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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF COLORADO

7 Huang, Guan
8 Petitioner,
9 V.
10 KRISTI NOEM, Secretary of
11 the United States Department of Homeland
Security; PAM BONDI,
12 United States Attorney General;
TODD LYONS, Director of
13 United States Immigration and Customs
Enforcement; Kelei Walker,
14 Field Office Director for Detention and
Removal, U.S. Immigration and Customs
15 Enforcement, Department of Homeland
Security; Juan Baltasar Warden,
16 Denver Contract Detention Center;
17 UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; UNITED
18 STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT;
19 Respondents
20

A  Detained

Case File No.:

Immigration file No.:



**PETITIONER'S
WRIT OF HABEAS
CORPUS**

**PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28
U.S.C. § 2241**

22 This is a petition for a writ of habeas corpus filed on behalf of Guan Huang
23 (“Petitioner”) seeking relief to remedy his unlawful detention. Respondents are
24 detaining Petitioner pending his deportation proceedings. Petitioner has fully
25 cooperated with Respondents for said proceedings. To date, Petitioner has been
26 detained for more than one-hundred and fifteen (115) days.
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1 Petitioner is not a flight risk or a danger to the community. His prolonged
2 detention is no longer justified under the Constitution or the Immigration and
3 Nationality Act (INA).
4

5 Respondents placed Petitioner in the custody of the Denver Contract Detention
6 Center. Petitioner's detention is for the purpose of conducting his deportation
7 proceedings.
8

9 On or about November 5, 2025, an Immigration Judge ("IJ") denied
10 Petitioner bond, finding Petitioner was subject to mandatory detention under
11 *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025). *See, Exhibit A*, Bond Order.
12

13 Respondents' actions defy the U.S. Constitution and the Immigration and
14 Nationality Act (INA). Petitioner seeks an order from this Court declaring his
15 continued and prolonged detention unlawful and ordering Respondents to release
16 Petitioner on parole under 8 USC §1226 (a)(2)(B) or, in the alternative, to provide
17 Mr. Huang a bond hearing under 8 USC §1226 (a)(2)(A), enjoining Respondents
18 from applying *Matter of Q. Li*.
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21 CUSTODY

22 1. Petitioner is in the physical custody of Respondents. At the time of the filing of
23 this petition, Petitioner is detained at the Denver Contract Detention Center
24 ("DCDC") in Aurora, CO. DCDC contracts with the Department of Homeland
25 Security to detain aliens such as Petitioner. Petitioner is under the direct control of
26 Respondents and their agents.
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JURISDICTION

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2 2. This action arises under the Constitution of the United States, the Immigration
3 and Nationality Act (“INA”), 8 U.S.C. § 1101 et. seq., as amended by the Illegal
4 Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”), Pub.
5 L. No. 104-208, 110 Stat. 1570. This Court has jurisdiction under 28 U.S.C. 2241,
6
7 art. I, § 9, cl. 2 of the United States Constitution (“Suspension Clause”) and 28
8 U.S.C. § 1331, as Petitioner is presently in custody under color of authority of the
9 United States and such custody is in violation of the U.S. Constitution, laws, or
10 treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. §
11 2241, and the All Writs Act, 28 U.S.C. § 1651.
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14 VENUE

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16 3. Venue lies in the United States District Court for the District of Colorado, the
17 judicial district where Petitioner is detained. 28 U.S.C. § 1391(e).

18 PARTIES

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20 4. Petitioner is a national and citizen of China.
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22 5. Respondent KRISTI NOEM is the Secretary of the U.S. Department of
23 Homeland Security (“DHS”), an agency of the United States. She is responsible for
24 the administration of immigration laws pursuant to 8 U.S.C. § 1103(a). Secretary
25 Noem is a legal custodian of Mr. Huang. She is named in her official capacity.
26 Respondent’s address is Department of Homeland Security, Washington, D.C.
27 20528.
28

1 6. Respondent Pam Bondi is the Attorney General of the United States and the
2 most senior official in the U.S. Department of Justice (“DOJ”). She has the
3 authority to interpret immigration laws and adjudicate removal cases. 8 U.S.C. §
4 1103(g). The Attorney General delegates this responsibility to the Executive Office
5 for Immigration Review (“EOIR”), which administrates the immigration courts
6 and the BIA. She is named in her official capacity. Respondent’s address is 950
7 Pennsylvania Avenue, NW, Washington, D.C. 20520-0001.
8

9
10 7. Respondent TODD LYONS is the Director of the United States Immigration and
11 Customs Enforcement within the Department of Homeland Security, an agency of
12 the United States. He is responsible for the administration and enforcement of
13 immigration laws. He is named in his official capacity. Respondent’s address is
14 500 12th St. SW, Washington, D.C. 20536.
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17 8. Respondent Kelei Walker is the Field Office Director for Detention and
18 Removal, U.S. Immigration Customs and Enforcement, Department of Homeland
19 Security. Pursuant to Respondent Walker’s orders, Mr. Huang remains detained.
20 Respondent Walker is named in her official capacity. Respondent’s address is
21 Denver Field Office, 12484 E Weaver Pl, Centennial, CO 80111.
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24 9. Respondent Warden is Petitioner’s immediate custodian and resides in the
25 judicial jurisdiction of the Ninth Circuit of the United States Court of Appeals.
26 Warden is named in his official capacity.
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28 10. The Department of Homeland Security (DHS) is a federal agency charged with

1 administering statutes and regulations governing immigration pursuant to 6 U.S.C.
2 §§ 111-115. Respondent's address is Department of Homeland Security,
3
4 Washington, D.C. 20528.

5 11. The United States Immigration and Customs Enforcement is a federal sub-
6 agency under DHS responsible for the administration and enforcement of the
7
8 United States' immigration laws pursuant to 22 C.F.R. 127.4. Respondent's field
9 office address is Denver Field Office, 12484 E Weaver Pl, Centennial, CO 80111.

10 EXHAUSTION OF ADMINISTRATIVE REMEDIES

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12 12. Petitioner has exhausted his administrative remedies to the extent required by
13 law. Petitioner's only remedy is by way of this judicial action.

14 STATEMENT OF FACTS

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16 13. Petitioner is a national and citizen of China who entered the U.S. on or about
17 October 01, 2024. A Notice to Appear ("NTA") was served on Petitioner on or
18 about October 02, 2024, initiating his removal proceedings. *See, Exhibit B*, Notice
19 to Appear.
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21 14. Petitioner has now been in detention for more than one-hundred and fifteen
22 (115) days pending his deportation proceedings starting on June 29, 2025 when
23 ICE officers took Petitioner into custody at a check-in appointment pursuant to an
24 administrative warrant under Section 236 of the INA. *See, Exhibit C*, ICE Form I-
25 830E, despite Petitioner having no criminal record. Petitioner is charged as
26
27 removable under Sections 212(a)(6)(A)(i) of the INA as present without admission
28

1 or parole.

2 15. Petitioner is not a danger to the community.

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4 16. Petitioner is not a flight risk.

5 17. Prior to his detention, Petitioner was complying with all ICE requirements and
6 pursuing asylum relief in his removal proceedings. Nonetheless, the Immigration
7 Judge did not these facts into consideration at Petitioner's Bond Hearing on
8 November 5, 2025, finding that Petitioner is subject to mandatory detention under
9 *Matter of Q. Li*, despite the fact that Petitioner is not classified as an "arriving
10 alien", was not paroled into the U.S., and was detained pursuant to an
11 administrative arrest warrant under Section 236 of the INA.
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14 18. Respondents' continued detention of Petitioner is contrary to the law.
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16 CLAIMS FOR RELIEF

17 COUNT ONE CONSTITUTIONAL CLAIM

18 19. Petitioner alleges and incorporates by reference paragraphs 1 through 18 above.
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20 20. Petitioners' detention violates his right to substantive and procedural due
21 process guaranteed by the Fifth Amendment to the U.S. Constitution. *Hope v.*
22 *Warden York City Prison*, 972 F.3d 310, 323-25 (3d Cir. 2020) (seeking release
23 due to unconstitutional conditions of confinement); *Yanes v. Martin*, 464 F. Supp.
24 3d 467, 468 n.1 (D.R.I. 2020); *Zepeda Rivas v. Jennings*, 465 F. Supp. 3d 1028,
25 1035-36 (N.D. Cal. 2020).
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COUNT TWO STATUTORY CLAIM

21. Petitioner alleges and incorporates by reference paragraphs 1 through 20 above.

22. Petitioner's continued detention violates the Immigration and Nationality Act, 8 USC §1226, and the U.S. Constitution.

COUNT THREE

23. If he prevails, Petitioner requests attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief: 1. Assume jurisdiction over this matter; 2. Issue an order directing Respondents to show cause why the writ should not be granted; 3. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, 8 U.S.C. § 1226, and the Immigration and Nationality Act; 4. Issue a writ of habeas corpus ordering Respondents to release Mr. Ramirez on parole under 8 USC §1226 (a)(2)(B) or, in the alternative, to provide Mr. Ramirez a bond hearing under 8 USC §1226 (a)(2)(A), enjoining Respondents from applying *Matter of Q. Li*; 4. Award Petitioner reasonable costs and attorney's fees; and, 5. Grant any other relief which this Court deems just and proper.

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Respectfully submitted,

/s/ Stacey King

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Attorney for Petitioner

1 VERIFICATION OF COUNSEL

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4 I, Stacey King, hereby certify that I am familiar with the case of the
5 named petitioner and that the facts as stated above are true and correct to the
6 best of my knowledge and belief.
7

8 /s/ Stacey King

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