

FILED

DEC 11 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 
DEPUTY CLERK

PETITION FOR HABEAS CORPUS

(Under 28 U.S.C. § 2241)

United States District Court

Western District of Texas

San Antonio Division

SA25CA1765 XR

1. PETITIONER

Yelianet Hernández Santos

Alien Number (A-Number): 

Currently detained at: Karnes County Residential Center, 409 FM 1144, Karnes City, TX 78118

2. REPRESENTATIVE (NEXT FRIEND)

Daelys Hernández Santos, sister of the Petitioner

I am filing this petition on behalf of my sister because she is detained, does not have adequate access to legal resources, suffers from severe trauma, and her physical and mental health has significantly deteriorated during her detention. She cannot file this petition on her own, and we do not have the financial means to hire an attorney.

PETITION FOR HABEAS CORPUS UNDER 28 U.S.C. § 2241

I, Daelys Hernández Santos, on behalf of my sister, respectfully request that this Court order her immediate release because her detention is illegal, arbitrary, and violates the Due Process Clause of the Fifth Amendment of the United States Constitution.

I. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 because the Petitioner is detained within this jurisdiction and is challenging the legality of her detention. Venue is proper because she is detained in Karnes County, Texas, within the Western District of Texas.

II. PARTIES

Petitioner: Yelianet Hernández Santos, A 

Respondents:

- Director of Karnes County Residential Center
 - Director of ICE ERO San Antonio
 - Secretary of the Department of Homeland Security (DHS)
 - Attorney General of the United States
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III. FACTUAL BACKGROUND

A. Arrival in the United States and Compliance with the Law

The Petitioner has lived in the United States for nearly four years under an I-220A (Release on Parole). She has always:

- Attended all ICE appointments
- Attended all court hearings
- Complied with all laws and regulations
- Worked legally and paid taxes
- Paid rent and maintained stability

She had an active immigration case, including a pending adjustment of status and an asylum case due to persecution in Cuba. Moreover, she was not allowed to explain what happened in Cuba during her first entry, which could have qualified her for humanitarian parole.

B. Persecution, Rape, and Severe Abuse in Cuba

The Petitioner is a survivor of rape, sexual abuse, and persecution by [REDACTED]
[REDACTED] Due to state control, she did not have access to medical or psychological care.

We had to go to a hospital outside the municipality where the assault occurred so a doctor could examine her. We received a report evidencing the injuries from the assault, but we

[REDACTED]
[REDACTED] We have a copy of the medical report.

C. Lack of Treatment Upon Arrival in the U.S.

She did not have financial resources for psychological care. She suffered severe stress that caused hair loss, but she still maintained her daily life and complied with all immigration obligations.

D. Detention on September 9, 2025

She attended a routine ICE appointment and was detained without warning. She had no criminal record, no violations, and had always complied. Her hearing was scheduled for 2028, but ICE advanced her case without notice.

E. Medical Condition of Her Mother

Her mother depends entirely on her for medication, transportation, daily activities, and financial support. Her mother had cancer and underwent surgery for that condition. Prior to that, she had surgery on her other kidney due to kidney stones.

ICE denied humanitarian release despite the evidence.

F. Physical and Psychological Deterioration in Detention

- She has lost 20 kg (44 lbs) in less than three months
- She has seen a psychologist twice
- On the first visit, she was diagnosed with post-traumatic stress disorder (PTSD), but ICE did not take the report into account when processing her case
- On the second visit, she was given medication and told to stay relaxed and occupied
- She has been re-traumatized, especially because her assaults occurred while detained in Cuba, and the current detention revives these traumas

She has not received proper medical attention for her weight loss or PTSD.

IV. LEGAL GROUNDS

1. Violation of the Fifth Amendment – Due Process

Her detention is arbitrary: she poses no danger, is not a flight risk, has always complied, and ICE acted without justification.

2. Unlawful Prolonged Detention – *Zadvydas v. Davis*

Detaining her without a realistic expectation of immediate removal or timely resolution violates due process.

3. Lack of Adequate Medical Attention

Ignoring her extreme weight loss, PTSD, and mental deterioration constitutes a constitutional violation.

4. Inhumane Detention Conditions

Detaining a survivor of state violence without proper medical and psychological care is unconstitutional.

V. REQUEST FOR RELIEF

1. Immediate release
2. If not released, a hearing within 7 days
3. Any other relief the Court deems just and proper

VI. EXHIBITS

1. ICE psychological report
2. Mother's medical records
3. Photos of hair loss
4. Medical and legal documents from Cuba
5. Receipts of paid taxes

6. Proof of legal employment
7. Documents submitted upon arrival for I-220A
8. Proof of rent payments and evidence of community ties
9. Letters from friends and family regarding her good conduct
10. Communications denying humanitarian release

VII. VERIFICATION

I, Daelys Hernández Santos, declare under penalty of perjury that all facts stated herein are true.

Signature: Daelys Hernández Santos
Date: 12/9/2025

VIII. NEXT FRIEND DECLARATION

I, Daelys Hernández Santos, declare that I file this petition on behalf of my sister, who cannot represent herself.

Signature: Daelys Hernández Santos
Date: 12/9/2025

IX. MOTHER'S DECLARATION

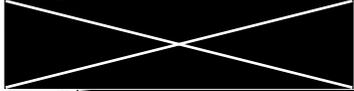
I, Daelys Santos Praga, declare under penalty of perjury that my daughter is my primary caregiver, and her detention endangers my life and well-being.

Signature: 

Date: 12/9/2025

X. COVER LETTER TO THE COURT

Daelys Hernández Santos



Email: [Redacted]

Date: 12/9/2025

To: United States District Court
Western District of Texas
San Antonio Division

Re: Petition for Habeas Corpus – Yelianet Hernández Santos, A220749646

Honorable Judges:

Attached is a Petition for Habeas Corpus on behalf of my sister, currently detained at Karnes County Residential Center. Included:

1. Petition for Habeas Corpus
2. Next Friend Declaration
3. Mother's Declaration
4. Exhibits

I respectfully request the Court review and take action, including possible release or a hearing.

Sincerely,

Signature: Daelys Hernández Santos

Daelys Hernández Santos
Next Friend of Yelianet Hernández Santos