

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

EDUARDO JOSE BAEZ-RIVERA

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v.

CAUSE NO: 25-736

UNITED STATES OF AMERICA

ERO EL PASO CAMP EAST MONTANA

PETITION FOR A WRIT OF HABEAS CORPUS UNDER SECTION 28 U.S.C.

TO THE HONORABLE JUDGE OF SAID COURT

NOW COMES, EDUARDO JOSE BAEZ-RIVERA (A# , Petitioner, by and through his attorney of record and hereby files this Petition for Writ of Habeas Corpus Under Section 28 or the U.S. Code.

Petitioner is currently being held at ERO El Paso Camp East Montana (6920 Digital Road, El Paso, TX 79936).

Petitioner was apprehended on September 14, 2025, and has been in the custody of the United States Government since said date. Petitioner is Not currently a pre-trial detainee. Petitioner is Not serving a criminal sentence (State or Federal). Petitioner is Not serving a civil jail penalty.

Petitioner is a citizen of the Dominican Republic undergoing a process for status adjustment. Petitioner is married to YAHAIRA VALDEZ RODRIGUEZ, a legal permanent resident. Petitioner initially was pursuing relief from deportation. Petitioner was initially detained on or about December 26, 2017. Petitioner was subsequently presented with a Notice to Appear (NTA) dated Jan 12, 2018 and completed a credible fear interview on or about January 13, 2018. Petitioner received a favorable finding and was subsequently released on bond.

Petitioner then married his spouse on June 20, 2023. Because of his marriage Petitioner had an alternate form of relief: status adjustment based on marriage. In May 2024 Petitioner filed for status adjustment and filed his I-130. Petitioner received confirmation that the US Government received his request on or about May 21, 2024.

On or about June 10, 2024, Petitioner filed a Motion to Administratively close removal proceedings. Said request was granted.

Petitioner's application and I-130 has been received and processed by the US Government. The proceedings for adjusting of status for Petitioner continue in pending state. A deportation order has Not been issued against Petitioner. Petitioner is Not currently under a pending immigration charge, nor has he been served with a subsequent Notice to Appear. No appeal has been filed with the Board of Immigration Appeals.

Petitioner is challenging the basis and the legality of his detention. Petitioner has not been charged by indictment nor by information for any crime. Petitioner has not be provided with a court order for criminal nor civil detention. This is the first Petition for Writ of Habeas filed by Petitioner.

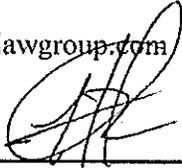
Petitioner contends that his person is wrongfully imprisoned/detained in violation of the rights provided to him by the U.S. Constitution. Petitioner will contend that No Court Order to hold him in custody, of any kind, exists that would support or justify the wrongful imprisonment/detaining of Petitioner.

Counsel moves this Court to consider this Petition and Order the immediate release of Petitioner from his detention by the U.S. Government.

WHEREFORE PREMISES CONSIDERED, Defendant prays that this Court consider this Petition and release of Petitioner from his detention by the U.S. Government.

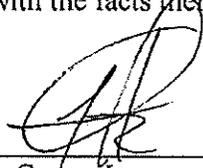
Respectfully Submitted

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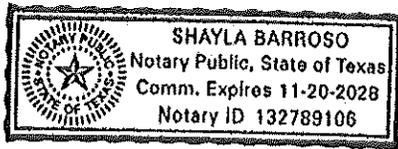
Verification

I have read the foregoing pleading and I am familiar with the facts therein stated which to the best of my knowledge are true and correct.



Hector R. Garza, Jr.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 18th day of December 2025.





Notary Public for the State of Texas