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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**SANDRA RAQUEL RAMIREZ
VALENCIA,**
Petitioner,

v.

**PAM BONDI, Attorney General of the
United States of America, and,
KRISTI NOEM, Secretary of the
Department of Homeland Security,
and, TODD LYONS, Acting Director,
United States Immigration and
Customs Enforcement (ICE), and,
LUIS SOTO, Warden Delaney Hall
Detention Center,**
Respondents.

Case No.

**PETITION FOR WRIT OF
HABEAS CORPUS**

1 **INTRODUCTION**

2 1. Petitioner Sndra Raquel Ramirez Valencia (“Sandra Ramirez”, or “Petitioner”)
3 brings this petition for a writ of habeas corpus to seek enforcement of his rights as members of
4 the Bond Denial Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-
5 BFM (C.D. Cal.) Petitioner is in the physical custody of Respondents at the Delaney Hall
6 Detention Facility, located at 451 Doremus Avenue, Newark, New Jersey 07105. She now faces
7 unlawful detention because the Department of Homeland Security (DHS) and the Executive
8 Office for Immigration Review (EOIR) have refused to abide by the declaratory judgment issued
9 on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

10 2. Sandra Ramirez entered the United States on November 22, 2022, crossing the
11 U.S.-Mexico border at or near Eagle Pass, Texas. She was apprehended on the same date and
12 was released under a grant of temporary parole.

13 3. Petitioner was provided a reasonable fear interview on her asylum petition by a
14 U.S. Customs and Immigration Services asylum officer on December 2, 2025 at the Newark
15 Asylum Office located at Gateway 3, 100 Mulberry Street, Suite 199, Newark, New Jersey. At
16 the completion of the interview Immigration and Customs Enforcement (“I.C.E.”) agents entered
17 the office where the interview was conducted and took Petitioner into their custody.

18 4. Since her detention on December 2, 2025 Respondent has been detained without
19 the filing of a notice to appear, Form I-862. The result is that she has not been scheduled to
20 appear before an immigration judge to schedule her asylum hearing nor to seek bond.

21 5. On November 20, 2025, the district court granted partial summary judgment on
22 behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and
23 extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-
24

1 CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025)
2 (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista*
3 *v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at *9 (C.D.
4 Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible
5 Class, incorporating and extending declaratory judgment from Order Granting Petitioners'
6 Motion for Partial Summary Judgment).

7 6. The declaratory judgment held that the Bond Denial Class members are detained
8 under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under §
9 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

10 7. Nonetheless, the Executive Office for Immigration Review and its subagency, the
11 Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to
12 abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the
13 opportunity to be released on bond.

14 8. Petitioner Sandra Ramirez is a member of the Bond Eligible Class, as she:

- 15 a. does not have lawful status in the United States and is currently detained at the
16 Delaney Hall Detention Facility, Newark, New Jersey. He was apprehended by
17 immigration authorities on July 16, 2022;
18 b. entered the United States without inspection over three [3] years ago, was
19 apprehended and released following his arrival; and
20 c. is now detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

21 9. Subsequent to her detention on December 2, 2025 DHS has not placed her in
22 removal proceedings. She has therefore spent nearly four weeks in ICE detention without being
23 placed in removal proceedings pursuant to 8 U.S.C. § 1229a.

24 10. The Court should expeditiously grant this petition and release the Petitioner.

1 11. Petitioner also asks that she not be relocated to another detention facility, which
2 may complicate her access to, and ability to communicate directly with, her immediate family
3 and may interfere with her access and communication with legal representation, all of whom
4 who are located in New Jersey.

5 12. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full
6 “force and effect of a final judgment.” 28 U.S.C. § 2201(a). Nevertheless, Respondents continue
7 to flagrantly defy the judgment in that case and continue to subject Petitioner to unlawful
8 detention despite his clear entitlement to consideration for release on bond as a Bond Eligible
9 Class member.

10 13. Immigration judges have informed class members in bond hearings that they have
11 been instructed by “leadership” that the declaratory judgment in *Maldonado Bautista* is not
12 controlling, even with respect to class members, and that instead IJs remain bound to follow the
13 agency’s prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

14 14. Because Respondents are detaining Petitioner in violation of the declaratory
15 judgment issued in *Maldonado Bautista*, the Court should accordingly order that within one day,
16 Respondent DHS must release Petitioner.

17 15. Alternatively, the Court should order Petitioner’s release unless Respondents
18 provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

19 **JURISDICTION**

20 16. Petitioner is in physical custody of Respondents. Petitioner is detained at the
21 Delaney Hall Detention Center, Newark, New Jersey.

1 17. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28
2 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States
3 Constitution (the Suspension Clause).

4 18. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory
5 Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

6 **VENUE**

7 19. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-
8 500 (1973), venue lies in the United States District Court for the District of New Jersey, the
9 judicial district in which Petitioner currently is detained.

10 20. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because
11 Respondents are employees, officers, and agencies of the United States, and because a
12 substantial part of the events or omissions giving rise to the claims occurred in the District of
13 New Jersey.

14 **REQUIREMENTS OF 28 U.S.C. § 2243**

15 21. The Court should grant the petition for writ of habeas corpus “forthwith,” as the
16 legal issues have already been resolved for class members in *Maldonado Bautista*.

17 22. Habeas corpus is “perhaps the most important writ known to the constitutional
18 law . . . affording as it does a swift and imperative remedy in all cases of illegal restraint or
19 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the
20 writ usurps the attention and displaces the calendar of the judge or justice who entertains it and
21 receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208
22 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

1
2 23. Petitioner Sandra Ramirez is a citizen of Colombia who has been in immigration
3 detention since December 2, 2025. After Petitioner was arrested (at the completion of her asylum
4 interview) in Newark New Jersey, ICE did not set bond. Furthermore, Petitioner has not been
5 placed in removal proceedings pursuant to requested review of his custody by an IJ.

6 24. Respondent Todd Lyons is the Acting Director of the United States Immigration
7 and Customs Enforcement (ICE) and thus has authority over the Newark, New Jersey Field
8 Office Field Office of ICE’s Enforcement and Removal Operations division. As such, Todd
9 Lyons is the custodian of the Petitioner and is responsible for Petitioner’s detention and removal.
10 She is named in his official capacity.

11 1. Respondent Kristi Noem is the Secretary of the Department of Homeland
12 Security. She is responsible for the implementation and enforcement of the Immigration and
13 Nationality Act (INA), and oversees ICE, which is responsible for Petitioner’s detention. Ms.
14 Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

15 2. Respondent Department of Homeland Security (DHS) is the federal agency
16 responsible for implementing and enforcing the INA, including the detention and removal of
17 noncitizens.

18 3. Respondent Pamela Bondi is the Attorney General of the United States. She is
19 responsible for the Department of Justice, of which the Executive Office for Immigration Review
20 and the immigration court system it operates is a component agency. She is sued in her official
21 capacity.

1 4. Respondent Executive Office for Immigration Review (EOIR) is the federal
2 agency responsible for implementing and enforcing the INA in removal proceedings, including
3 for custody redeterminations in bond hearings.

4 5. Respondent LUIS SOTO is employed by the GEO Group (GEO Reentry Services,
5 LLC) as Warden of the Delaney Hall Detention Center, where Petitioner is detained. He has
6 immediate physical custody of Petitioner. He is sued in His official capacity.

7
8 **CLAIM FOR RELIEF**
9 **Violation of the INA:**
10 **Request for Relief Pursuant to *Maldonado Bautista***

11 1. Petitioner repeats, re-alleges, and incorporates by reference each and every
12 allegation in the preceding paragraphs as if fully set forth herein.

13 2. The Court should issue an Order requiring Respondents to immediately place
14 Petitioner into removal proceedings pursuant to 8 U.S.C. § 1229a.

15 3. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for
16 release on bond under 8 U.S.C. § 1226(a).

17 4. The order granting partial summary judgment in *Maldonado Bautista* holds that
18 Respondents violated the INA in applying the mandatory detention statute at § 1225(b)(2) to
19 class members.

20 5. The order granting class certification in *Maldonado Bautista* further orders that
21 “[w]hen considering this determination with the MSJ Order, the Court extends the same
22 declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.”

23 6. Respondents are parties to *Maldonado Bautista* and bound by the Court’s
24 declaratory judgment, which has the full “force and effect of a final judgment.” 28 U.S.C.
§ 2201(a).

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