

RECEIVED BY MAIL

NOV 20 2025

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF MINNESOTA, MINNEAPOLIS DIVISION

Petitioner: Luis Alvarez Mizhirumbay, by and through his wife and next friend,
Maria Luz Zamora Clavijo,

25-cv-4396-KMM/SGE

v.

Merrick B. Garland, Attorney General of the United States;

Sheriff Eric Tollefson, Warden of Kandiyohi County Jail;

U.S. Department of Homeland Security;

U.S. Immigration and Customs Enforcement (ICE);

and all other persons having custody of Petitioner.

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

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT:

Petitioner, by and through his wife and next friend, respectfully petitions this
Honorable Court for a writ of habeas corpus under 28 U.S.C. §2241 and states the
following:

I. INTRODUCTION

1. Petitioner, Luis Alvarez Mizhirumbay, is currently detained by the U.S.
Department of Homeland Security (DHS), Immigration and Customs Enforcement
(ICE), at Kandiyohi County Jail, Willmar Minnesota.

2. Petitioner has been detained since July 24, 2025 without a final removal order, or
has been subject to prolonged detention after issuance of such order.

3. Petitioner suffers from chronic hypertension (high blood pressure), a medical
condition that requires continuous monitoring and medication. The stressful
environment of detention has caused serious fluctuations in his blood pressure,
placing his health at significant risk.

4. The detention facility has failed to provide consistent medical care and proper
monitoring for his condition, exacerbating his health issues.

SCANNED
NOV 20 2025
U.S. DISTRICT COURT MPLS

MX

5. This petition challenges the legality of Petitioner's ongoing detention as a violation of the Due Process Clause of the Fifth Amendment to the U.S. Constitution and applicable immigration statutes.

II. JURISDICTION AND VENUE

6. This Court has jurisdiction under 28 U.S.C. §2241 because Petitioner is in custody under the authority of the United States, and the legality of that custody is being challenged.

7. Venue is proper in this District because Petitioner is detained within this Court's jurisdiction, at the Kandiyohi County Jail, located in Willmar, Minnesota.

III. FACTUAL BACKGROUND

8. Petitioner entered the United States on or about July, 2012 and has resided in Willmar, Minnesota.

9. Petitioner was taken into ICE custody on July 24, 2025.

10. Since his detention, Petitioner has complied fully with all immigration requirements and has not posed a danger to the community or flight risk.

11. Petitioner has a U.S. family, including his wife, Maria Luz Zamora Clavijo, and children, who depend on him emotionally and financially.

12. Petitioner's medical condition has worsened during detention due to inadequate treatment and the emotional distress of prolonged confinement.

IV. LEGAL CLAIMS

13. Petitioner's continued detention is unreasonably prolonged and violates constitutional and statutory limits.

14. Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), detention beyond a reasonable period without a significant likelihood of removal in the foreseeable future is unlawful.

15. ICE has failed to provide a bond hearing or demonstrate necessity for continued detention, despite the Petitioner's serious and documented medical needs.

16. The current conditions of confinement, combined with the Petitioner's medical vulnerability, amount to deliberate indifference to a serious medical condition, in violation of the Fifth Amendment's guarantee of due process.

V. PRAYER FOR RELIEF

WHEREFORE, Petitioner, by and through his wife and next friend, respectfully requests that this Honorable Court:

- a. Issue a writ of habeas corpus ordering Respondents to release Petitioner immediately under reasonable supervision or bond;
- b. Order ICE to provide immediate and adequate medical treatment for Petitioner's hypertension while this petition is pending;
- c. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

(Signature) Maria Zamora

Maria Luz Zamora Clavijo, on behalf of Luis Alvarez Mizhirumbay

Address: 

Phone Number: 

Email: 

Date: 11-17-25