sup> day of November, 2025, I served Respondents in the foregoing matter with the Petitioner's MEMORANDUM OF LAW IN SUPPORT OF PETITION OF WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 by having same delivered via First Class Mail to:

BRIAN ACUNA  
Field Office Director of ICE  
New Orleans Field Office

KEITH DEVILLE  
Warden of Richwood Correctional Center  
Richwood Correctional Center

TODD LYONS  
Acting Director of ICE

KRISTI NOEM  
Secretary of the DHS

PAMELA BONDI  
Attorney General of the United States

*/s/ Jason Javie*

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**Jason Javie**  
**Attorney for Cecilio Trinidad Lopez Perez**  
**Louisiana Bar I.D. 41795**  
Suite 900  
Two Penn Center  
1500 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19102  
(215) 563-7642  
*jason.javie@crllaw.com*