UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION
CIVIL No. _____

Leam Elias Jimenez-Martinez,	§	
Petitioner	§	
v.	§	**PETITION FOR WRIT OF HABEAS CORPUS**
	§	**PURSUANT TO 28 U.S.C § 2241**
Raymond Thompson, in his official capacity as Warden of the Joe Corley Processing Center;	§	
BRET BRADFORD, in his official capacity as Field Office Director of ICE Enforcement and Removal Operations Houston Field Office;	§	
KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security;	§	
PAM BONDI, in her official capacity as Attorney General of the United States, Respondents.	§	

PETITION FOR HABEAS CORPUS

TO THE HONORABLE UNITED STATES DISTRICT COURT:

INTRODUCTION

1. Petitioner, Leam Elias Jimenez-Martinez, is in the physical custody of Respondents at the Joe Corley Processing Center, located at 500 Hilbig Rd., Conroe, TX 77301, and seeks emergency relief to obtain his release and prevent his unlawful removal to Venezuela.

2. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have concluded Petitioner is subject to mandatory detention.

3. Petitioner is charged with, *inter alia*, having entered the United States without admission or inspection. *See* 8 U.S.C. § 1182(a)(6)(A)(i).

4. Based on this allegation in Petitioner's removal proceedings, DHS denied Petitioner release from immigration custody, consistent with a new DHS policy issued on July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without admission or inspection—to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

5. Similarly, on September 5, 2025, the Board of Immigration Appeals (BIA or Board) issued a precedent decision, binding on all immigration judges, holding that an immigration judge has no authority to consider bond requests for any person who entered the United States without admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). The Board determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

6. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

7. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying § 1226(a) to people like Petitioner.

8. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be released unless Respondents provide a bond hearing under § 1226(a) within seven days.

9. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Joe Corley Processing Center, located at 500 Hilbig Rd., Conroe, TX 77301.

10. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

11. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

12. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Southern District of Texas, the judicial district in which Petitioner currently is detained.

13. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Southern District of Texas.

REQUIREMENTS OF 28 U.S.C. § 2243

14. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, Respondents must file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

15. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

EXHAUSTION NOT REQUIRED 5th Circuit Court

16. Exhaustion is not required where a claimant raises a constitutional claim that the agency would reject. *Gallegos-Hernandez v. United States*, 688 F.3d 190, 194 (5th Cir. 2012)

17. No statutory exhaustion requirement applies to a petition challenging immigration detention. *See, e.g.,_Montano v. Texas*, 867 F.3d 540, 542 (5th Cir. 2017)("Unlike 28 U.S.C. § 2254, Section 2241's text does not require exhaustion."

LEGAL FRAMEWORK

18. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

19. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, *see* 8 U.S.C. § 1226(c).

20. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under § 1225(b)(2).

21. Last, the INA also provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b).

22. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

23. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104–208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

24. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

25. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearings, unless their criminal history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed "arriving" were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a) (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply "restates" the detention authority previously found at § 1252(a)).

26. On July 8, 2025, ICE, "in coordination with" DOJ, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice.

27. The new policy, entitled "Interim Guidance Regarding Detention Authority for Applicants for Admission,"[1] claims that all persons who entered the United States without

[1] *Available at* https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission.

inspection shall now be subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended, and affects those who have resided in the United States for months, years, and even decades.

28. On September 5, 2025, the BIA adopted this same position in a published decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for IJ bond hearings.

29. Since Respondents adopted their new policies, dozens of federal courts have rejected their new interpretation of the INA's detention authorities. Courts have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE.

30. Even before ICE or the BIA introduced these nationwide policies, IJs in the Tacoma, Washington, immigration court stopped providing bond hearings for persons who entered the United States without inspection and who have since resided here. There, the U.S. District Court in the Western District of Washington found that such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not apprehended upon arrival to the United States. *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025).

31. Subsequently, court after court has adopted the same reading of the INA's detention authorities and rejected ICE and EOIR's new interpretation. *See, e.g.*, *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Diaz Martinez v. Hyde*, No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), *report and recommendation adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133

(D. Ariz. Aug. 13, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-01789-ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*, No. 25-11631-BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051 (ECT/DJF), --- F. Supp. 3d ----, 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v. Raycraft*, No. 2:25-cv-12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Vasquez Garcia v. Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025); *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D. Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass. Sept. 9, 2025); *see also, e.g.*, *Palma Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025) (noting that "[t]he Court tends to agree" that § 1226(a) and not §1225(b)(2) authorizes detention); *Jacinto v. Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL 2402271 at *3 (D. Neb. Aug. 19, 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224 at *2 (D. Neb. Aug. 14, 2025) (same).

32. Courts have uniformly rejected DHS's and EOIR's new interpretation because it defies the INA. As the *Rodriguez Vazquez* court and others have explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.

33. Section 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." These removal hearings are held under § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

34. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, "[w]hen Congress creates 'specific exceptions' to a statute's applicability, it 'proves' that absent those exceptions, the statute generally applies." *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also Gomes*, 2025 WL 1869299, at *7.

35. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

36. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies "at the Nation's borders and ports of entry, where the Government must determine whether a[] [noncitizen] seeking to enter the country is admissible." *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

37. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not apply to people like Petitioner, who have already entered and were residing in the United States at the time they were apprehended.

A. Petitioner Faces Immediate and Irreparable Harm from Continued Detention

38. Petitioner has been detained by ICE since on or about November 14, 2025, with no final order of removal having ever been issued against him in a removal proceeding, though he is subject to no form of mandatory detention.

39. Petitioner would like to request a bond hearing at the earliest availability. As a result, Petitioner has no administrative avenue for release and remains indefinitely detained without judicial review—an ongoing deprivation of his most fundamental liberty interest.

40. Continued confinement of a noncitizen without lawful authority constitutes irreparable harm. *Zadvydas*, 533 U.S. at 690; *Demore v. Kim*, 538 U.S. 510, 529–30 (2003). Each additional day of unlawful detention deepens the constitutional injury and cannot be remedied by monetary damages. See *Jennings v. Rodriguez*, 583 U.S. 281 (2018). Petitioner's prolonged confinement also exacerbates his family's emotional conditions, further establishing immediate and irreparable harm absent this Court's intervention.

B. Petitioner is Substantially Likely to Succeed on the Merits

41. Petitioner's detention is unlawful under 28 U.S.C. § 2241 because no final order of removal exists, and ICE has failed to justify his continued confinement. Under *Zadvydas*, detention authority under 8 U.S.C. § 1231(a) arises only after a removal order becomes final. In Petitioner's case, his initial removal proceedings before the Conroe Immigration Court were recently commenced on or about November 14, 2025, without a final removal order being issued against his. Accordingly, the government lacks statutory authority to detain him under § 1231(a).

42. The Fifth Circuit has recognized that immigration detention must be narrowly πtailored and subject to constitutional limits. *Zadvydas v. Underdown*, 185 F.3d 279 (5th Cir. 1999), rev'd on other grounds, 533 U.S. 678 (2001). Absent a final removal order or individualized finding of necessity, detention becomes arbitrary and violates substantive due process. See *Reno v. Flores*, 507 U.S. 292, 302 (1993).

43. Petitioner poses no flight risk or danger to the community. ICE's failure to articulate any legitimate reason for his detention demonstrates that it is punitive, not regulatory, and therefore unconstitutional. *Zadvydas*, 533 U.S. at 690–91.

44. For these reasons, Petitioner is substantially likely to prevail on the merits of his habeas corpus petition and is entitled to immediate release.

C. The Balance of Harms Favors Petitioner

45. The harm to Petitioner from continued unlawful detention—loss of liberty in a facility meant for criminal aliens, deterioration of health, and ongoing constitutional injury—vastly outweighs any administrative burden on the government in effecting his release under appropriate conditions. The government retains full authority to supervise Petitioner through reporting or monitoring conditions, rendering detention unnecessary to ensure appearance.

46. Where, as here, the government cannot articulate a lawful basis for custody, continued detention serves no legitimate purpose and inflicts disproportionate harm.

D. The Public Interest Supports Immediate Release

47. The public interest is served by ensuring that government detention authority is exercised within constitutional and statutory bounds. Upholding due process and preventing unlawful imprisonment preserves confidence in the rule of law and the integrity of immigration proceedings.

48. Granting the requested relief promotes judicial economy by ensuring this Court can fully adjudicate the habeas petition without the case becoming moot due to prolonged or arbitrary detention.

STATEMENT OF FACTS

49. Petitioner is a twenty-four-year-old male native and citizen of Venezuela. *See attached,* Exhibit 1: Petitioner's Venezuelan Passport. He migrated from Venezuela on or about October 3, 2021, escaping violence and poverty in his hometown of Venezuela.

50. Petitioner was released on his own recognizance pursuant to section 236 of the INA. *See attached,* Exhibit 2: Order of Release on own Recognizance.

51. Petitioner's ties to the United States are profound and long-standing. He arrived at the age of 20 years old and has lived here for nearly three years, embracing the culture and values of this nation.

52. Petitioner is married to [redacted]. *See attached,* Exhibit 3: Marriage Certificate. The couple is currently expecting their first child together. *See attached,* Exhibit 4: Proof of Pregnancy and January due date.

53. Petitioner is the sole financial provider for his family. Those who know him recognize him as a devoted husband, father, and neighbor—an individual who is American in every meaningful way except on paper.

54. On December 6, 2022, Petitioner filed an Asylum application with U.S Citizenship and Immigration Services (USCIS) which is currently pending adjudication. *See attached,* Exhibit 5: I-589 Receipt Notice.

55. Petitioner has no prior arrests, he poses no risk to the community. He has demonstrated no conduct indicating that he is a threat to the United States or otherwise eligible for deportation. *See attached,* Exhibit 6: Criminal Background.

56. On or about November 14, 2025, Petitioner was arrested when he took his wife for an ICE check-in, he was then taken into ICE custody and is now detained at the Joe Corley Processing Center at 500 Hilbig St., Conroe, TX 77301.

57. DHS subsequently placed petitioner in removal proceedings before the Conroe Immigration Court pursuant to 8 U.S.C. § 1229a, charging her under 8 U.S.C. § 1182(a)(6)(A)(i) as an individual who entered the United States without inspection. *See attached,* Exhibit 7: Petitioner's Notice to Appear.

58. His continued detention serves no legitimate government purpose and has deprived his of the ability to adequately prepare his case while remaining with his family.

59. Petitioner faces missing a crucial day in life, becoming a father, without relief from this Court.

60. Without relief from this Court, Petitioner faces months—or even years—of confinement despite his lifelong residence and deep roots in the United States.

61. He respectfully seeks this Court's intervention to restore his liberty and allow him to remain with his spouse and unborn child.

62. The government has not been able to articulate any meaningful reason why Petitioner should continue to remain in detention pending the outcome of his removal proceedings. He now submits the present Petition for Writ of Habeas Corpus to this Honorable Court and respectfully requests the Court to order his immediate release.

CLAIMS FOR RELIEF

COUNT I

Violation of the INA

63. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

64. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

65. Petitioner has a fundamental interest in liberty and being free from official restraint.

66. The government's detention of Petitioner without a bond redetermination hearing to determine whether she is a flight risk or danger to others violates his right to due process.

COUNT II

Violation of Due Process

67. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

68. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

69. Petitioner has a fundamental interest in liberty and being free from official restraint.

70. The government's detention of Petitioner without a bond redetermination hearing to determine whether she is a flight risk or danger to others violates her right to due process.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully prays that this Honorable Court:

71. **Assume jurisdiction** over this matter;

72. **Order Respondents to show cause** within three (3) days why this Petition should not be granted;

73. **Issue a Writ of Habeas Corpus** requiring that Respondents immediately release Petitioner, or in the alternative, provide Petitioner with a constitutionally adequate bond hearing pursuant to 8 U.S.C. § 1226(a) within seven (7) days;

74. **Declare Petitioner's detention unlawful,** finding that continued detention violates the Due Process Clause of the Fifth Amendment and applicable statutory provisions;

75. **Set an expedited hearing** on Petitioner's motion for preliminary injunction, and after hearing, issue a **Preliminary Injunction** maintaining the above-requested relief during the pendency of this action;

76. **Waive the security requirement** under Fed. R. Civ. P. 65(c) due to Petitioner's indigent status, or alternatively, set security in a nominal amount;

77. **Award Petitioner attorney's fees and costs** under the Equal Access to Justice Act, 28 U.S.C. § 2412, and on any other basis justified under law; and

78. **Grant such other and further relief** as this Court deems just and proper.

NOTICE

79. Petitioner has taken **reasonably calculated steps to effect service of process** on each of the Respondents named herein and has provided them with copies of this Petition and accompanying motion as detailed in the Certificate of Service below.

Respectfully submitted,

CEDILLO LAW FIRM

By: /s/ Stephanie M. Pimentel, Esq.
Stephanie M. Pimentel
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Southern District of Texas Bar No. 3792560
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Attorney for Respondent,
719 Sawdust Rd. Ste., 100
The Woodlands, TX 77384
Tel: (281) 323-4345
Fax: (346) 239-1822

CERTIFICATE OF EMERGENCY

I hereby certify that this motion seeks emergency relief due to Petitioner's imminent risk of removal, which would render his habeas corpus petition moot and cause irreparable constitutional harm.

/s/Stephanie M. Pimentel
Stephanie M. Pimentel
Attorney for Petitioner

12/05/2025
Date

CERTIFICATE OF CONFERENCE

I hereby certify that due to the emergency nature of this motion and the imminent threat of removal, I have been unable to confer with opposing counsel regarding this motion.

/s/Stephanie M. Pimentel
Stephanie M. Pimentel
Attorney for Petitioner

12/05/2025
Date

CERTIFICATE OF SERVICE

On December 05, 2025, Counsel for Plaintiff served a copy of the attached Motion via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Raymond Thompson, in his Official Capacity as Warden of the Joe Corley Processing Center**, at (1) Office of the Warden, 500 Hilbig Road, Conroe, Texas 77301, and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/s/Stephanie M. Pimentel
Stephanie M. Pimentel
Attorney for Petitioner

12/05/2025
Date

CERTIFICATE OF SERVICE

On December 05, 2025, Counsel for Plaintiff served a copy of the attached Motion via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Bret Bradford, in his Official Capacity as Field Office Director, of ICE Enforcement and Removal Operations Houston Field Office**, at (1) Office of the Field Office Director, Enforcement and Removal Operations, Houston Field Office, 126 Northpoint Drive, Houston, Texas 77060, and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/s/Stephanie M. Pimentel
Stephanie M. Pimentel
Attorney for Petitioner

12/05/2025
Date

CERTIFICATE OF SERVICE

On December 05, 2025, Counsel for Plaintiff served a copy of the attached Motion via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Kristi Noem, in her Official Capacity as Director of U.S. Department of Homeland Security**, at (1) Office of General Counsel, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0485, Washington, D.C. 20530; and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/s/Stephanie M. Pimentel
Stephanie M. Pimentel
Attorney for Petitioner

12/05/2025
Date

CERTIFICATE OF SERVICE

On December 05, 2025, Counsel for Plaintiff served a copy of the attached Motion via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Pam Bondi, in her Official Capacity as Attorney General of the United States**, at (1) U.S. Attorney General, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530-0001; and (2) to the Assistant Attorney General for Administration, U.S. Department of Justice, Justice Management Division, 950 Pennsylvania Avenue, NW, Room 1111, Washington, D.C. 20530; and (3) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/s/Stephanie M. Pimentel
Stephanie M. Pimentel
Attorney for Petitioner

12/05/2025
Date

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION
CIVIL No. _____

Leam Elias Jimenez-Martinez,	§	
	§	
Petitioner	§	
	§	**PETITION FOR**
v.	§	**WRIT OF HABEAS CORPUS**
	§	**PURSUANT TO 28 U.S.C § 2241**
RAYMOND THOMPSON, in his official capacity as Warden of the Joe Corley Processing Center;	§	
	§	
Et. al,	§	
	§	
Respondents.	§	

PROPOSED ORDER GRANTING WRIT OF HABEAS CORPUS

Having considered Petitioner's Petition for Writ of Habeas Corpus, and good cause appearing, IT IS HEREBY ORDERED that:

1. The Court ORDERS the immediate release of Petitioner, **Leam Elias Jimenez-Martinez,** from the Department of Homeland Security ("DHS") custody at the Joe Corley Processing Center, located at 500 Hilbig Road, Conroe, Texas 77301, under appropriate safeguards to be determined and implemented by DHS;
2. Petitioner shall comply with all reporting and supervision requirements set by DHS/ICE while his removal proceedings remain pending before the Houston Immigration Court;
3. Respondents, their agents, employees, and successors are RESTRAINED AND ENJOINED from removing Petitioner from the United States during the pendency of his removal proceedings;
4. Respondents shall immediately notify all relevant personnel, including but not limited to ICE Enforcement and Removal Operations, that Petitioner shall not be removed from the United States;
5. Petitioner must be present for the next hearing in this Court, if any;
6. This Order may be served by facsimile, email, or other means reasonably calculated to provide immediate notice.

SIGNED this _____ day of _____, 2025.

_____