

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

DEC 01 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY J. J. [Signature]
DEPUTY CLERK

DAVID JOSE CEDENO-HEREDIA,
Petitioner,

v. Civil Action No.: _____

SA25CA1617 FB

WARDEN, Karnes County Immigration
Processing Center;
DIRECTOR, Immigration and Customs Enforcement (ICE),
San Antonio Field Office;
SECRETARY, U.S. Department of Homeland Security,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241 (PRO SE)

I. INTRODUCTION

I, David Jose Cedeno-Heredia, respectfully submit this pro se Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. I am a civil immigration detainee held at the Karnes County Immigration Processing Center in Karnes City, Texas. I challenge the legality of my prolonged detention without access to a bond hearing or any meaningful custody review. My continued detention has now become arbitrary, excessive, and unconstitutional under the Due Process Clause of the Fifth Amendment.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241 because I am "in custody" under federal authority and I am challenging the legality of that custody.
2. Venue is proper in the Western District of Texas because I am detained at the Karnes County Immigration Processing Center, located at 409 FM 1144, Karnes City, Texas, which is within this District.
3. Under *Rumsfeld v. Padilla*, 542 U.S. 426 (2004), the proper respondent is the immediate custodian, the Warden of the facility where I am held. The ICE San Antonio Field Office Director and the Secretary of Homeland Security are also named as appropriate respondents.

III. PARTIES

PETITIONER:

- Name: David Jose Cedeno-Heredia
- A-Number: A# [REDACTED]
- Nationality: Venezuela
- Address: Karnes County Immigration Processing Center, 409 FM 1144, Karnes City, Texas 78118

RESPONDENTS:

1. Warden, Karnes County Immigration Processing Center
2. Director, ICE ERO San Antonio Field Office
3. Secretary, U.S. Department of Homeland Security

IV. STATEMENT OF FACTS

1. I am a citizen of Venezuela and entered the United States seeking protection.
2. I have been detained by ICE since September 2, 2025.
3. I am currently held at the Karnes County Immigration Processing Center.
4. I have no criminal history in the United States or my home country.
5. I am not a danger to the community.
6. My asylum case is pending before the Immigration Court in Pearsall, Texas, with a Master Calendar Hearing scheduled for November 18, 2025.
7. Because of ICE's classification, I am not allowed to request bond or a custody redetermination hearing before an Immigration Judge.
8. My detention is prolonged and will continue for many more months while my asylum case moves forward.
9. I have received no custody review or any individualized determination of whether my detention is necessary.
10. My prolonged detention has caused serious emotional and physical hardship, and prevents me from fully preparing my case.

V. LEGAL BASIS FOR RELIEF

1. 11. The Due Process Clause of the Fifth Amendment prohibits the government from depriving any person of liberty without fundamental fairness.
2. 12. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that prolonged and indefinite immigration detention violates the Constitution.
3. 13. In *Demore v. Kim*, 538 U.S. 510 (2003), the Court upheld mandatory detention only because it was brief in duration. My detention is not brief.

4. 14. In *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018), the Supreme Court reaffirmed that detainees may challenge prolonged detention through habeas corpus when there is no bond hearing.
5. 15. I have been detained for a prolonged period with no bond eligibility and no review mechanism.
6. 16. My detention has become arbitrary, excessive, and unconstitutional.

VI. EXHAUSTION OF REMEDIES

There is no administrative remedy available to me. The Immigration Judge has no bond jurisdiction over my case and ICE has not provided any review of my detention. Habeas corpus is my only avenue to challenge my prolonged detention.

VII. RELIEF REQUESTED

I respectfully request that this Court:

1. Declare that my continued detention without a bond hearing violates the Due Process Clause of the Fifth Amendment; and
2. Order that I be provided an individualized custody/bond hearing before an Immigration Judge within seven (7) days, where the Government must prove by clear and convincing evidence that I am a danger or a flight risk;

OR, IN THE ALTERNATIVE:

3. Order my immediate release from ICE custody under appropriate conditions of supervision; and
4. Grant any other relief the Court finds just and proper.

VIII. DECLARATION AND SIGNATURE

I declare under penalty of perjury under the laws of the United States that the facts stated in this Petition are true and correct to the best of my knowledge.

Executed on: 11-21, 2025

Karnes City, Texas



DAVID JOSE CEDENO-HEREDIA

A#



Petitioner, Pro Se

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

DAVID JOSÉ CEDEÑO-HEREDIA,
Petitioner,

v.

Civil Action No.:

SA25CA1617 FB

WARDEN, Karnes County Immigration Processing Center;
DIRECTOR, Immigration and Customs Enforcement (ICE),
San Antonio Field Office;
SECRETARY, U.S. Department of Homeland Security,
Respondents.

DECLARATION OF DAVID JOSÉ CEDEÑO-HEREDIA
IN SUPPORT OF PETITION FOR HABEAS CORPUS

I, DAVID JOSE CEDENO-HEREDIA, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge:

1. My name is **David José Cedeño-Heredia**, and my immigration A-Number is **A#** 
2. I am currently detained by Immigration and Customs Enforcement (ICE) at the **Karnes County Immigration Processing Center**,
409 FM 1144,
Karnes City, Texas 78118.
3. I have been detained continuously by ICE since **September 2, 2025**.
4. I am a citizen and national of Venezuela and came to the United States seeking protection.
5. I do not have any criminal history in the United States, nor do I have any criminal convictions in my home country to the best of my knowledge.
6. I have submitted an application for asylum and related protection, and my immigration court case is currently pending before Immigration Judge Thomas G. Crossan Jr., with a hearing scheduled for **November 18, 2025**, in Pearsall, Texas.
7. I am being held in a facility where I am not allowed to request bond or a custody redetermination hearing before an Immigration Judge. There is no bond jurisdiction for my case.

8. ICE has not provided me with any individualized custody review, and I have not received any explanation for why continued detention is necessary in my case.

9. My detention is prolonged, and I have no indication of when my case will be resolved or when I may be released.

10. My prolonged detention has caused me significant emotional, physical, and psychological hardship.

11. The information contained in my Petition for Writ of Habeas Corpus is true and correct to the best of my knowledge, and I submit this declaration in support of that Petition.

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

Executed on: 11-21, 2025
Karnes City, Texas



DAVID JOSE CEDENO-HEREDIA

A# 
Petitioner, Pro Se

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

DAVID JOSE CEDENO-HEREDIA,
Petitioner,

v. Civil Action No.: _____

WARDEN, Karnes County Immigration Processing Center;
DIRECTOR, Immigration and Customs Enforcement (ICE),
San Antonio Field Office;
SECRETARY, U.S. Department of Homeland Security,
Respondents.

CERTIFICATE OF SERVICE

I, DAVID JOSE CEDENO-HEREDIA, hereby certify under penalty of perjury that on the date indicated below, I placed in the institutional mail system of the ****Karnes County Immigration Processing Center**** a true and correct copy of the following documents:

- Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241
- Memorandum of Law in Support of Petition
- Declaration of Petitioner
- Motion to Proceed In Forma Pauperis
- Any supporting exhibits attached

Copies were mailed via first-class U.S. mail to the following recipients:

1. ****Clerk of Court****
U.S. District Court – Western District of Texas
San Antonio Division
655 E. Cesar E. Chavez Blvd., Room G65
San Antonio, TX 78206
2. ****U.S. Attorney's Office – Western District of Texas****
Attn: Civil Division
601 NW Loop 410, Suite 600
San Antonio, TX 78216

3. ****U.S. Department of Justice****
Office of Immigration Litigation (OIL)
P.O. Box 878
Ben Franklin Station
Washington, DC 20044

Executed on: 11-21, 2025

Karnes City, Texas



DAVID JOSE CEDENO-HEREDIA

A# 

Petitioner, Pro Se