

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARÍA PÁRAMO OÑATE

v.

PAM BONDI,
in her capacity as
United States Attorney General

KRISTI NOEM,
in her capacity as Secretary of the
U.S. Department of Homeland Security

BRET BRADFORD,
in his capacity as Houston Field
Office Director, Immigration and
Customs Enforcement

RANDALL TATE,
in his capacity as Warden, Montgomery
Processing Center

CASE NUMBER

IMMIGRATION FILE NO.

A 

PETITION FOR WRIT OF HABEAS CORPUS
AND FOR EMERGENCY TEMPORARY INJUNCTIONS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW María Páramo, Petitioner, by and through Salvador Colón, her attorney, and for cause of action would show the Court the following:

This is an action to compel Ms. Páramo's immediate release from ICE custody, and to enjoin the Defendants from continuing to detain Ms. Páramo in violation of the law.

I. THE PARTIES

Ms. Páramo is a thirty year old native and citizen of Mexico. Ms. Páramo holds a Masters Degree in Business Administration from Babson College in Wellesley, Massachusetts. Ms. Páramo is currently enrolled in a full time course of study at Lone Star College in Conroe, Texas.

On November 17, 2025, the Immigration Judge in Conroe, Texas terminated removal proceedings against Ms. Páramo. Ms. Páramo had been in proceedings since she was served with a putative Notice to Appear (“NTA”) on October 20, 2025, and was in custody during the entire pendency of her proceedings.

In their NTA, the Government accused Ms. Páramo of having been admitted on a student visa (F-1) on August 28, 2022, and then having that visa revoked by the State Department.

A visa revocation of this nature is “prudential,” not retroactive, and does not make an alien removable so long as she has complied with all other conditions for admission. Revocation of F-1 visa simply means that the visa becomes invalid for reentry to the United States. It does NOT automatically terminate a valid F-1 status unless the student is not compliant with the F-1 visa regulations. See 8 CFR §101(a)(15)(F)(i).

At the final hearing on November 17, 2025, the Immigration Judge considered Ms. Páramo’s motion to terminate proceedings. At that hearing the Government lodged an additional charge, that Ms. Páramo was deportable for having violated the terms of her student visa. The evidence presented provides no support for that accusation. The record includes two letters from Ms. Páramo’s

school, attesting to the fact that Ms. Párdamo continues to be a student in good standing. Ms. Páramo has maintained a valid status by attending school; she has taken the requisite semester hours; she has not engaged in unauthorized employment; and she has not been arrested or cited for any reason by any law enforcement authority.

The Immigration Judge correctly determined that the NTA and Ms. Páramo's detention were improvident, as the factual allegations cannot support the sole charge contained in the NTA.

One would think that once proceedings are terminated, ICE would release the erstwhile respondent from custody, or would appeal from the decision of the Immigration Judge, or both. ICE did not none of these. Rather, ICE refused to release Ms. Páramo and instead reissued a second NTA. The new NTA is different from the first only in that it incorporates the charge that Ms. Párdamo had failed to continuously maintain her F-1 status. This is the same accusation which the Government had sought to introduce at the November 17 hearing, the accusation lacking in any evidentiary support.

Defendant Pam Bondi is Attorney General of the United States, and this action is brought against her in her official capacity. Ms. Bondi is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department of Justice. 8 USC § 1103(a).

More specifically, the Attorney General is responsible for the conduct of ICE in the execution of judicial and administrative orders pertaining to noncitizens present in the United States.

Defendant Kristi Noem is the Secretary of the U.S. Department of Homeland Security, responsible for the operations of U.S. Citizenship and Immigration Services as well as the U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE). CBP and ICE are responsible for the apprehension and detention of non citizens..

Defendant Bret Bradford is the Houston Field Office Director of ICE. Mr. Bradford is directly responsible for the conduct of Houston ICE agents in the execution of judicial and administrative orders pertaining to noncitizens present in the Houston, Texas area.

Defendant Randall Tate is the warden of the Montgomery Processing Center, where Mr. Espinal is being held at the request and under the control of ICE.

II. JURISDICTION

Jurisdiction in this case is proper pursuant to Article 1, Section 9, Clause 2, of the United States Constitution, 28 USC § 2241(c) (the codification of the Great Writ), 28 U.S.C. § 1651 (All Writs Act) and 28 USC § 1331 (federal question jurisdiction).

Ms. Páramo asks this Court to review her continued detention, which is within the jurisdiction of this Court. *Cardoso v. Reno*, 216 F.3d 512, 516 (5th Cir.

2000). *INS v. St. Cyr*, 533 U.S. 289 (2001). *Jennings v. Rodriguez*, 583 U.S. 281, 291–96 (2018).

Authority to grant the requested injunctive relief in cases otherwise within the Court's jurisdiction is conferred by 28 USC § 2201(a). As noted above, authority to grant the requested injunctive relief in cases otherwise within the Court's jurisdiction is conferred by 28 USC § 2201(a).

III. VENUE

Venue is proper in this Court pursuant to 28 USC 1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the District where a Defendant is detained.

IV. EXHAUSTION OF REMEDIES

Ms. Páramo has prevailed in her application for relief: proceedings have been terminated. Defendants refuse to obey the order of the Immigration Judge.

V. CAUSE OF ACTION

A. Order to maintain jurisdiction of the Court

Ms. Páramo is detained in Conroe, Texas. She respectfully asks the Court to order that she not be moved outside the jurisdiction of this court while these proceedings are pending.

B. Order to release from custody

As stated above, Ms. Páramo has maintained a valid status by attending school; she has taken the requisite semester hours; she has not engaged in

unauthorized employment; and she has not been arrested or cited for any reason by any law enforcement authority.

In its NTA's, the Government alleges that Ms. Páramo is deportable under § 237(a)(1)(B) of the Immigration and Nationality Act, 8 USC § 1227(a)(1)(B), accusing Ms. Páramo of being deportable for having her visa revoked. However, as has been pointed out above, revocation of a student visa does not automatically terminate student status.

Ms. Páramo has been dutifully in compliance with all of the regulations of her F-1 visa and continues to be. She also has applied for adjustment of status as an immediate relative of a United States Citizen (spouse of a USC). Her appointment is set for November 20, 2025.

The Immigration Judge correctly determined that the NTA and Ms. Páramo's detention were improvident, as the factual allegations cannot support the sole charge contained in the NTA.

The following is the timeline for Ms. Paramo Onate's F-1:

On May 18, 2022, Maria received acceptance letter to Babson College, School of Business, in MA, to pursue MBA degree.

On July 22, 2022, Maria applied for F-1 visa at the U.S. Embassy in Mexico City to attend MBA program at Babson College based on issued I-20AB. Her I-20AB was issued on June 29, 2022,

At interview, her F-1 visa application was approved and F-1 visa issued,

On August 25, 2002, with a valid passport, F-1 visa, and valid I-20AB, she applied for admission as F-1 at Houston International Airport. She was inspected and admitted by CBP for D/S- duration of status. Her electronic I-94 reflects this,

She actively pursued her studies and timely earned an MBA degree from Babson College. After graduation, she timely applied for F-1 Optional Practical Training/OPT. Prior to approval, the USCIS issued a Request for Evidence/RFE to ensure Maria had at all times maintained valid F-1 status. She responded to the RFE and the USCIS issued an employment authorization document July 15, 2024, to July 04, 2025. Based on the approved employment authorization she was issued a valid Social Security Card,

It appears that at some point the issued F-1 visa was 'prudentially revoked' by the U.S. Department of State/Consular post,

On December 07, 2023, her USC husband/Luis Mario filed I-130 spousal petition based on good faith marriage and Maria concurrently submitted I-485, I-765, and I-131 applications. All interim benefits were issued including EAD and advance parole valid to November 04, 2029,

After nearly 2 years of waiting, Maria and USC husband are scheduled to attend final 245 interview at the USCIS Houston District Office on November 20, 2025. Luis Mario will attend this interview with the intent of getting the I-130 approved,

On August 11, 2025, she was issued I-20AB valid from August 11, 2025, to December 18, 2027, to continue as F-1 at Lone Star Community College. Had she been out of F-1 status, the school could not have issued the I-20 AB to continue studies. She enrolled for the Fall 2025 semester and was arrested by DHS on her way to school and has been in ICE custody ever since,

At no time has she ever been deemed to be 'out of status' by either USCIS or the designated school official. This issue has been vetted by USCIS; therefore, reinstatement has never been a consideration.

VI. REQUEST FOR EAJA FEES

Ms. Páramo's continued detention is illegal, lacks purpose and is unjustified. It is clearly punitive, capricious and unlawful. Furthermore, it is causing irreparable harm because it interrupts Ms. Páramo's studies and, even worse and more irreparable, it makes it impossible for Ms. Páramo to attend her adjustment interview, an interview she has been patiently waiting with her U.S. citizen husband. Her marriage is bona fide and beyond reproach.

Ms. Páramo respectfully prays the Court grant legal fees and costs pursuant to the Equal Access to Justice Act.

VII. CONCLUSION

Ms. Páramo therefore comes before the Court as a last resort to order Defendants to follow the law.

VIII. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays:

- 1) That the Court order Defendants to appear within three days to answer why Ms. Páramo should not be released;
- 2) That, upon due consideration, the Court enjoin Defendants from moving Ms. Páramo outside the jurisdiction of this Court pending further order of this Court;
- 3) That the Court order Defendants to immediately release Ms. Páramo from custody;
- 4) That the Court order costs and attorneys fees taxed against Defendants;
- 5) Ms. Páramo prays for such other relief as the Court in equity might grant.

Respectfully submitted,



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VERIFICATION

COMES NOW, Salvador Colón, before me the undersigned authority, known to me to be the person stated, and under oath does state the following:

"My name is Salvador Colón. I swear that I am Counsel of Record for the Petitioner in the instant case, who is presently detained in Conroe, Texas. I hereby affirm that I have read the foregoing petition, and that everything contained therein is true and correct to the best of my personal knowledge and/or information and belief after reasonable inquiry, and that the requested injunctive relief is warranted to prevent irreparable injury to Plaintiff."



SALVADOR COLON

SWORN TO and subscribed before me this 15th day of November,
2025.



NOTARY PUBLIC in and for the
STATE OF TEXAS

