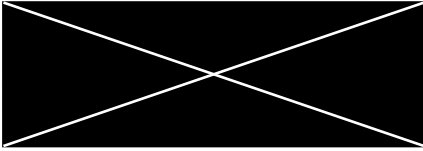


DEC 29 2025

Nathan Ochsner, Clerk of Court

RAUL SERGIO LOZANO,



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

RAUL SERGIO LOZANO, AS NEXT FRIEND OF §

DENIRETT CALLES CONTRERAS, §

A#  §

Petitioner, §

v. § CIVIL ACTION NO. _____

U.S. IMMIGRATION AND §

CUSTOMS ENFORCEMENT (ICE); §

FIELD OFFICE DIRECTOR, §

ICE SAN ANTONIO FIELD OFFICE; §

WARDEN, KARNES COUNTY §

IMMIGRATION PROCESSING CENTER, §

Respondents. §

PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

This Petition challenges the prolonged and unconstitutional immigration detention of Denirett Calles Contreras, a Venezuelan national currently in the custody of U.S. Immigration and Customs Enforcement at the Karnes County Immigration Processing Center in Karnes City, Texas. Petitioner respectfully seeks her immediate release.

CERTIFICATE OF SERVICE

I, Raul Sergio Lozano hereby certify that on this 27th day of December 2025, a true and correct copy of the foregoing Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 was served by United States Postal Service Certified Mail upon the following parties:

1. Clerk of Court

United States District Court
Southern District of Texas
Corpus Christi Division
1133 North Shoreline Boulevard
Corpus Christi, TX 78401

2. Office of the United States Attorney

Southern District of Texas
1000 Louisiana Street, Suite 2300
Houston, TX 77002

3. Karnes County Immigration Processing Center

Attn: Facility Administrator
409 FM 1144
Karnes City, TX 78118

4. U.S. Department of Homeland Security

Immigration and Customs Enforcement (ICE)
Office of the Principal Legal Advisor
Southern District of Texas
1000 Louisiana Street, Suite 700
Houston, TX 77002



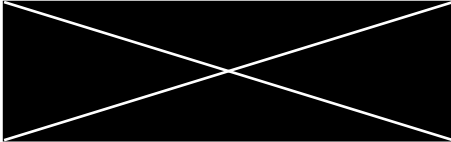
Raul Sergio Lozano

TABLE OF CONTENTS

- I. Emergency Petition for Writ of Habeas Corpus (28 U.S.C. §§ 2241 and 2242)
- II. Passport – Next Friend
- III. Driver's License – Next Friend
- IV. 2024 Federal Tax Return – Next Friend
- V. Passport – Denirett Calles Contreras
- VI. Form I-94 Arrival/Departure Record – Denirett Calles Contreras
- VII. Employment Authorization Document (EAD)
- VIII. Social Security Card
- IX. 2024 Federal Tax Return – Denirett Calles Contreras
- X. Proof of Filing – Form I-589 and Biometrics Notice for Form I-765
- XI. Marriage Certificate (Spanish) and Certified English Translation
- XII. Passport – Spouse
- XIII. Parole document– Spouse
- XIV. Passport, Form I-94, Social and Employment Authorization – Minor Child
- XV. Letters of recommendation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

RAUL SERGIO LOZANO,



as Next Friend of

DENIRETT CALLES CONTRERAS,

A# 

Petitioner,

v.

Civil Action No.

WARDEN, KARNES COUNTY IMMIGRATION PROCESSING CENTER

ICE FIELD OFFICE DIRECTOR

SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY

UNITED STATES ATTORNEY GENERAL

Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

I. INTRODUCTION

This is a Petition for Writ of Habeas Corpus challenging the unlawful and unconstitutional immigration detention of Denirett Calles Contreras, a citizen and national of Venezuela, who has been detained by U.S. Immigration and Customs Enforcement since approximately November 17, 2025.

Petitioner Raul Sergio Lozano, a United States citizen born in Mexico on January 31, 1968, respectfully files this Emergency Petition for Writ of Habeas Corpus as “Next Friend” of Denirett Calles Contreras (A#), who is currently detained at the Karnes County Immigration Processing Center in Karnes City, Texas (Building “Willod”).

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to Article I, Section 9, Clause 2 of the United States Constitution and 28 U.S.C. §§ 2241 and 2242 to review the lawfulness of immigration detention. This Petition is properly brought by Felixander Quintana Reyes, as Next Friend of Denirett Calles Contreras, who is unable to litigate this matter on her own behalf due to her current detention and deteriorating mental health.

Venue is proper in the Southern District of Texas, Corpus Christi Division, because Denirett Calles Contreras is detained at the Karnes County Immigration Processing Center in Karnes City, Texas, which is located within this District.

III. STATEMENT OF FACTS

Denirett Calles Contreras, who was born on November 20, 1990, is a citizen and national of Venezuela, and entered the United States on or about May 17, 2023. She was lawfully admitted to the United States on that date pursuant to a valid Form I-94, under Class of Admission VHP, with authorization to remain in the country until May 15, 2025. She has resided continuously in the United States for more than two years and filed an affirmative Form I-589, Application for Asylum and for Withholding of Removal, on May 14, 2024.

Ms. Calles Contreras has no criminal history, has never been deported from or required to depart voluntarily from the United States, and has consistently complied with all immigration requirements. She is currently employed as a W-2 employee with Nosoli, LLC, and has submitted character reference letters from nine (9) different individuals attesting to her good moral character and strong community ties.

On or about November 17, 2025, Ms. Calles Contreras was detained by ICE while engaged in a routine daily activity, specifically while pumping gas, despite having committed no crime and having violated no immigration condition.

I have known Ms. Calles Contreras for approximately three (3) years. Based on my personal knowledge, she is a law-abiding individual with strong community ties and no history of flight or noncompliance. These facts further demonstrate that her continued detention is unnecessary and bears no reasonable relationship to any legitimate civil immigration purpose.

IV. HUMANITARIAN AND FAMILY CIRCUMSTANCES

Denirett Calles Contreras is married to Julio Cesar Belloso Pirela (A# [REDACTED]), who was born on [REDACTED] and is a citizen and national of Venezuela. Both spouses were detained together by ICE on or about November 17, 2025, while engaged in a routine daily activity, specifically while pumping gas, despite the absence of any criminal conduct, threat to public safety, or violation of immigration conditions.

Ms. Calles Contreras and her husband are currently detained in ICE custody at the Karnes County Immigration Processing Center in Karnes City, Texas. Prior to their detention, Ms. Calles Contreras had resided in the United States for more than three (3) years and had established significant family and community ties.

The simultaneous detention of both parents has caused severe humanitarian hardship, profound emotional distress, and family separation. Most critically, it has left their minor child, César Antonio Belloso Calles, without the daily care, protection, and emotional support of either parent. Mr. Belloso Pirela has always been an active and present father in his son's life, providing guidance, affection, and stability, and teaching him values of respect and responsibility. César views his father as a role model, and the bond between father and son has been a vital source of emotional strength and hope for the entire family.

At present, the minor child is under the temporary care of Ms. Calles Contreras's sister, Danilett Maria Calles Contreras, who is visiting the United States from Spain. This arrangement is strictly temporary. Ms. Calles Contreras's sister resides permanently in Spain and is scheduled to return there on January 30, 2026. Once she departs, the minor child will be left without legal custody or parental supervision, as both parents remain detained.

This situation creates an immediate and grave humanitarian crisis, directly threatening the safety, emotional well-being, and best interests of a minor child. Immigration detention should not result in the abandonment, neglect, or endangerment of a child. These extraordinary humanitarian circumstances underscore the excessive and punitive nature of Ms. Calles Contreras's continued detention and strongly support her immediate release, at a minimum under less restrictive alternatives to detention, so that she may care for her child and preserve the integrity of her family.

V. LEGAL STANDARD

Immigration detention is civil in nature and may not become punitive. The Due Process Clause of the Fifth Amendment prohibits the federal government from depriving any person of liberty without due process of law, and this constitutional protection applies to all persons within the United States, including noncitizens. When civil detention becomes excessive, prolonged, or untethered from its legitimate regulatory purpose, it violates fundamental due process principles.

In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that immigration detention becomes unconstitutional when removal is not reasonably foreseeable, because continued confinement in such circumstances bears no reasonable relationship to its purported civil purpose. Detention may not be used as a means of punishment or indefinite confinement.

In *Demore v. Kim*, 538 U.S. 510 (2003), the Court upheld mandatory detention only for a narrow category of noncitizens with certain criminal convictions and only for brief and finite periods of time, conditions that are plainly not present in this case.

The Supreme Court further confirmed in *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018), that habeas corpus remains the appropriate procedural mechanism through which individuals may challenge unlawful and unconstitutional immigration detention.

Consistent with these principles, the Fifth Circuit has recognized that prolonged civil immigration detention must remain reasonably related to its regulatory purpose and may not operate as punishment. See *Andrade v. Gonzales*, 459 F.3d 538, 543 (5th Cir. 2006).

Additionally, the Supreme Court has made clear that even civil detention must be narrowly tailored to serve a compelling governmental interest and may not function as punishment. *United States v. Salerno*, 481 U.S. 739, 747 (1987). International principles prohibiting arbitrary detention, including those reflected in the International Covenant on Civil and Political Rights, further reinforce the constitutional mandate that detention not be excessive, unjustified, or indefinite.

When the foregoing legal principles are applied to the facts of this case, it becomes clear that Ms. Calles Contreras's continued detention exceeds the bounds of lawful civil immigration detention. This case does not involve a criminal noncitizen, a flight risk, or a threat to public safety. At the time of her detention, Ms. Calles Contreras was lawfully present in the United States, with a properly filed affirmative asylum application pending and valid employment authorization issued by the federal government. Instead, this case presents the extraordinary circumstance of both parents being simultaneously detained,

resulting in the effective abandonment and endangerment of a minor child. Such consequences underscore that the detention at issue is no longer regulatory in nature, but punitive in effect, and therefore incompatible with the Due Process Clause.

V.A. APPLICATION OF THE LEGAL STANDARD TO THIS CASE

Ms. Calles Contreras's continued detention violates due process because it is no longer reasonably related to any legitimate civil immigration purpose. She was lawfully present in the United States at the time of her detention, had an affirmative asylum application pending, and had been granted employment authorization, demonstrating that the federal government itself had determined she posed no risk and was eligible to remain and work in the community. She has no criminal history, has consistently complied with all immigration requirements, and poses no risk of flight or danger to the community.

Her detention therefore cannot be justified as necessary to ensure appearance at proceedings or to protect public safety. To the contrary, her history of compliance and lawful presence confirms that detention was unnecessary from its inception.

Moreover, Ms. Calles Contreras has a pending application for immigration relief, and her removal is not reasonably foreseeable. Under *Zadvydas v. Davis*, continued detention under such circumstances is unconstitutional because it bears no reasonable relationship to effectuating removal.

This case also falls far outside the narrow circumstances upheld in *Demore v. Kim*, which involved mandatory detention of certain criminal noncitizens for brief periods. Ms. Calles

Contreras is not subject to mandatory criminal detention, and her confinement has become prolonged and indefinite.

Most critically, the simultaneous detention of both parents has produced severe humanitarian consequences, leaving a minor child without parental care or legal custody. Detention that inflicts such harm exceeds any permissible civil purpose and operates as punishment, in direct violation of the Fifth Amendment and the principles articulated in *United States v. Salerno*.

Because Ms. Calles Contreras's detention is excessive, unnecessary, and untethered from any legitimate regulatory objective, habeas relief is warranted, and immediate release, or at minimum, release under appropriate conditions, is constitutionally required.

V.B. THE DETENTION OF MS. CALLES CONTRERAS IS UNLAWFUL

Ms. Calles Contreras's detention is illegal because it lacks statutory justification, violates constitutional due process, and is arbitrary in light of her lawful presence, compliance history, and pending immigration relief. Immigration detention is permissible only when authorized by statute and when it serves a legitimate civil purpose. Neither requirement is satisfied here.

1. Detention Without a Legitimate Statutory Basis

At the time of her detention, Ms. Calles Contreras was lawfully present in the United States, had a properly filed affirmative asylum application pending, and had been granted employment authorization by the federal government. She was not subject to mandatory

detention under any provision of the Immigration and Nationality Act, nor had she violated any condition of release or supervision.

Detaining a noncitizen who is in compliance with immigration requirements, who has been authorized to work, and who has a pending application for relief exceeds the scope of lawful civil detention and constitutes an unauthorized deprivation of liberty.

2. Arbitrary Detention in Violation of the Fifth Amendment

The Fifth Amendment prohibits arbitrary detention. Ms. Calles Contreras was detained without individualized findings that she posed a flight risk or danger to the community. She has no criminal history, has consistently complied with all immigration obligations, and was detained during a routine daily activity without provocation or violation.

Detention imposed under such circumstances is arbitrary and capricious, and therefore unconstitutional.

3. Detention Untethered From Any Legitimate Civil Purpose

Immigration detention is lawful only to ensure appearance at proceedings or to effectuate removal. Ms. Calles Contreras's detention serves neither purpose. She has demonstrated consistent compliance with immigration authorities, and her removal is not reasonably foreseeable due to her pending application for immigration relief.

Under *Zadvydas v. Davis*, detention that bears no reasonable relationship to removal is unconstitutional. Continued confinement here is therefore unlawful.

4. Detention Has Become Punitive in Effect

The detention of Ms. Calles Contreras has crossed the constitutional line from civil to punitive. The simultaneous detention of both parents has resulted in the effective abandonment and endangerment of a minor child, a consequence wholly incompatible with a regulatory civil purpose.

Under *United States v. Salerno*, civil detention must be narrowly tailored and may not function as punishment. Where detention inflicts severe humanitarian harm without advancing a legitimate governmental objective, it is unconstitutional.

5. Habeas Relief Is Required

Because Ms. Calles Contreras's detention is unauthorized by statute, arbitrary, excessive, and punitive, it violates the Due Process Clause of the Fifth Amendment. Habeas corpus relief under 28 U.S.C. § 2241 is therefore warranted, and immediate release is required as a matter of constitutional law.

VI. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant this Emergency Petition for Writ of Habeas Corpus.
2. Order the immediate release of Denirett Calles Contreras from ICE custody.
3. In the alternative, order her release under appropriate and less restrictive conditions of supervision, or a prompt, individualized, and constitutionally adequate bond hearing; and
4. Grant such other and further relief as this Court deems just and proper.

VII. VERIFICATION

I, Raul Sergio Lozano, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: 12/27/202 