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CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA PHOENIX DIVISION
Genaro Lopez-Ibarra
Petitioner,

V.

Pamela Bondi, U.S. Attorney General,
Kristi Noem, Secretary of DHS,
Todd Lyons, Director of ICE,
Luis Rosa, Warden of Central Arizona Florence Correctional Complex
Respondents.

Case No. **CV25-04678-PHX-MTL--CDB**

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 2241
IMMIGRATION DETAINEE PROLONGED DETENTION

I. INTRODUCTION

1. Petitioner Genaro Lopez-Ibarra, native and citizen of Mexico, currently detained by U.S. Immigration and Customs Enforcement ICE at Central Arizona Florence Correctional Complex in Florence Arizona, respectfully petitions this Court for a writ of Habeas Corpus under 28 U.S.C 2241.
2. Petitioner has been in post final order immigration detention for over six months pursuant to 8 U.S.C 1231 a, despite ICE inability to execute the removal order due Petitioner having a granted Deferral Of Removal from removal to Mexico.
3. Petitioner seeks immediate release from detention on the grounds that continued detention violates the Due Process Clause of the Fifth Amendment and the Supreme Courts ruling in *Zadvydas v. Davis*, 533 U.S. 678... yr.2001

II. JURISDICTION AND VENUE

4. This Court has Jurisdiction under 28 U.S.C. 2241 and Article I, Section 9, Clause 2 of the U.S. Constitution
5. Venue is proper in this District under 28 U.S.C. 1391 because Petitioner is detained within the Jurisdiction of this Court at Central Arizona Florence Correctional Complex, located in Florence Arizona.

III. PARTIES

6. Petitioner is a native and citizen of Mexico who is currently detained by ICE.
7. Respondents are U.S. government officials with custody over the Petitioner or authority over immigration detention and removal.

IV. FACTUAL BACKGROUND

8. Petitioner was ordered removed to Mexico on 4-28-2025 by Immigration Judge Victoria Levin, and government did not appeal by date 5-28-2025.
9. Petitioner has remained in ICE custody continuously since that date.
10. ICE has been unable to secure travel documents or deport Petitioner to Mexico due to the lack of diplomatic cooperation or practical ability to carry out removal to Mexico
11. Petitioner has fully cooperated with ICE efforts to secure travel documents.

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING TO FEDERAL AND/OR LOCAL RULES AND PRACTICES AND IS SUBJECT TO REJECTION BY THE COURT.
REFERENCE: **LR 100 P 54**
(Serial Number/Section)

12. More than six months have passed since the order of removal became final.
13. There is no significant likelihood of removal in the reasonably foreseeable future.

V. LEGAL FRAMEWORK

14. Under *Zadvydas v. Davis*, 533 U.S. 678 yr.2001, post-final order detention beyond six months is presumptively unreasonable if there is no significant likelihood of removal in the reasonably foreseeable future.
15. Continued detention violates the Due Process Clause of the Fifth Amendment.
16. ICE bears the burden to show a significant likelihood of removal; it has not met that burden.

VI. CLAIM FOR RELIEF

17. Petitioners continued detention violates the U.S. Constitution and *Zadvydas* because;
 - * There is no significant likelihood of removal in the foreseeable foreseeable future.
 - * Petitioner has fully cooperated with removal efforts.
 - * ICE prolonged detention is punitive and lacks justification.

VII. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully request that this court;

- A. Issue a writ of habeas corpus directing Respondents to immediately release Petitioner from custody under appropriate supervision;
- B. Grant such relief as the Court deems just and proper.

Respectfully submitted,

Dated;

Genaro Lopez-Ibarra


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Central Arizona Florence Correctional Complex (CAFCC)

P.O. Box 6300

Florence, AZ 85132

UNITED STATES FEDERAL DISTRICT COURT
FOR PHOENIX ARIZONA

Petitioner,
Genaro Lopez-Ibarra
A# 

v.

Pamela Bondi, U.S. Attorney General,
Kristi Noem, Secretary of DHS,
Todd Lyons, Director of ICE,
Luis Rosa, Warden of Central Arizona Florence Correctional Complex
Respondents.

MOTION FOR APPOINTMENT OF COUNSEL

I respectfully request that this Court assigned me an attorney due to me not having the legal capacity or knowledge to represent myself through out the Habeas Corpus process. As well I want to make it clear that this facility were I am detained there is limited legal information regarding the process of a Habeas Corpus. Therefore my Due Process Right under the 14th Amendment is being violated at this time.