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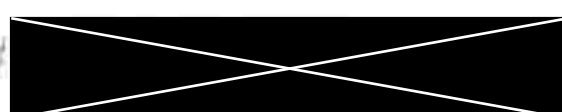
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

KM

Petitioner:

Giosbani Delgado Rodriguez

A#



3-25-CV-03252-L

Cuban Citizen, born



Currently detained at:

Eden Detention Center

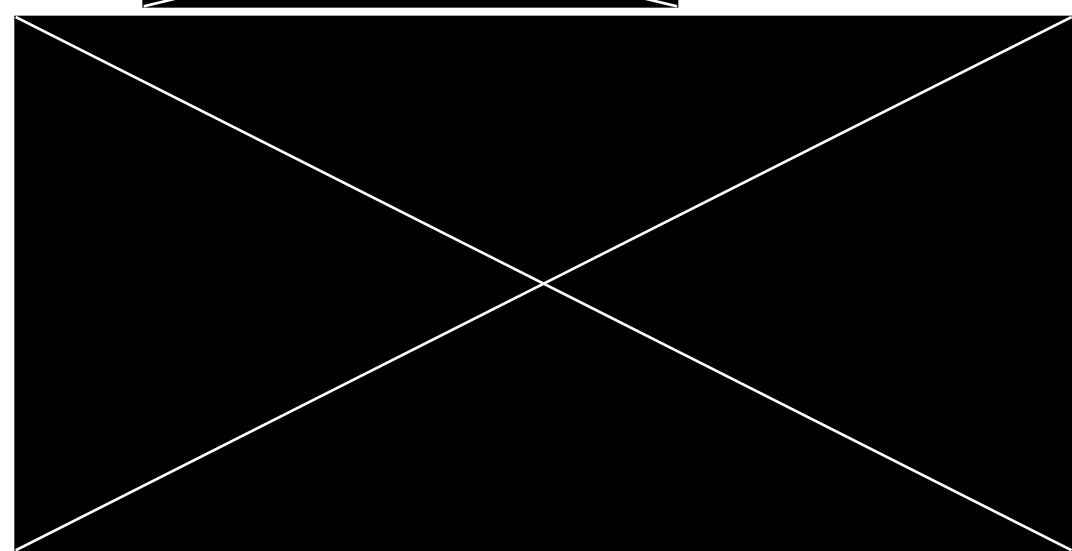
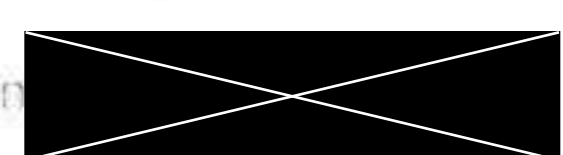
Eden, Texas

by and through his next friend:

Sirley Jhoanna Tejeda

U.S. Citizen

Born



v.

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

Alejandro Mayorkas, Secretary of the Department of Homeland Security;

Patrick J. Lechleitner, Acting Director of ICE;

Warden, Eden Detention Center;

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, Giosbani Delgado Rodriguez, A# [REDACTED] by and through his next friend and U.S. citizen partner, Sirley Jhoanna Tejeda, 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 is a Cuban national who entered the United States on April 22, 2022.
2. Petitioner was detained on June 23, 2025, and is currently held at Eden Detention Center in Texas.
3. Petitioner is the primary emotional and financial provider for his partner and their family.
4. Petitioner and Ms. Tejeda share a U.S.-born infant of only 9 months, who was just 3 months old at the time of detention.
5. Petitioner also fulfills the full role of father to Ms. Tejeda's other minor children.
6. Petitioner has no criminal record, no history of violence, and has always lived as an exemplary member of the community.
7. Petitioner's detention has caused severe family separation, emotional trauma, and financial hardship.
8. Due to the extreme stress of detention, Petitioner is experiencing memory loss, disorientation, and confusion.

II. JURISDICTION AND VENUE

9. This Court has jurisdiction under 28 U.S.C. § 2241.

10. Venue is proper in the Northern District of Texas.

III. FACTUAL BACKGROUND

11. Petitioner entered the United States lawfully on April 22, 2022.

12. He was detained on June 23, 2025, despite compliance with immigration requirements and no criminal history.

13. He is the father of a U.S.-citizen infant fully dependent on him.

14. The infant was only three months old when Petitioner was detained.

15. Petitioner also serves as a father figure to Ms. Tejeda's other minor children.

16. His detention has left the family without economic or emotional support.

17. Petitioner suffers severe psychological deterioration due to detention.

18. ICE has less restrictive alternatives, including supervised release or parole.

IV. LEGAL BASIS FOR RELIEF

19. Under *Zadvydas v. Davis*, prolonged detention without justification violates constitutional protections.

20. Under *Demore v. Kim*, detention must be reasonable in duration and purpose.

21. Petitioner's detention violates due process under the Fifth Amendment.

22. Petitioner poses no danger or flight risk and maintains strong family ties.

23. The government has less restrictive alternatives available.

24. Family separation involving a U.S.-citizen infant constitutes extraordinary harm.

V. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

1. Order his immediate release from ICE custody under appropriate supervision;
2. Grant a Writ of Habeas Corpus;
3. Order ICE to consider parole or alternatives to detention;
4. Grant any other relief deemed just and proper.

VI. DECLARATION OF NEXT FRIEND

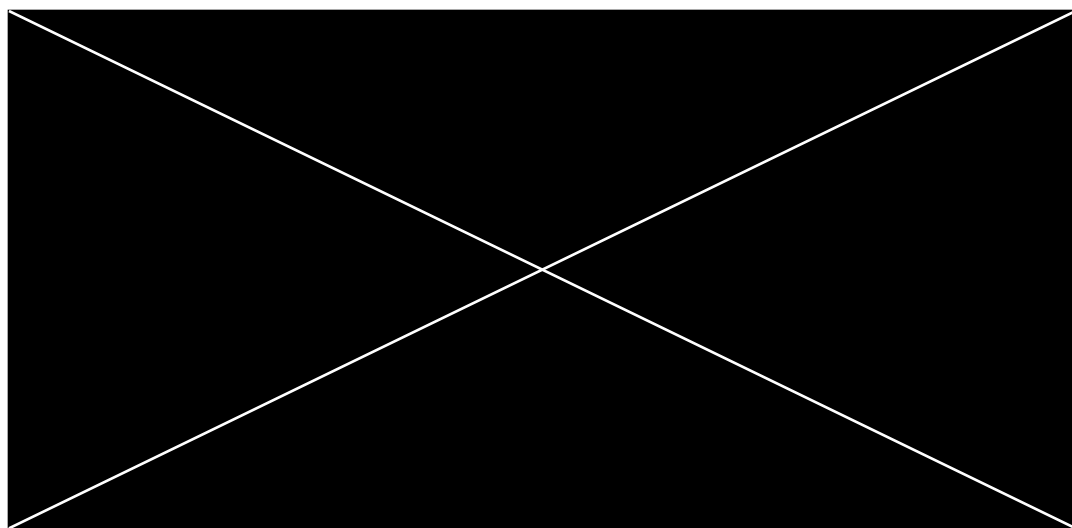
I, Sirley Jhoanna Tejeda, declare under penalty of perjury:

- That I am the U.S. citizen partner of Petitioner;
- That he depends on me to act on his behalf due to his detention and mental decline;
- That the information stated here is true to the best of my knowledge.



Sirley Jhoanna Tejeda

Next Friend / U.S. Citizen Partner



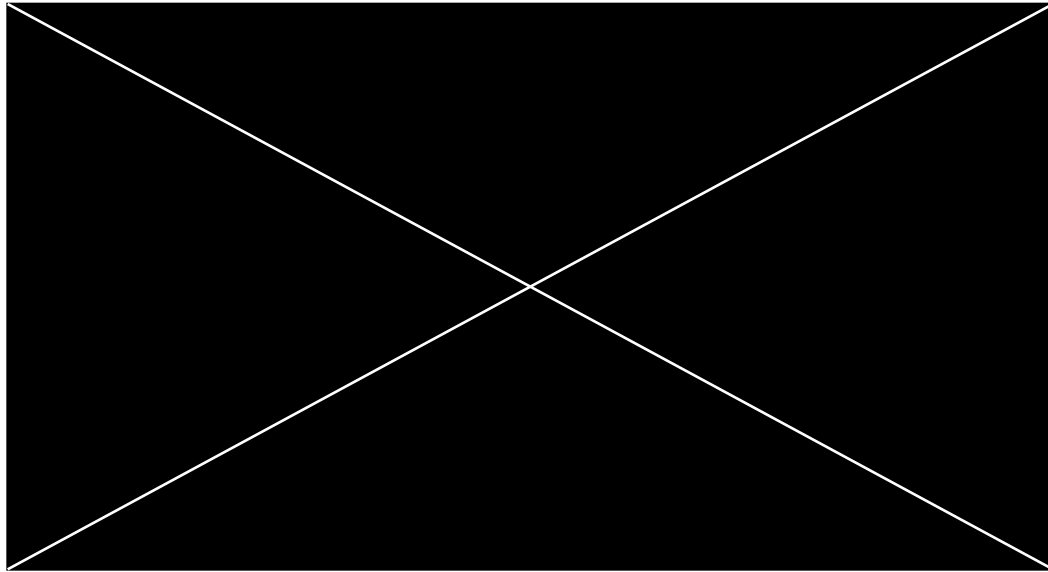
Date: 11/24/25

Eden Detencion Center
Worden Facility
702 E Broadway
Eden Texas 76837

EXPLANATORY LETTER

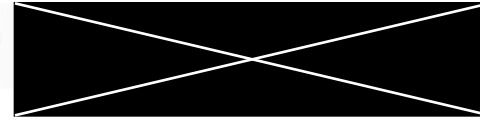
Submitted by:

Sirley Jhoanna Tejeda




Re: Support Letter for the Habeas Corpus Petition of

Giosbani Delgado Rodríguez, A#



To the Honorable Judge of the United States District Court:

My name is Sirley Jhoanna Tejeda, and I respectfully submit this explanatory letter in support of the Petition for Writ of Habeas Corpus filed on behalf of my partner, Giosbani Delgado Rodríguez, A#  who is currently detained at Eden Detention Center in Texas.

Giosbani entered the United States on April 22, 2022, and since then has been a responsible, hardworking, and family-oriented individual. He has no criminal history, no record of violence, and has always demonstrated exemplary behavior and moral character.

We share a U.S. citizen infant, who is now 9 months old but was only 3 months old when Giosbani was detained on June 23, 2025. The sudden separation has caused severe emotional harm to our baby, who needs his father for bonding, stability, and healthy development. The separation has deeply affected our entire family.

Giosbani is not only the biological father of our infant; he also fulfills the full role of father to my other children. He has been present in every aspect of their lives—emotionally, financially, and as a positive guiding figure. His absence has left the children distressed and missing his support and love.

Giosbani has always been the primary financial provider in our home. Since his detention, our family has suffered extreme financial hardship. I have been left to care for our children alone, while struggling to cover housing costs, food, childcare, and other essential expenses. This situation has placed us under tremendous stress and instability.

Additionally, due to the emotional trauma and stress of detention, Giosbani has started to experience memory loss, disorientation, and confusion. During our phone calls, he forgets what he is talking about, becomes mentally overwhelmed, and struggles to communicate. This decline is alarming and clearly shows the psychological harm caused by continued detention.

Giosbani is not a danger to the community, not a flight risk, and has strong and permanent ties to the United States. His continued detention is unnecessary, harmful, and disproportionately affecting our infant and family.

For these reasons, I respectfully ask this Court to grant his release while his immigration case proceeds. Our baby desperately needs his father, and our family cannot continue to endure this emotional and financial suffering.

Thank you for your time, understanding, and consideration.

Respectfully,



Sirley Jhoanna Tejeda

Next Friend / U.S. Citizen Partner

Date: 11/24/25

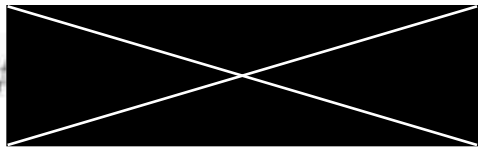
UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

Petitioner:

Giosbani Delgado Rodriguez

A#

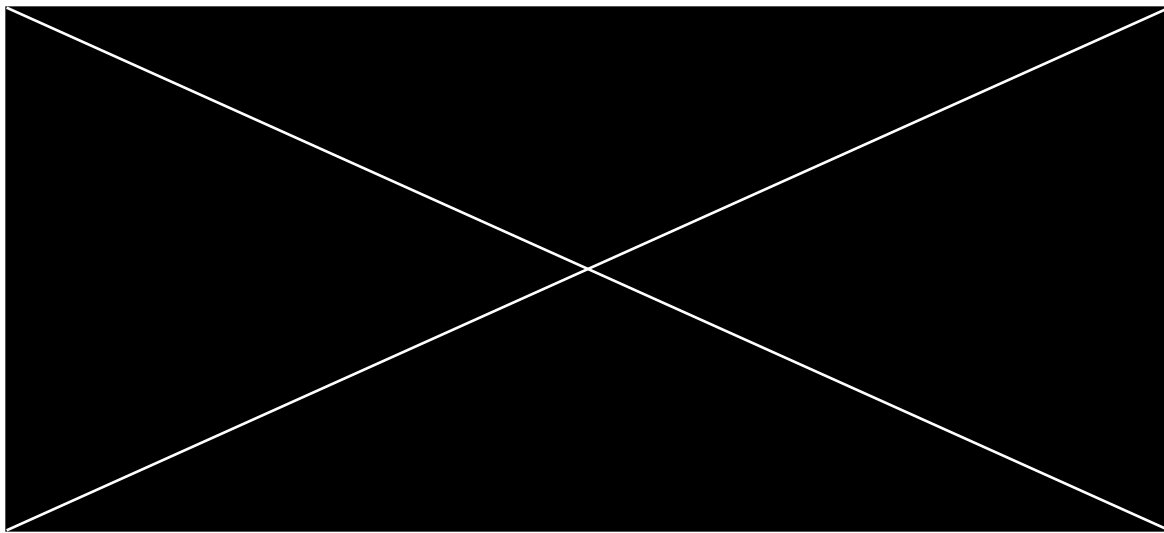


Detained at Eden Detention Center

Next Friend:

Sirley Jhoanna Tejeda

U.S. Citizen



PROOF OF SERVICE

I, Sirley Jhoanna Tejeda, declare under penalty of perjury that on the date indicated below, I served true and correct copies of the following documents:

- Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241
- Next Friend Declaration
- Explanatory Letter in Support of the Petition

These documents were served via United States Postal Service (USPS) to the following recipients:

1. Clerk of Court – Northern District of Texas

United States District Court

1100 Commerce Street, Room 1452

Dallas, TX 75242

2. Office of the Attorney General of the United States

U.S. Department of Justice

950 Pennsylvania Avenue NW

Washington, DC 20530-0001

3. U.S. Attorney for the Northern District of Texas

U.S. Attorney's Office

1100 Commerce Street, 3rd Floor

Dallas, TX 75242

4. Eden Detention Center – Warden / Facility Director

Eden Detention Center

702 E Broadway

Eden, TX 76837

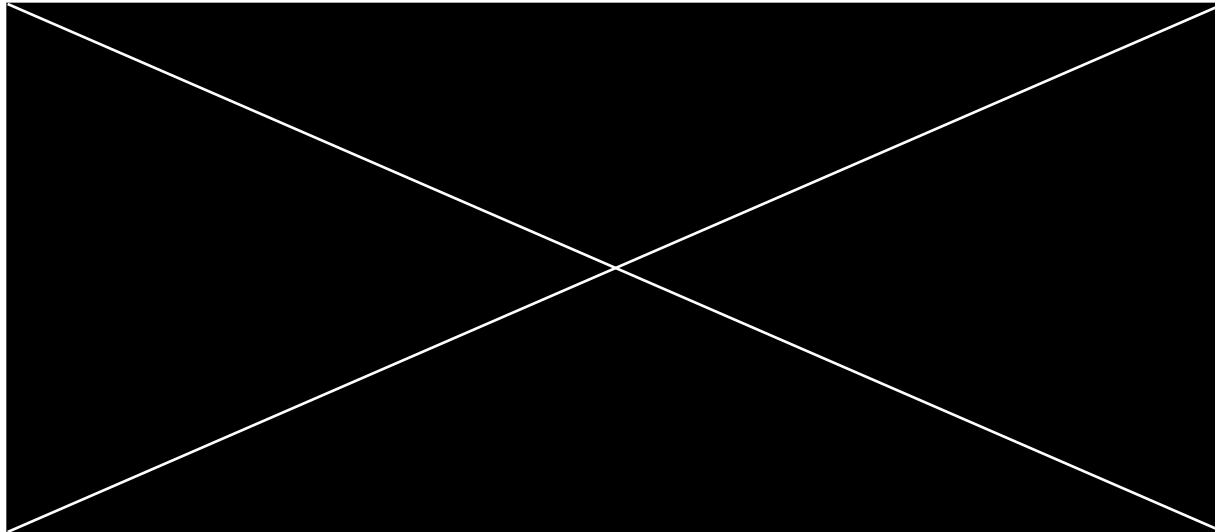
DECLARATION

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.



Sirley Jhoanna Tejeda

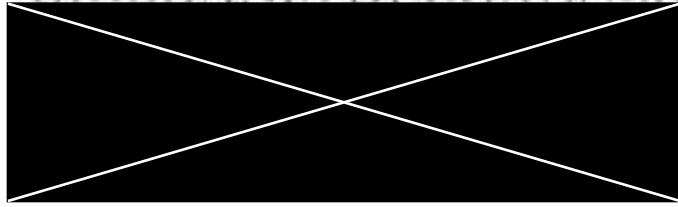
Next Friend / U.S. Citizen Partner



Date: 11/24/25

GIOBANIS DELGADO-RODRIGUEZ

Printed: June 12, 2023 9:15:55 AM



Next Reporting Date:

June 21, 2024 between 7:00 AM and 8:00 AM.

Participant reported on N/A. Identity verified through CART. System check show no new/derogatory information.
No wants, no warrants

For information on an immigration court case, please go to: <https://acis.eoir.justice.gov> or call 800-898-7180.

Please keep this receipt with your records. Store receipt away from sunlight.



ICE

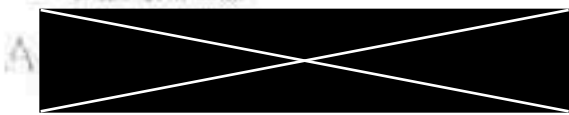


I-220R

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

Date: 4/22/2022

In Reference to: A



INTERIM NOTICE AUTHORIZING PAROLE

This letter is to inform you that U.S. Immigration and Customs Enforcement (ICE) has decided to parole you from its custody pursuant to its authority under section 212(d)(5)(A) of the Immigration and Nationality Act. This notice is being issued to you in lieu of Form I-94, *Arrival-Departure Record*, see 8 C.F.R. § 235.3(h)(2), and you should maintain a copy of this letter in your possession at all times.

Your parole authorization is valid for one year beginning from the date on this notice and will automatically terminate upon your departure or removal from the United States or at the end of the one-year period unless ICE provides you with an extension at its discretion. ICE may also terminate parole on notice prior to the automatic termination date. Parole is entirely within the discretion of ICE and can be terminated at any time and for any reason. Your parole is not valid for work authorization and is not an admission in lawful status.

Parole is conditioned on you complying with the terms and conditions of your release. You must notify ICE and the immigration judge of any address correction or address change. You must report for every scheduled hearing before the immigration court and every appointment as directed by ICE (including for removal from the United States should you become subject to a final removal order). You must not violate any local, State or Federal laws or ordinances. You must comply with any other specified conditions if identified separately.

I certify that I received a copy of this notice:

Delgado-Rodriguez, Giosbanis
Alien Name

Alien Signature

4/22/2022
Date

CERTIFICATE OF SERVICE

I certify that on today's date, I served the respondent a copy of this parole notice by the following method (as checked):

X In person Other: _____

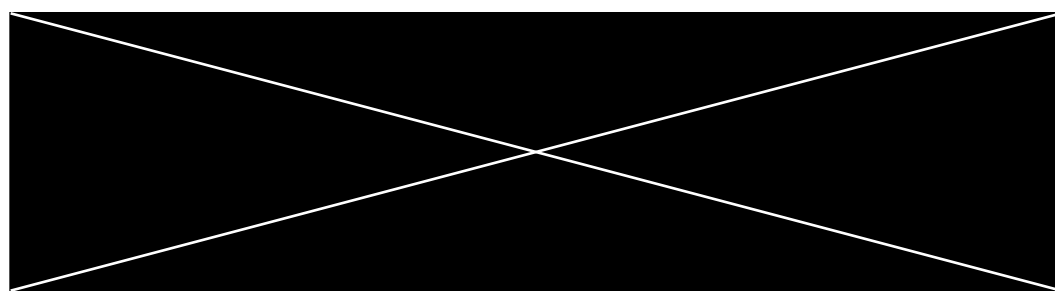
JS9683
ICE Official Name

ICE Official Signature


4/22/2022
Date

JULY 8, 2025

VICTOR CALZADA



To Whom It May Concern:

My name is Victor Calzada. I arrived in this great country on February 8, 2008. In October, I obtained my work permit, and since then, my working life began, helping my family in Cuba due to the extreme conditions we lived in that country. Especially my brother Giosbanis Delgado, whom I had to separate from when he was only 9 years old and I was 17. Because I was against  I went 5 years without visiting them. Then, out of love for my family, I began to visit them whenever I could to spend time with my little brother. Then, little by little, I saw that he was becoming a teenager with many strengths and qualities. He asked me to come to this beautiful country to escape the Castro regime and to protect him as the oldest and only brother. I chose to bring him by any means necessary to save his life from that regime. Now he is under arrest and I am here writing to you with much respect, asking for his freedom. Once again, he is a hard-working young man, a responsible head of the family, a good man, brother, and friend. Please, Mr. Judge, help me with my request and allow my brother's freedom. I ask you, please.

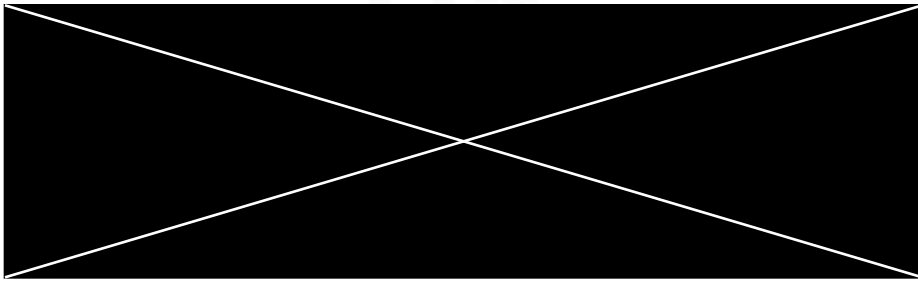

Victor Calzada

Telephone number: 

Giosbanis Delgado's brother

JULY 8, 2025

DANITZA PALACIOS



To Whom It May Concern:

I am writing to you to introduce myself and give you a brief account of my beloved brother-in-law, Giosbanis Delgado. I am Danitza Palacios, 36 years old, mother of a beautiful 3-year-old boy and wife of Victor Calzada, with whom we have been married for 5 years. Giosbanis arrived in this country in April 2022. He met our son for the first time. Lucas is his nephew, whom he loves, protects, and is a close friend. His favorite toys are dinosaurs and trains, which Giosbanis always brings as gifts for him whenever he can visit. These are sad times for this family since he has been detained. I respectfully request that he continue sharing moments with our family. We had trips planned for July with both families, but unfortunately, they were canceled.

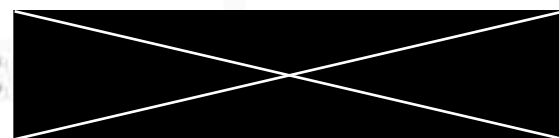
Lucas turns 4 on the 14th of this month, and we know we'll miss Uncle Giosbanis for his funny antics and displays of affection and for us it will also be a different birthday.

Thanks for your time and help in this matter.

A handwritten signature in black ink, appearing to read 'Danitza Palacios', written over a horizontal line.

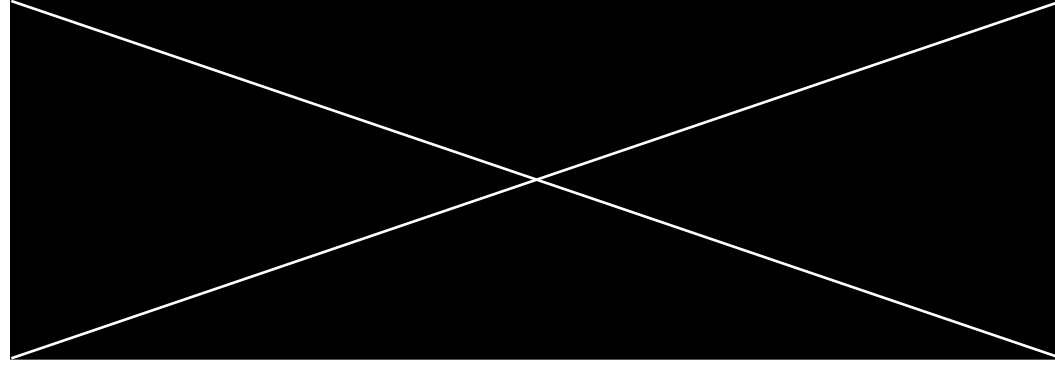
Danitza Palacios

Telephone number:



Giosbanis Delgado's sister in law

Bayron vargas



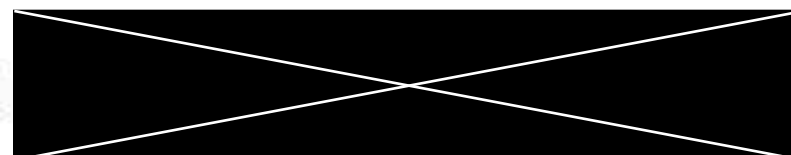
To whom it may concern,

I am Bayron Vargas, Giosbanis' step-son. There are few people like Giosbanis, he's a very hardworking man, always giving his 100% into everything he ever does. When I had first met Giosbanis I was very cold towards him since I didn't really know him, but as time went on I started to actually get to know him better, he's always done things the right way, he's very dependable, hardworking, and always staying up till late working and putting his life on the line just so we can have a roof over our heads and care for his 5 month old son which he adores, Giosbanis has left a positive impact on this family. This is why I'm respectfully advocating for his freedom.

Thank you for your time,

Bayron Vargas

Telephone number:

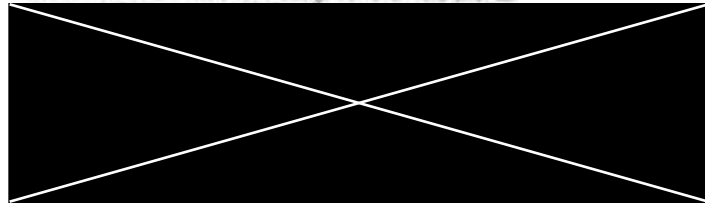


Giosbanis Delgado's step-son



July 7, 2025

Rotec Transport LLC



To Whom It May Concern:

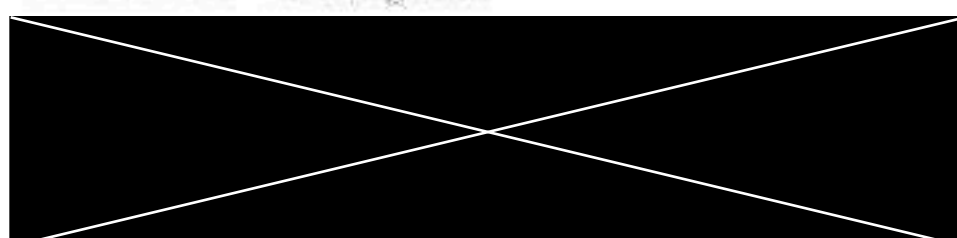
I, Carlos A Rodriguez, am pleased to write this letter in support of Giosbanis Delgado Rodriguez, with whom I have been acquainted for the past year and a half. Throughout this period, I have observed significant personal and professional development in Mr. Delgado Rodriguez.

Since joining Rotec Transport LLC in March 2024 as a mechanic helper, Mr. Delgado Rodriguez has consistently exhibited initiative and dedication. Recognizing an opportunity to advance, he diligently pursued and obtained his commercial driving license. Over the past few months, he has served as a truck driver, earning a weekly salary of \$1,600.00 (one thousand six hundred dollars).

Mr. Delgado Rodriguez exemplifies qualities such as dedication, integrity, responsibility, and enthusiasm. He is both an outstanding individual and a valuable employee. I respectfully request that you give due consideration to his release so that he may return to his family and resume back to work.

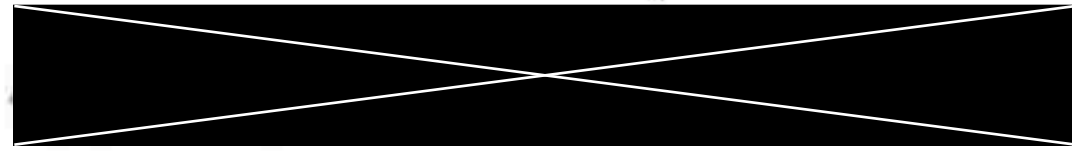
Please do not hesitate to contact me if you have any questions or concerns or if more information is needed.


Carlos A. Rodriguez



Banyi Suarez Garate

Sheldon Ave 3444 Dallas Tx



08/07/2025

To whom it may concern, Honorable Judge...

Through this letter, I certify that I have known

Giosbanis

Delgado Rodríguez for more than two years.

From what I have seen, I know that he is a good father and a good brother-in-law. In my family, we appreciate him very much because he is like a father to my nephews as well; he takes care of them as if they were his own children. I feel that he should have a chance; he doesn't harm anyone, he is a good person, and very hardworking