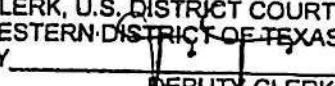


FILED

DEC 30 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 
DEPUTY CLERK

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MATEO FABRICIO GUERRERO ORDÓÑEZ,

Noncitizen Detainee,

A# 

SA25CA1943 FB

Currently Detained At:

Karnes County Immigration Processing Center

409 FM 1144

Karnes City, Texas 78118

Petitioner,

By and through his Next Friend,

Anita C. Ordóñez Lobato,

v.

MERRICK B. GARLAND, Attorney General of the United States;

U.S. Department of Homeland Security (DHS);

U.S. Immigration and Customs Enforcement (ICE);

Director of Karnes County Immigration Processing Center;

and any other official having custody of Petitioner,

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

AND EMERGENCY REQUEST FOR IMMEDIATE RELEASE OR ALTERNATIVE RELIEF

I. INTRODUCTION

Petitioner Mateo Fabricio Guerrero Ordóñez, A# [REDACTED] respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Mateo is a 21-year-old Ecuadorian national suffering from chronic epilepsy, a medically vulnerable condition requiring continuous monitoring, medication, and a stable, low-stress environment. His current detention at the Karnes County Immigration Processing Center violates the U.S. Constitution, federal statutory law, and binding Supreme Court precedent.

Mateo entered the United States legally as a minor on June 1, 2019, sponsored by his U.S.-citizen grandparents. He has strong roots in the country, including his parents, siblings, and extended family. He has lived in the United States for more than five years, has no criminal record, and is currently the derivative beneficiary of a pending asylum application under A# [REDACTED]

Despite his eligibility for release and overwhelming positive equities, Mateo has been subjected to prolonged and unjustified detention. His arrest stemmed from a traffic citation issued in another city in 2023, for which he was never notified of a court date. The missed hearing led to an arrest warrant without his knowledge. On October 20, 2025, during a traffic stop, he was taken into custody. His mother paid the required bond; however, ICE placed a detainer and assumed custody on October 22, 2025.

Mateo was transferred to the Alligator/Alcatraz Detention Center, where he endured degrading treatment, lack of medical attention, and trauma. On November 11, he was moved to Karnes County. Despite presenting substantial evidence and demonstrating no flight risk or danger to the community, an immigration judge denied bond on December 2, 2025, improperly relying on the missed traffic appearance—despite the fact that Mateo never received notification.

This detention has caused severe deterioration in his health and mental well-being. The law does not permit indefinite, punitive, or medically unsafe civil detention. Mateo respectfully requests his immediate release.

II. PARTIES

Petitioner:

Name: Mateo Fabricio Guerrero Ordóñez

A#: [REDACTED]

Date of Birth: [REDACTED]

Nationality: Ecuadorian

Date of Entry to the United States: June 1, 2019

Date of ICE Detention: October 20, 2025

Current Detention Location:

Karnes County Immigration Processing Center

409 FM 1144

Karnes City, Texas 78118

Next Friend:

Name: Anita C. Ordóñez Lobato

Date of Birth: [REDACTED]

Relationship: Mother

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

III. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241, as Mateo challenges the legality of his civil immigration detention. Federal question jurisdiction exists under 28 U.S.C. § 1331. Venue is proper in this District because Petitioner is detained within the Western District of Texas, San Antonio Division. See *Rumsfeld v. Padilla*, 542 U.S. 426 (2004).

A habeas petition must be filed where the detainee is held, and where the immediate custodian—the warden—has authority. This Court holds jurisdiction over Petitioner’s custodians.

IV. FACTUAL BACKGROUND (EXTENSIVE)

A. Entry to the United States and Lawful Presence

Mateo entered the United States lawfully as a minor and was supported financially and emotionally by his U.S.-citizen grandparents. He attended school, integrated into the community, and demonstrated exemplary behavior.

B. Traffic Citation and Lack of Notice

In 2023, Mateo received a traffic citation while out of town. He never received information regarding:

- Court date
- Fine payment instructions
- Consequences of failure to appear

This procedural deficiency violates fundamental due process principles.

C. Arrest and ICE Custody

On October 20, 2025, Mateo was stopped for a traffic violation. The outstanding warrant—unknown to him—resulted in arrest. His mother paid the criminal bond; however, ICE immediately issued a detainer and took custody without legal justification.

D. Transfers and Deteriorating Conditions

Mateo was placed in Alligator/Alcatraz Detention Facility, where he suffered:

- Verbal mistreatment
- Lack of medical care
- High-stress environment dangerous for epilepsy
- Unsanitary conditions

On November 11, he was transferred to Karnes County, where conditions remain inadequate.

E. Bond Hearing and Denial

Despite:

- No criminal history
- Strong family support
- Pending asylum derivative status
- Medical vulnerability

The immigration judge denied bond on December 2, 2025, citing potential flight risk. This decision was incorrect and arbitrary because:

1. Mateo never received traffic court notice.
2. The missed hearing was not intentional.
3. He has deep community ties and no record.

This violates *Matter of Guerra*, *Singh v. Holder*, and *Hernandez v. Sessions*.

V. LEGAL ARGUMENTS

A. Violation of Fifth Amendment Due Process

Civil detention must be non-punitive and justified. See *Zadvydas v. Davis*, 533 U.S. 678 (2001). Mateo's detention serves no legitimate governmental purpose.

B. Prolonged Detention Is Unconstitutional

Under *Zadvydas*, when removal is not foreseeable—and here it is not due to pending asylum—the government cannot continue detention.

C. Defective Bond Hearing Violates Procedural Due Process

The IJ failed to consider:

- Lack of notice for traffic matter
- Medical vulnerability
- Extreme community ties

See *Singh v. Holder*, 638 F.3d 1196; *Gutierrez v. Holder*; *Hernandez v. Sessions*.

D. Medical Neglect Violates Constitutional Protections

Epilepsy requires treatment. Failure to treat violates *Estelle v. Gamble*, 429 U.S. 97.

E. Less Restrictive Alternatives Are Available

Electronic monitoring, parole, and check-ins satisfy government concerns.

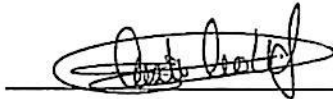
VI. REQUEST FOR RELIEF

Petitioner respectfully requests:

1. Immediate release from ICE custody;
2. Alternatively, a new constitutionally adequate bond hearing;
3. Judicial declaration that detention is unlawful;
4. Court-ordered medical evaluation and care;
5. Any other relief deemed appropriate.

VII. VERIFICATION

I, Anita C. Ordóñez Lobato, declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Anita C. Ordóñez Lobato", is written over a horizontal line.

Anita C. Ordóñez Lobato

Next Friend

Date: 12-19-2025

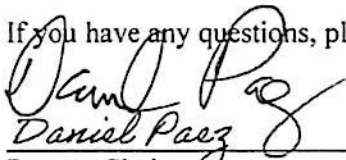
UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

BARRY D. KNIGHT
Clerk of Court

THE ENCLOSED DOCUMENTS ARE BEING RETURNED FOR THE FOLLOWING
REASON(S) INDICATED BELOW:

- The case number and case name are not indicated/do not correspond.
- The case referenced in this filing is not a case in the Western District of Texas.
- Texas Western Bankruptcy is a mandatory electronic filing court. Paper filings must be accompanied by a separate motion and proposed order seeking leave to file in paper. Faxed documents are not acceptable for filing.
- All fees shall be paid by cashier's check, money order, or check on an account of an attorney on record. A personal check will not be accepted from a Debtor or Debtor in Possession.
- Petitions must be filed with the prescribed filing fee, or an Application to Pay in Installments accompanied by half of the filing fee, or an application to have the Chapter 7 filing fee waived.
- Other: SENT EMERGENCY HABEAS CORPUS TO U.S. DISTRICT COURT
ATTN: DIANA GARCIA

If you have any questions, please call 210-472-6720


Daniel Paaz
Deputy Clerk

EXPLANATORY LETTER

IN SUPPORT OF THE PETITION FOR WRIT OF HABEAS CORPUS
FOR MATEO FABRICIO GUERRERO ORDÓÑEZ



Honorable Judge:

I respectfully submit this explanatory letter in support of the Petition for Writ of Habeas Corpus filed on behalf of Mr. Mateo Fabricio Guerrero Ordóñez, currently detained at the Karnes County Immigration Processing Center in Karnes City, Texas. This letter provides a detailed and comprehensive overview of the medical, humanitarian, procedural, and constitutional grounds that justify his immediate release or, in the alternative, a new bond hearing consistent with constitutional standards.

I. PURPOSE OF THIS LETTER

The purpose of this letter is to assist the Court by providing a clear, organized, and comprehensive explanation of the circumstances surrounding Mr. Guerrero's detention, the legal deficiencies in the prior proceedings, and the urgent risks that continued detention poses to his health and well-being. This letter further clarifies the inconsistencies in his immigration records due to dual Alien Numbers and demonstrates how this administrative error has adversely affected his case.

II. BACKGROUND OF THE PETITIONER

Mr. Guerrero is a 21-year-old Ecuadorian national who entered the United States legally as a minor on June 1, 2019. He was sponsored by his U.S.-citizen grandparents and has lived in this country for more than five years. He has deep family ties in the United States, including both parents, siblings, and grandparents who are all lawful residents or citizens.

Mr. Guerrero has no criminal history. He completed schooling in the United States and maintained a stable and supportive home environment. He is also the derivative beneficiary of a pending asylum case under Alien Number [REDACTED]. Despite this, ICE assigned him a second Alien Number ([REDACTED]) after his arrest, creating confusion, delays, and improper detention classification.

III. CIRCUMSTANCES LEADING TO DETENTION

In 2023, while on vacation, Mr. Guerrero received a traffic citation in a different city. He never received notice of the court date or the consequences of failing to appear. As a result, an arrest warrant was unknowingly issued.

On October 20, 2025, during a routine traffic stop, he was unexpectedly taken into custody. His mother immediately posted bond for the traffic matter. However, before he could be released, ICE placed a detainer and assumed custody on October 22, 2025.

IV. TRANSFERS AND CONDITIONS OF DETENTION

Mr. Guerrero was initially taken to the Alligator/"Alcatraz" Detention Center, where he experienced:

- Verbal mistreatment and degrading treatment
- Insufficient access to medical services
- Poor sanitary conditions
- High stress levels dangerous for epilepsy
- Lack of proper monitoring during seizures

On November 11, he was transferred to the Karnes County Immigration Processing Center. Although conditions improved slightly, he still does not receive the consistent neurological support, monitoring, and medication required for his chronic epilepsy.

V. MEDICAL VULNERABILITY

Mr. Guerrero suffers from chronic epilepsy, a neurological disorder requiring:

- Daily medication
- Regular monitoring

- Avoidance of stress triggers
- Immediate access to emergency medical intervention
- A stable, predictable environment

Detention facilities cannot provide this level of care. His condition puts him at risk of seizures, neurological deterioration, and life-threatening complications. The Supreme Court has long held that deliberate indifference to medical needs violates constitutional protections. See *Estelle v. Gamble*, 429 U.S. 97 (1976).

VI. DEFECTIVE BOND HEARING

On December 2, 2025, Mr. Guerrero appeared for a bond hearing. Despite substantial evidence of eligibility, the immigration judge denied bond, basing the decision solely on the missed traffic court appearance—an appearance for which he never received notice.

A constitutionally adequate bond hearing must consider:

- Whether notice was properly given
- The individual's medical vulnerability
- Family and community ties
- Criminal history (or lack thereof)
- Evidence of positive equities

See *Singh v. Holder*, 638 F.3d 1196 (9th Cir. 2011); *Hernandez v. Sessions*, 872 F.3d 976 (9th Cir. 2017).

The failure to consider these factors renders the hearing constitutionally defective.

VII. DUE PROCESS VIOLATIONS

Civil detention must be non-punitive. See *Zadvydas v. Davis*, 533 U.S. 678 (2001). Mr. Guerrero's detention serves no legitimate purpose. He is neither a danger nor a flight risk. All relevant constitutional standards have been violated:

- Substantive Due Process—detention is excessive and unjustified
- Procedural Due Process—bond hearing was flawed
- Medical Due Process—treatment is inadequate
- Administrative Due Process—dual A-numbers caused improper processing

VIII. ALTERNATIVES TO DETENTION

ICE has multiple less restrictive oversight frameworks:

- Electronic monitoring
- Phone check-ins
- Supervised release
- Parole under INA §212(d)(5)

Each is sufficient to ensure his compliance while protecting his health and safety.

IX. REQUEST FOR COURT RELIEF

For the reasons described above, the Court is respectfully asked to:

1. Order the immediate release of Mr. Guerrero; or
2. Order a new, constitutionally compliant bond hearing;
3. Direct ICE to ensure consistent medical evaluation and treatment;
4. Grant any additional relief the Court deems necessary.

X. DECLARATION

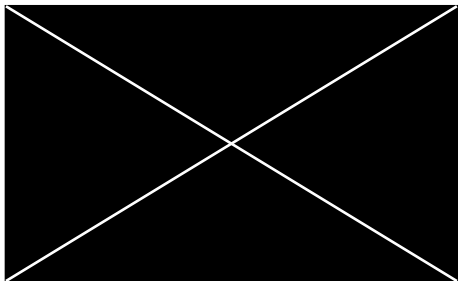
I, Anita C. Ordóñez Lobato, declare under penalty of perjury that the statements in this letter are true and based on my direct knowledge as the mother of the Petitioner.

Respectfully submitted,



Anita C. Ordóñez Lobato

Next Friend of Petitioner



Date: 12.19.2025

PROOF OF SERVICE

REGARDING THE PETITION FOR WRIT OF HABEAS CORPUS
FOR MATEO FABRICIO GUERRERO ORDÓÑEZ

A# 

I, Anita C. Ordóñez Lobato, hereby declare under penalty of perjury that on the date indicated below, I served true, correct, and complete copies of the following documents:

- Petition for Writ of Habeas Corpus Under 28 U.S.C. §2241
- Emergency Request for Immediate Release or Alternative Relief
- Supporting Exhibits (if any)
- Explanatory Letter

These documents were served via U.S. Postal Service (USPS) with proper postage and addressed to the following required parties:

1. Clerk of Court

United States District Court
Western District of Texas – San Antonio Division
655 E. César E. Chávez Boulevard
San Antonio, Texas 78206

2. U.S. Attorney for the Western District of Texas

Office of the United States Attorney
601 NW Loop 410, Suite 600
San Antonio, Texas 78216

3. Attorney General of the United States

Merrick B. Garland
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

4. U.S. Department of Homeland Security (DHS)

2707 Martin Luther King Jr. Ave SE
Washington, DC 20528

5. U.S. Immigration and Customs Enforcement (ICE)

Office of the Director
500 12th Street SW
Washington, DC 20536

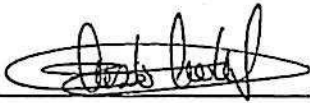
6. ICE Enforcement and Removal Operations (ERO) – San Antonio Field Office

8940 Fourwinds Drive
San Antonio, Texas 78239

7. Warden / Director of the Detention Facility Holding the Petitioner

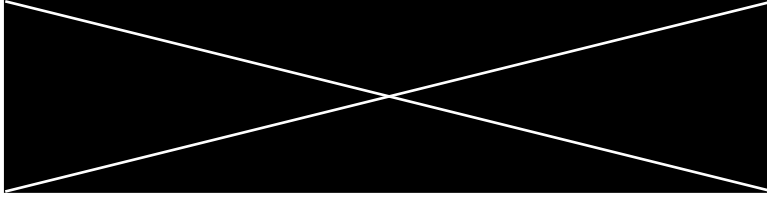
Karnes County Immigration Processing Center
409 FM 1144
Karnes City, Texas 78118

I declare that the foregoing is true and correct to the best of my knowledge.



Anita C. Ordóñez Lobato

Next Friend of Petitioner



Date: 12-19-2025