

Case #25-cv-3626-AGS-MSB

Roberto Maceo Rodriguez

A- 

FILED
JAN 02 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

ROBERTO MACEO RODRÍGUEZ, A# [Redacted]
Petitioner,

v.

MERRICK B. GARLAND, Attorney General of the United States; ALEJANDRO MAYORKAS, Secretary of Homeland Security; ICE FIELD OFFICE DIRECTOR, SAN DIEGO, Respondents.

PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)

Petitioner ROBERTO MACEO RODRÍGUEZ, by and through his Next Friend and lawful wife, YANARIS RODRÍGUEZ TRUJILLO, a naturalized citizen of the United States, respectfully submits this ULTRA-EXTENSIVE Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his unlawful, prolonged, arbitrary, and unconstitutional immigration detention.

I. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody within the territorial jurisdiction of this Court at the Otay Mesa Detention Center, 7488 Calzada de la Fuente, San Diego, California 92154. Venue is proper in this District.

II. PARTIES

Petitioner ROBERTO MACEO RODRÍGUEZ is a Cuban national, born [Redacted] Next Friend YANARIS RODRÍGUEZ TRUJILLO is Petitioner's wife, born [Redacted] a naturalized United States citizen residing in Houston,

III. FACTUAL AND PROCEDURAL BACKGROUND

Petitioner lawfully entered the United States on March 31, 2022. Following his entry, he was released under an Order of Supervision (Form I-220B) and fully complied with all reporting requirements, including annual in-person check-ins with ICE.

On August 5, 2025, while voluntarily appearing at a routine ICE check-in, Petitioner was suddenly and arbitrarily arrested without a judicial warrant, without criminal charges, and without any individualized determination of flight risk or danger.

Petitioner previously endured 84 days of detention under inhumane conditions, during which he suffered daily illness, lack of adequate medical care, and contracted COVID-19. This prior detention caused lasting physical and psychological harm.

Petitioner currently has a removal appeal pending before the Board of Immigration Appeals and an I-485 Application for Adjustment of Status under the Cuban Adjustment Act pending before USCIS. He has continuously attempted to regularize his immigration status.

IV. GOVERNING LEGAL FRAMEWORK

Immigration detention is civil in nature and must comply with the Due Process Clause of the Fifth Amendment. Detention that becomes prolonged, arbitrary, or punitive violates constitutional protections.

V. CONSTITUTIONAL AND STATUTORY VIOLATIONS

A. Prolonged Detention in Violation of Due Process.
Civil detention may not continue beyond the period

reasonably necessary to effectuate its purpose. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

B. Detention Without Judicial Warrant.

Petitioner was arrested without a judicial warrant while complying with ICE supervision, violating fundamental Fourth and Fifth Amendment principles.

C. Arbitrary and Punitive Detention.

Civil detention cannot be punitive. *Demore v. Kim*, 538 U.S. 510 (2003).

VI. EXPANDED FEDERAL JURISPRUDENCE

SUPREME COURT:

Zadvydas v. Davis, 533 U.S. 678 (2001);
Demore v. Kim, 538 U.S. 510 (2003);
Jennings v. Rodriguez, 583 U.S. ___ (2018).

NINTH CIRCUIT (CONTROLLING):

Rodriguez v. Robbins, 804 F.3d 1060 (9th Cir. 2015);
Casas-Castrillon v. DHS, 535 F.3d 942 (9th Cir. 2008);
Hernandez v. Sessions, 872 F.3d 976 (9th Cir. 2017);
Lopez v. Sessions, 901 F.3d 1071 (9th Cir. 2018).

OTHER CIRCUITS:

Diop v. ICE, 656 F.3d 221 (3d Cir. 2011);
Chavez-Alvarez v. Warden, 783 F.3d 469 (3d Cir. 2015);
Reid v. Donelan, 819 F.3d 486 (1st Cir. 2016);
Ly v. Hansen, 351 F.3d 263 (6th Cir. 2003).

VII. APPLICATION OF LAW TO PETITIONER

Petitioner presents no danger to the community, no flight risk, and has demonstrated consistent compliance with ICE supervision. His detention serves no legitimate civil purpose.

VIII. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

1. Grant this Petition for Writ of Habeas Corpus;
2. Order Petitioner's immediate release;
3. Alternatively, order an individualized bond hearing;
4. Grant any other relief deemed just and proper.

Respectfully submitted,



YANARIS RODRÍGUEZ TRUJILLO

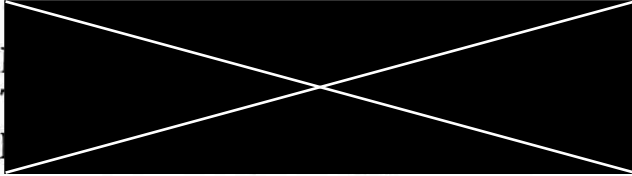
Next Friend and Wife of

ROBERTO MACEO RODRÍGUEZ

A#



Address:



Date: 31/12/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

ROBERTO MACEO RODRÍGUEZ, A# 
Petitioner,

v.

MERRICK B. GARLAND, Attorney General of the United States; ALEJANDRO MAYORKAS, Secretary of Homeland Security; ICE FIELD OFFICE DIRECTOR, SAN DIEGO, Respondents.

MOTION FOR IMMEDIATE RELEASE
(28 U.S.C. § 2241)

Petitioner ROBERTO MACEO RODRÍGUEZ, by and through his Next Friend and lawful wife, YANARIS RODRÍGUEZ TRUJILLO, respectfully moves this Honorable Court for an Order of Immediate Release from immigration detention. This Motion is submitted concurrently with Petitioner's Petition for Writ of Habeas Corpus and is based on the following:

I. PROCEDURAL POSTURE

Petitioner is currently detained at Otay Mesa Detention Center pursuant to civil immigration authority. Petitioner has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 challenging the legality of his detention.

II. RELEVANT FACTS

Petitioner was arrested on August 5, 2025, while voluntarily appearing at a routine ICE check-in under an Order of Supervision (Form I-220B). He was arrested without a judicial warrant, without criminal charges, and without any individualized finding of flight risk

Petitioner has a pending appeal before the Board of Immigration Appeals and a pending I-485 Application for Adjustment of Status under the Cuban Adjustment Act. He has consistently attempted to regularize his immigration status.

Petitioner previously endured prolonged detention under inhumane conditions, suffered medical neglect, and contracted COVID-19. Continued detention poses serious risks to his physical and mental health.

III. LEGAL STANDARD

Federal courts possess broad equitable authority to order immediate release where continued detention violates the Constitution. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

IV. ARGUMENT

A. Continued Detention Violates Due Process.
Petitioner's detention has become prolonged, arbitrary, and punitive in violation of the Fifth Amendment. Civil immigration detention may not continue beyond the period reasonably necessary to effectuate its purpose.

B. No Flight Risk or Danger.
Petitioner voluntarily complied with ICE supervision and appeared at all check-ins, demonstrating he is not a flight risk or danger to the community.

C. Immediate Release is the Appropriate Remedy.
Where detention is unconstitutional, immediate release is the proper remedy.
See *Rodriguez v. Robbins*, 804 F.3d 1060 (9th Cir. 2015).

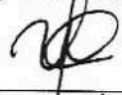
V. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court order his

resolution of his immigration proceedings.

VI. SIGNATURE

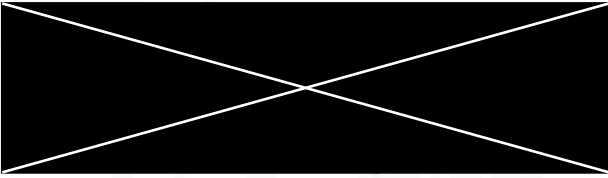
Respectfully submitted,



YANARIS RODRÍGUEZ TRUJILLO
Next Friend and Wife of
ROBERTO MACEO RODRÍGUEZ

A# 

Address:



Date: 12/31/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

ROBERTO MACEO RODRÍGUEZ, A# 
Petitioner,

v.

MERRICK B. GARLAND, Attorney General of the United States; ALEJANDRO MAYORKAS, Secretary of Homeland Security; ICE FIELD OFFICE DIRECTOR, SAN DIEGO, Respondents.

MOTION TO EXPEDITE CONSIDERATION OF PETITION FOR WRIT OF HABEAS CORPUS

Petitioner ROBERTO MACEO RODRÍGUEZ, by and through his Next Friend and lawful wife, YANARIS RODRÍGUEZ TRUJILLO, respectfully moves this Honorable Court to expedite consideration of his Petition for Writ of Habeas Corpus and accompanying Motion for Immediate Release. This Motion is based on the following facts and legal authority:

I. PROCEDURAL POSTURE

Petitioner is currently detained at the Otay Mesa Detention Center pursuant to civil immigration authority. Petitioner has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 and a Motion for Immediate Release.

II. GROUNDS FOR EXPEDITED CONSIDERATION

A. Ongoing and Irreparable Harm.

Petitioner remains unlawfully detained, suffering continued deprivation of liberty and ongoing emotional and psychological harm.

B. Serious Medical Concerns.

Petitioner previously suffered medical neglect in detention and contracted COVID-19.

Continued detention presents substantial health risks.

C. Strong Likelihood of Success on the Merits.

Petitioner was arrested without a judicial warrant while complying with ICE supervision (Form I-220B), has no criminal history, and disposes no flight risk, and has pending immigration relief.

D. Balance of Equities.

The balance of equities strongly favors expedited consideration, as Petitioner poses no danger or flight risk and the Government suffers no prejudice from prompt review.

III. LEGAL STANDARD

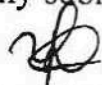
Federal courts possess inherent authority to manage their dockets and expedite consideration where justice so requires. See *Landis v. North American Co.*, 299 U.S. 248 (1936).

IV. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court expedite consideration of the pending Petition for Writ of Habeas Corpus and Motion for Immediate Release.

V. SIGNATURE

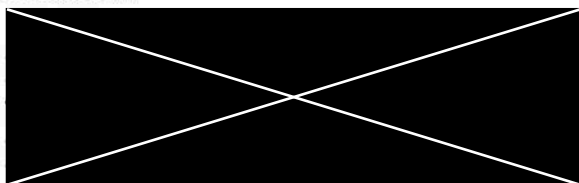
Respectfully submitted,



YANARIS RODRÍGUEZ TRUJILLO
Next Friend and Wife of
ROBERTO MACEO RODRÍGUEZ

A# 

Address:



Date: 12/31/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

ROBERTO MACEO RODRÍGUEZ, A# [REDACTED]
Petitioner,

v.

MERRICK B. GARLAND, Attorney General of the United
States, et al.,
Respondents.

DECLARATION OF YANARIS RODRÍGUEZ TRUJILLO
(IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS,
MOTION FOR IMMEDIATE RELEASE, AND MOTION TO EXPEDITE)

I, YANARIS RODRÍGUEZ TRUJILLO, hereby declare
and state as follows:

1. I am over eighteen (18) years of age, competent to
testify, and make this declaration based upon my personal
knowledge.

2. I am a naturalized citizen of the United States, born on
[REDACTED] I reside at
[REDACTED]

3. I am the lawful wife of ROBERTO MACEO
RODRÍGUEZ, A# [REDACTED] and I submit this
declaration as his Next Friend in support of his Petition for
Writ of Habeas Corpus.

4. My husband entered the United States on March 31,
2022 and has continuously attempted to regularize his
immigration status through lawful means. He has always
complied with all immigration requirements.

5. At the time of his arrest, my husband was under an Order
of Supervision (Form I-220B) and was reporting regularly
to ICE. On August 5, 2025, he was arrested without
warning while appearing voluntarily at a routine ICE

6. My husband was arrested without a judicial warrant, without criminal charges, and without any explanation. This arrest was extremely traumatic for our family.

7. My husband has no criminal history and has never posed a danger to the community or a flight risk. Prior to his detention, he was working and contributing financially to our household.

8. My husband was previously detained for approximately eighty-four (84) days under extremely harsh conditions. During that time, he was ill on a daily basis, received inadequate medical care, and contracted COVID-19.

9. His health significantly deteriorated during detention, and I fear that continued detention will cause him irreparable physical and psychological harm.

10. My husband currently has a pending appeal before the Board of Immigration Appeals and a pending I-485 Application for Adjustment of Status under the Cuban Adjustment Act. He has done everything within his power to resolve his immigration status lawfully.

11. Our family depends on my husband emotionally and financially. His continued detention has caused severe hardship to our household.

12. I respectfully request that this Honorable Court grant the Petition for Writ of Habeas Corpus, order my husband's immediate release, and expedite consideration of his case.

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

Executed on this 31 day of December, 2025, at

YANARIS RODRÍGUEZ TRUJILLO

Next Friend and Wife of
ROBERTO MACEO RODRÍGUEZ

A#



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

ROBERTO MACEO RODRÍGUEZ, A# 
Petitioner,

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MERRICK B. GARLAND, Attorney General of the United States; ALEJANDRO MAYORKAS, Secretary of Homeland Security; ICE FIELD OFFICE DIRECTOR, SAN DIEGO,
Respondents.

PROOF OF SERVICE

I, YANARIS RODRÍGUEZ TRUJILLO, declare as follows:

I am over the age of eighteen (18) years and not a party to this action other than in my capacity as Next Friend to the Petitioner. On the date indicated below, I caused to be served true and correct copies of the following documents:

- Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)
- Motion for Immediate Release
- Motion to Expedite
- Declaration of Next Friend

Service was made by depositing said documents in the United States Mail, first-class postage prepaid, addressed to the following parties:

CLERK OF THE COURT

Clerk of Court
United States District Court
Southern District of California
333 West Broadway, Suite 420
San Diego, CA 92101

Office of the Principal Legal Advisor (OPLA)
U.S. Immigration and Customs Enforcement
880 Front Street, Room 5255
San Diego, CA 92101

ICE FIELD OFFICE DIRECTOR

ICE Field Office Director
U.S. Immigration and Customs Enforcement
880 Front Street, Suite 2246
San Diego, CA 92101

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

Executed on this 31 day of December, 2025, at



YANARIS RODRÍGUEZ TRUJILLO
Next Friend and Wife of
ROBERTO MACEO RODRÍGUEZ

A#

