

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSÉ ROBERTO HERNÁNDEZ BRAVO

CASE NUMBER
4:25-cv-05929

v.

PAM BONDI,
in her capacity as
United States Attorney General

IMMIGRATION FILE
NUMBER 

KRISTI NOEM,
in her capacity as Secretary of the
U.S. Department of Homeland Security

BRET BRADFORD,
in his capacity as Houston Field
Office Director, Immigration and
Customs Enforcement

RAYMOND THOMPSON
in his capacity as Warden, Joe Corley
Processing Center

FIRST AMENDED PETITION FOR WRIT OF HABEAS CORPUS
AND FOR EMERGENCY TEMPORARY INJUNCTIONS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW José Roberto Hernández, Petitioner, by and through Salvador Colón, his attorney, and for cause of action would show the Court the following:

This is an action to release Mr. Hernández, and to enjoin the Defendants from continuing to detain Mr. Hernández in violation of the law. Mr. Hernández'

arrest was in violation of the Fourth and Fifth Amendments and is therefore unlawful.

I. THE PARTIES

Mr. Hernández is native and citizen of Mexico who was admitted to the U.S. as a visitor on August 22, 2013. He is married to Natalia Flores, who is a United States Citizen.

On December 4, 2025, Mr Hernández was at the home of his brother, Jorge Eduardo when a police officer knocked on the door. The police were escorting bounty hunters that were looking for the brother Jorge Eduardo. They had no lawful orders or other right to take the Petitioner, José Roberto, into custody. Nonetheless, the bounty hunters took possession of both brothers and turned Petitioner José Roberto Hernández over to the custody of ICE.

Defendant Kristi Noem is the Secretary of the U.S. Department of Homeland Security, responsible for the operations of U.S. Citizenship and Immigration Services as well as the U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE). CBP and ICE are responsible for the apprehension and detention of non citizens..

Defendant Pam Bondi is Attorney General of the United States, and this action is brought against her in her official capacity. Ms. Bondi is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department of Justice. 8 USC § 1103(a).

More specifically, the Attorney General is responsible for the conduct of ICE in the execution of judicial and administrative orders pertaining to noncitizens present in the United States.

Defendant Bret Bradford is the Houston Field Office Director of ICE. Mr. Bradford is directly responsible for the conduct of Houston ICE agents in the execution of judicial and administrative orders pertaining to noncitizens present in the Houston, Texas area.

Defendant Raymond Thompson is the warden of the Joe Corley Processing Center, where Mr. Hernández is being held at the request and under the control of ICE.

II. JURISDICTION

Jurisdiction in this case is proper pursuant to Article 1, Section 9, Clause 2, of the United States Constitution, 28 USC § 2241(c) (the codification of the Great Writ), 28 U.S.C. § 1651 (All Writs Act) and 28 USC § 1331 (federal question jurisdiction).

Mr. Hernández asks this Court to review his continued detention, which is within the jurisdiction of this Court. *Cardoso v. Reno*, 216 F.3d 512, 516 (5th Cir. 2000). *INS v. St. Cyr*, 533 U.S. 289 (2001). *Jennings v. Rodriguez*, 583 U.S. 281, 291–96 (2018).

Authority to grant the requested injunctive relief in cases otherwise within the Court's jurisdiction is conferred by 28 USC § 2201(a). As noted above,

authority to grant the requested injunctive relief in cases otherwise within the Court's jurisdiction is conferred by 28 USC § 2201(a).

III. VENUE

Venue is proper in this Court pursuant to 28 USC 1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the District where a Defendant is detained.

IV. EXHAUSTION OF REMEDIES

The Immigration Court lacks jurisdiction to rule on the Constitutional issue herein presented. Mr. Hernández has no administrative remedies which would free him from unlawful restraint, and turns to this Court as his last resort.

V. CAUSE OF ACTION

A. Order to maintain jurisdiction of the Court

Mr. Hernández is detained in Conroe, Texas. He respectfully asks the Court to order that he not be moved outside the jurisdiction of this court while these proceedings are pending.

B. Order to release from custody

As stated above, the Immigration Court lacks jurisdiction to rule on the Constitutionality of Mr. Hernández' detention. Mr. Hernández therefore looks to this Court to order his release and terminate the unlawful detention to which he is currently subjected.

Mr. Hernández was not arrested by ICE agents or by agents of any law enforcement agency. Mr. Hernández was taken by a bounty hunter who had

instructions to search for Mr. Hernández' brother. Petitioner Mr. Hernández was taken from a private residence without a warrant and without legal authority.

VI. CONCLUSION

Mr. Hernández therefore comes before the Court as a last resort to seek release from custody under such reasonable conditions as the Court in its discretion may impose.

VII. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays:

- 1) That the Court order Defendants to appear within three days to answer why Mr. Hernández should not be released;
- 2) That, upon due consideration, the Court enjoin Defendants from moving Mr. Hernández outside the jurisdiction of this Court pending further order of this Court;
- 3) That the Court order ICE to release Mr. Hernández from custody and dismiss any immigration charges brought against him as a result of his unlawful detention;
- 4) Mr. Hernández prays for such other relief as the Court in equity might grant.

Respectfully submitted,



Salvador Colón
Attorney for Plaintiff
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VERIFICATION


COMES NOW, Salvador Colón, before me the undersigned authority, known to me to be the person stated, and under oath does state the following:

"My name is Salvador Colón. I swear that I am Counsel of Record for the Petitioner in the instant case, who is presently detained in Conroe, Texas. I hereby affirm that I have read the foregoing petition, and that everything contained therein is true and correct to the best of my personal knowledge and/or information and belief after reasonable inquiry, and that the requested injunctive relief is warranted to prevent irreparable injury to Plaintiff."



SALVADOR COLON

SWORN TO and subscribed before me this 14th day of December,
2025.



NOTARY PUBLIC in and for
the STATE OF TEXAS

