

FILED

JAN 05 2026

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

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

WILSON REYNALDO RAMOS LOPEZ §

A# [Redacted] §

Petitioner, Pro Se, §

v. §

§ CIVIL ACTION NO. \_\_\_\_\_

RENALDO CASTRO, Warden, §

South Texas ICE Processing Center; §

ICE SAN ANTONIO FIELD OFFICE DIRECTOR; §

SECRETARY, U.S. DEPARTMENT OF §

HOMELAND SECURITY; §

U.S. DEPARTMENT OF §

HOMELAND SECURITY; §

ATTORNEY GENERAL OF THE §

UNITED STATES; §

EXECUTIVE OFFICE FOR §

IMMIGRATION REVIEW, §

Respondents. §

SA26CA0059 JKP

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

## **INTRODUCTION**

1. Petitioner Wilson Reynaldo Ramos Lopez (“Petitioner”) is a twenty-three-year-old native and citizen of Honduras who has resided continuously in the United States since approximately April 2019.
2. Petitioner is currently detained by Immigration and Customs Enforcement (“ICE”) at the South Texas ICE Processing Center in Pearsall, Texas, where he has remained in continuous civil immigration detention since November 26, 2025.
3. Respondents are unlawfully detaining Petitioner without a bond hearing. ICE has alternately invoked mandatory detention under 8 U.S.C. § 1225(b) to deny bond, while simultaneously failing to provide any individualized custody determination under 8 U.S.C. § 1226(a).
4. This inconsistent and dual-track detention posture has resulted in prolonged civil detention without statutory authorization or constitutionally required procedural safeguards, in violation of the Immigration and Nationality Act (“INA”), the Administrative Procedure Act (“APA”), and the Due Process Clause of the Fifth Amendment.
5. Petitioner seeks a writ of habeas corpus requiring Respondents to immediately release him from custody or, in the alternative, to provide a constitutionally adequate bond hearing under 8 U.S.C. § 1226(a), at which the Government bears the burden of proof, within seven (7) days.

## **JURISDICTION**

6. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody in violation of the Constitution and laws of the United States.
7. This Court also has jurisdiction under 28 U.S.C. § 1331 because this action presents federal questions arising under the INA, the APA, and the Fifth Amendment.
8. Jurisdiction is further supported by Article I, Section 9, Clause 2 of the United States Constitution (the Suspension Clause).
9. Declaratory and injunctive relief are authorized by 28 U.S.C. §§ 2201–2202 and the All Writs Act, 28 U.S.C. § 1651.

## **VENUE**

10. Venue is proper in this Court pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493–500 (1973), because Petitioner is physically detained within this District.

11. Venue is also proper under 28 U.S.C. § 1391(e) because Respondents are officers and agencies of the United States and a substantial part of the events giving rise to this Petition occurred within this District.

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

12. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause “forthwith,” unless the Petition plainly shows that Petitioner is not entitled to relief. 28 U.S.C. § 2243.
13. If an order to show cause is issued, Respondents must file a return within three (3) days, unless for good cause additional time, not exceeding twenty (20) days, is allowed. *Id.*
14. Habeas corpus is intended to provide a swift and imperative remedy for unlawful restraint of liberty. *Fay v. Noia*, 372 U.S. 391, 400 (1963).

#### **PARTIES**

15. Petitioner Wilson Reynaldo Ramos Lopez, A# A203-493-959, is a Honduran national currently detained at the South Texas ICE Processing Center, 566 Veteran Drive, Pearsall, Texas 78061.
16. Respondent Renaldo Castro is the Warden of the South Texas ICE Processing Center and has immediate physical custody over Petitioner.
17. Respondent ICE San Antonio Field Office Director is responsible for Petitioner’s detention and custody determinations.
18. Respondent Secretary of the U.S. Department of Homeland Security is responsible for the administration and enforcement of the INA and oversees ICE.
19. Respondent Attorney General of the United States oversees the Executive Office for Immigration Review (“EOIR”) and the immigration court system.
20. Respondent Executive Office for Immigration Review is responsible for adjudicating removal proceedings and custody determinations.

#### **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

21. No statutory exhaustion requirement applies to habeas petitions brought under 28 U.S.C. § 2241. See *Montano v. Texas*, 867 F.3d 540, 542 (5th Cir. 2017).
22. Exhaustion is excused as futile because neither an Immigration Judge nor the Board of Immigration Appeals has jurisdiction to adjudicate constitutional claims or to invalidate unlawful detention policies. See *Matter of C-*, 20 I. & N. Dec. 529, 532 (BIA 1992).
23. Because Respondents have classified Petitioner as subject to detention under INA § 235(b), the Immigration Judge lacks jurisdiction to conduct a bond hearing. As a result, Petitioner has no available administrative mechanism through which to obtain review of his custody status.

24. This absence of jurisdiction is not the product of a discretionary determination by the Immigration Judge, but rather the direct consequence of Respondents' statutory classification, which forecloses custody review under the immigration court system. Accordingly, exhaustion of administrative remedies is futile, and federal habeas review is the only forum capable of addressing the legality of Petitioner's detention.

#### **FACTUAL BACKGROUND**

23. Petitioner entered the United States in April 2019 and has resided continuously in the country for approximately six (6) years.
24. On November 26, 2025, Petitioner was detained by ICE in San Antonio, Texas and transferred to the South Texas ICE Processing Center.
25. Petitioner has no criminal history that would subject him to mandatory detention under 8 U.S.C. § 1226(c).
26. Petitioner has a pending immigration court hearing scheduled for February 17, 2026.
27. Since the inception of his detention, ICE has not provided Petitioner with a bond hearing or any individualized custody determination.
28. ICE has alternately asserted that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b), despite his long-term interior presence and lack of any lawful basis to classify him as an arriving alien.
29. ICE has further offered Petitioner voluntary departure to countries of which he is not a national or lawful resident, underscoring the arbitrary and inconsistent administration of his detention.

#### **LEGAL FRAMEWORK — § 1225 VS. § 1226**

30. The INA establishes distinct detention regimes under 8 U.S.C. §§ 1225, 1226, and 1231.
31. Section 1226(a) governs the discretionary detention of noncitizens who are present in the United States and placed in removal proceedings under 8 U.S.C. § 1229a, and expressly provides for release on bond or conditional parole.
32. Section 1225(b) applies narrowly to arriving aliens and recent entrants seeking admission at or near a port of entry and does not govern long-term residents apprehended in the interior of the United States.
33. When detention is governed by § 235(b), Immigration Judges are divested of jurisdiction to conduct bond hearings. When detention is governed by § 1226(a), custody redetermination before an Immigration Judge is available.
34. Accordingly, the statutory classification applied by Respondents determines whether any custody review is possible. Where, as here, a noncitizen apprehended in the interior after years of residence is treated as subject to § 235(b), the result is mandatory detention without access to an Immigration Judge, raising serious statutory and constitutional concerns.

35. Supreme Court precedent confirms that § 1226(a), not § 1225(b), governs the detention of noncitizens already present in the United States during removal proceedings. *Jennings v. Rodriguez*, 583 U.S. 281, 289–90 (2018); *Johnson v. Arteaga-Martinez*, 596 U.S. 573, 579–80 (2022).
36. Even where the Government invokes § 1225(b), prolonged detention without meaningful review violates due process. *Zadvydas v. Davis*, 533 U.S. 678, 690–91 (2001).

#### **CLAIMS FOR RELIEF**

##### **COUNT I — VIOLATION OF THE INA (8 U.S.C. § 1226(a))**

35. Respondents unlawfully deny Petitioner an individualized bond hearing required by § 1226(a).
36. Petitioner is not subject to mandatory detention under § 1225(b) or § 1226(c).

##### **COUNT II — ADMINISTRATIVE PROCEDURE ACT**

37. Respondents' detention decision constitutes agency action that is arbitrary, capricious, and contrary to law in violation of 5 U.S.C. § 706(2)(A).

##### **COUNT III — PROCEDURAL DUE PROCESS**

38. Detention without a bond hearing deprives Petitioner of liberty without adequate procedural safeguards in violation of the Fifth Amendment. *Mathews v. Eldridge*, 424 U.S. 319 (1976).
39. The Due Process Clause requires that civil detention be accompanied by a meaningful opportunity to contest custody. When a statutory classification operates to eliminate all access to a custody hearing—without individualized assessment—the resulting detention becomes constitutionally suspect.

##### **COUNT IV — SUBSTANTIVE DUE PROCESS**

39. Continued detention bears no reasonable relationship to any legitimate governmental purpose and is therefore unconstitutional. *Zadvydas*, 533 U.S. at 690.

##### **ANTI-TRANSFER RELIEF**

40. Petitioner seeks an order prohibiting Respondents from transferring him outside the Western District of Texas during the pendency of this action so as to preserve this Court's jurisdiction.

##### **BURDEN ON THE GOVERNMENT**

41. At any bond hearing ordered by this Court, the Government must bear the burden of proving by clear and convincing evidence that Petitioner poses a flight risk or danger to the community.

**PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that this Court:

- a. Assume jurisdiction over this matter;
- b. Order Respondents to show cause forthwith why this Petition should not be granted, requiring a response within three (3) days, subject only to the statutory limitation that any extension for good cause may not exceed twenty (20) days;
- c. Order that Petitioner shall not be transferred outside the Western District of Texas while this habeas petition is pending, so as to preserve this Court's jurisdiction;
- d. Issue a Writ of Habeas Corpus requiring Respondents to immediately release Petitioner, or, in the alternative, provide Petitioner with an individualized bond hearing pursuant to 8 U.S.C. § 1226(a) within seven (7) days, at which the Government bears the burden of proof;
- e. Declare that Petitioner's continued detention is unlawful under the Immigration and Nationality Act, the Administrative Procedure Act, and the Due Process Clause of the Fifth Amendment; and
- f. Grant any other and further relief that this Court deems just and proper.

**VERIFICATION**

I, Wilson Reynaldo Ramos Lopez, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 2nd day of January, 2026.

/s/ Wilson Reynaldo Ramos Lopez  
Wilson Reynaldo Ramos Lopez  
A#   
South Texas ICE Processing Center  
566 Veteran Drive  
Pearsall, Texas 78061