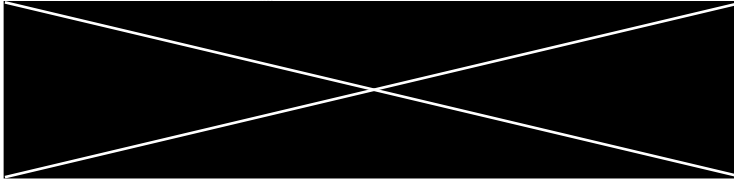


HAMZA TANTAU,



United States Courts
Southern District of Texas
FILED

DEC 29 2025

Nathan Ochsner, Clerk of Court

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

HAMZA TANTAU, AS NEXT FRIEND OF §

MIRBELIS RAMÍREZ DOMÍNGUEZ, §

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 Mirbelis Ramírez Domínguez, a Cuban 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, Rafael Hamza Tantau hereby certify that on this 26th 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

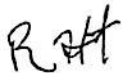
Southern District of Texas
1000 Louisiana Street, Suite 2300
Houston, TX 77002

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



Rafael Hamza Tantau

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

CORPUS CHRISTI DIVISION

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS (28 U.S.C. §§ 2241 and 2242)

Petitioner Rafael Hamza Tantau, a United States citizen, respectfully files this Emergency Petition for Writ of Habeas Corpus as “Next Friend” of Mirbelis Ramírez Domínguez (A# ) , a Cuban national, political dissident, and member of the Ladies in White movement, who is currently detained by U.S. Immigration and Customs Enforcement at the Karnes County Immigration Processing Center in Karnes City, Texas (Building “Willod,” Bed 8).

I. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. §§ 2241 and 2242 to review the lawfulness of immigration detention. This Petition is properly brought by Rafael Hamza Tantau as Next Friend of Mirbelis Ramírez Domínguez, 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 Mirbelis Ramírez Domínguez is detained at the Karnes County Immigration Processing Center, which is located within this District.

II. STATEMENT OF FACTS

Mirbelis Ramírez Domínguez is a Cuban national currently in the custody of U.S. Immigration and Customs Enforcement at the Karnes County Immigration Processing Center in Karnes City, Texas.

She was detained on July 15, 2025, during a routine ICE check-in, despite full compliance with all reporting requirements and the absence of any criminal record. She has consistently complied with all directives from immigration authorities and has never posed a danger to the community. Her continued detention has extended for a prolonged period of 164 days without an individualized determination justifying continued custody.

III. PENDING APPEAL BEFORE THE BOARD OF IMMIGRATION APPEALS

Mirbelis Ramírez Domínguez currently has a timely appeal pending before the Board of Immigration Appeals. As a result, her immigration case is not final, and the order of removal is not presently executable. Because the appeal remains pending, her removal is not reasonably foreseeable. Continued detention therefore no longer bears a reasonable relationship to its purported purpose.

IV. 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 protection applies to all persons

within the United States, including noncitizens. Detention that is excessive, indefinite, or untethered from its civil purpose violates constitutional due process principles.

In *Zadvydas v. Davis*, the Supreme Court held that immigration detention becomes unconstitutional when removal is not reasonably foreseeable, as continued confinement then bears no reasonable relationship to its purported purpose. In *Demore v. Kim*, the Court upheld mandatory detention only for a narrow category of noncitizens with criminal convictions and only for brief periods of time—conditions that are not present in this case.

The Supreme Court further confirmed in *Jennings v. Rodriguez* that habeas corpus remains the appropriate procedural mechanism to challenge unlawful and unconstitutional immigration detention. Consistent with these principles, the Fifth Circuit has recognized that prolonged civil detention must remain reasonably related to its regulatory purpose and may not operate as punishment. See *Andrade v. Gonzales*, 459 F.3d 538 (5th Cir. 2006).

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

V. ARGUMENT

Mirbelis Ramírez Domínguez's continued detention is unlawful because it no longer serves any legitimate civil immigration purpose and has crossed the constitutional line into

Mirbelis Ramírez Domínguez's continued detention is unlawful because it no longer serves any legitimate civil immigration purpose and has crossed the constitutional line into punitive confinement, in violation of the Due Process Clause of the Fifth Amendment. Immigration detention is permissible only to ensure a noncitizen's appearance at proceedings or to effectuate removal. Neither justification applies here. Ms. Ramírez Domínguez has a pending appeal before the Board of Immigration Appeals, rendering her removal not reasonably foreseeable. She has consistently complied with all immigration requirements, poses no risk of flight, and presents no danger to the community. Under these circumstances, continued detention bears no reasonable relationship to its purported purpose and therefore exceeds the government's constitutional authority.

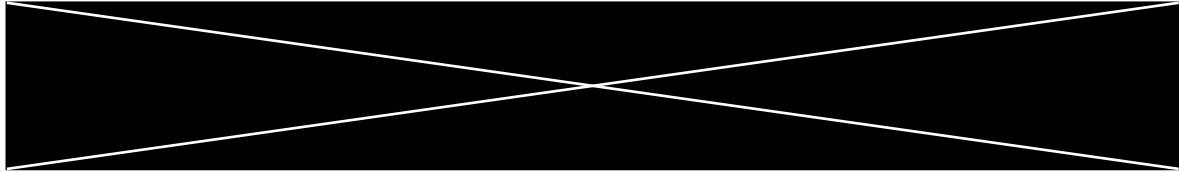
A. Continued Detention Lacks a Legitimate Civil Purpose

Ms. Ramírez Domínguez is a Cuban national born on [REDACTED] in Colón, Matanzas, Cuba. She departed Cuba on August 3, 2022, and arrived in the United States near Brownsville, Texas, on October 27, 2022. Upon her arrival, she was released by immigration authorities under an Order of Supervision (Form I-220A) and assigned Alien Registration Number A# [REDACTED]

She fled Cuba seeking protection after suffering [REDACTED]

[REDACTED] Ms. Ramírez Domínguez is [REDACTED]

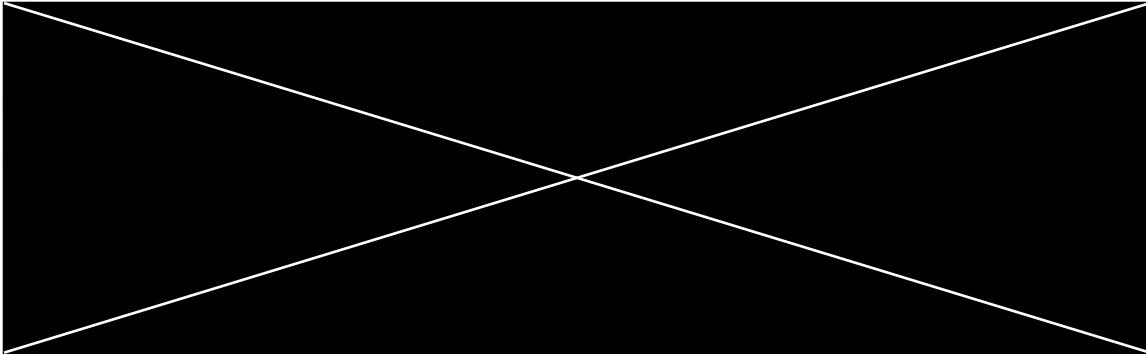
[REDACTED]




Following her release under supervision, Ms. Ramírez Domínguez fully complied with all conditions imposed by ICE. She reported voluntarily to every scheduled supervision appointment and remained under annual supervision without incident prior to her detention. Her consistent compliance demonstrates that detention is not necessary to ensure her appearance or protect the community.

B. Detention Is Not Reasonably Related to Removal

Ms. Ramírez Domínguez's fear of returning to Cuba is deep, genuine, and well-founded.



 These experiences caused significant psychological trauma, which has been substantially aggravated by her continued confinement in detention.

On July 15, 2025, Ms. Ramírez Domínguez was detained by ICE when she appeared voluntarily for a scheduled supervision appointment. She has remained in continuous ICE custody since that date and has now endured more than 164 days of detention.

While detained, Ms. Ramírez Domínguez pursued her application for asylum. On April 3, 2024, an Immigration Judge issued an order of removal, which was later affirmed on

November 26, 2025. On December 1, 2025, her attorney timely filed an appeal with the Board of Immigration Appeals (BIA). That appeal remains pending, and no briefing schedule has been issued. Because her appeal is unresolved, her removal is not reasonably foreseeable, and continued detention no longer bears a reasonable relationship to its stated purpose.

Availability of a Responsible Sponsor and Less Restrictive Alternatives”

As her Next Friend, I am fully willing and able to assume responsibility for Ms. Ramírez Domínguez upon her release. I am a United States citizen, steadily employed, and I have consistently complied with my own legal and tax obligations, including the regular filing and payment of federal income taxes. I have stable housing and the financial ability to support Ms. Ramírez Domínguez and ensure her compliance with any conditions of release imposed by this Court or by ICE.

My availability as a responsible sponsor further demonstrates that continued detention is unnecessary. Less restrictive alternatives to detention, including release under supervision or monitoring, are readily available and would adequately serve any legitimate governmental interest without subjecting Ms. Ramírez Domínguez to continued and punitive confinement.

As her Next Friend, I formally requested humanitarian parole and release from custody on behalf of Ms. Ramírez Domínguez pursuant to INA § 212(d)(5)(A) and 8 C.F.R. § 212.5(b), based on compelling humanitarian factors including her severe psychological trauma, deteriorating mental health, political persecution, and the availability of a

responsible sponsor. Despite the submission of supporting documentation, ICE failed to issue any written decision or meaningful response to that request.

ICE nevertheless contacted me directly by telephone to verify my identity, employment, residence, and willingness to serve as Ms. Ramírez Domínguez's sponsor. During that call, I confirmed my ability and readiness to assume full responsibility for her upon release, and ICE acknowledged that I was a verified and suitable sponsor. Notwithstanding this verification, Ms. Ramírez Domínguez remains detained without explanation or individualized assessment. ICE's failure to adjudicate the parole request, despite acknowledging the availability of a qualified sponsor, underscores that her continued detention is arbitrary, excessive, and inconsistent with due process.

VI. DETERIORATION OF MENTAL HEALTH

Since her detention, Mirbelis Ramírez Domínguez's mental health has deteriorated significantly. She suffers from severe anxiety, depression, and chronic insomnia, and she is currently prescribed the psychiatric medication Mirtazapine at a dosage of 50 mg, which is administered daily by medical staff at the detention facility.

As her Next Friend, I have personally visited Ms. Ramírez Domínguez on a consistent weekly basis, including every Sunday since her detention. Through these regular in-person visits, I have directly observed a progressive and alarming decline in her mental and emotional condition. I have witnessed increased disorientation, persistent anxiety,

emotional withdrawal, frequent episodes of uncontrollable crying, and a profound loss of hope. These symptoms have intensified over time and were not present prior to her prolonged confinement.

Based on my direct observations, continued detention has significantly exacerbated Ms. Ramírez Domínguez's underlying psychological trauma, including trauma resulting from political persecution and domestic violence. Her ongoing confinement has led to a marked deterioration of her mental stability and places her psychological health at serious and escalating risk, rendering her continued detention increasingly punitive in nature.

“...she is currently prescribed the psychiatric medication Mirtazapine at a dosage of 50 mg, which is administered daily by medical staff at the detention facility.”

VII. RELIEF REQUESTED

Petitioner respectfully requests that this Court:

1. Grant this Petition for Writ of Habeas Corpus.
2. Order the immediate release of Mirbelis Ramírez Domínguez from ICE custody.
3. In the alternative, order her release under appropriate conditions of supervision and monitoring; and

Grant any other relief the Court deems just and proper.

Date: December 17, 2025

Respectfully submitted,

RAFAEL HAMZA TANTAU

RHT

As Next Friend of

Mirbelis Ramírez Domínguez