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U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

AND MOTION FOR IMMEDIATE RELEASE

Petitioner, by and through the undersigned Next Friend, respectfully submits this SUPER ULTRA EXTENSIVE Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, the Constitution of the United States, and binding Supreme Court and Third Circuit precedent.

I. PARTIES

DETAINEE:

Name: Elian Ovalle Estevez

A-Number: A [REDACTED]

Date of Birth: [REDACTED]

Nationality: Dominican

Date of Entry: December 20, 2023

Date of Detention: December 17, 2025

Current Detention Facility: Elizabeth Contract Detention Facility, New Jersey

NEXT FRIEND:

Name: Maria Verás

Date of Birth: [REDACTED]

Nationality: Dominican – Naturalized U.S. Citizen

Address: [REDACTED]

Phone: [REDACTED]

Email: mariaveras19730@gmail.com

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in federal custody under the authority of the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE). Venue is proper in the District of New Jersey because Petitioner is detained within this judicial district at Elizabeth Contract Detention Facility.

III. STATEMENT OF FACTS

On December 17, 2025, Petitioner was traveling to his place of employment when he was stopped by local police without reasonable suspicion or probable cause. Shortly thereafter, two unmarked vehicles arrived carrying masked agents who arrested Petitioner without a judicial warrant or lawful justification.

Petitioner was transferred into ICE custody in clear violation of the Fourth Amendment. At no time was Petitioner shown a warrant or informed of the legal basis for his arrest.

While detained at Elizabeth Contract Detention Facility, Petitioner has reported that food and water are restricted, creating inhumane and degrading conditions of confinement. Petitioner has no criminal record and poses no danger to the community.

IV. FAMILY AND COMMUNITY TIES

Prior to his detention, Petitioner was lawfully employed and financially self-sufficient, demonstrating that he was not and is not a public charge. He has strong family ties in the United States, including his aunt, a naturalized U.S. citizen, who has provided him with *continuous support*.

Petitioner and his family have been severely impacted emotionally and psychologically by his sudden and unlawful detention.

V. LEGAL ARGUMENTS

A. Fourth Amendment – Unlawful Arrest

Petitioner's arrest without probable cause or judicial warrant violates the Fourth Amendment. See *Almeida-Sanchez v. United States*, 413 U.S. 266 (1973).

B. Fifth Amendment – Due Process

Arbitrary detention without procedural safeguards violates due process. See *Zadvydas v. Davis*, 533 U.S. 678 (2001).

C. Prolonged and Arbitrary Detention

Continued detention without individualized review violates constitutional protections. See *Demore v. Kim*, 538 U.S. 510 (2003).

D. Unconstitutional Conditions of Confinement

Restriction of food and water violates due process standards. See *Bell v. Wolfish*, 441 U.S. 520 (1979).

VI. EXHAUSTION OF REMEDIES

Exhaustion of administrative remedies is excused due to constitutional violations and irreparable harm. See *McCarthy v. Madigan*, 503 U.S. 140 (1992).

VII. MOTION FOR IMMEDIATE RELEASE

Given the absence of lawful grounds for detention and the ongoing violations of Petitioner's constitutional rights, immediate release is warranted.

VIII. RELIEF REQUESTED

Petitioner respectfully requests that this Court:

1. Grant the Petition for Writ of Habeas Corpus;
2. Order immediate release;
3. Alternatively, order an individualized bond hearing;
4. Grant any other relief deemed just and proper.

IX. DECLARATION OF NEXT FRIEND

I, María Verás, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Signature: María Verás
Date: 30-12-2027