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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

Merced Salazar Quintanilla,

Petitioner,

v.

JOSHUA JOHNSON, Field Office Director of  
Enforcement and Removal Operations, Dallas  
Field Office, Immigration and Customs  
Enforcement; KRISTI NOEM, Secretary, U.S.  
Department of Homeland Security; U.S.  
DEPARTMENT OF HOMELAND  
SECURITY; PAMELA BONDI, U.S. Attorney  
General; EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW; WARDEN OF  
BLUEBONNET DETENTION FACILITY

Respondents.

Case No.

**PETITION FOR WRIT OF  
HABEAS CORPUS**

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## INTRODUCTION

1. Petitioner, Merced Salazar Quintanilla, brings this petition for a writ of habeas corpus to seek enforcement of their rights as members of the Bond Denial Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.) Petitioner is in the physical custody of Respondents at the Bluebonnet Detention Facility. She now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) have refused to abide by the declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

2. On November 20, 2025, the district court granted partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at \*11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at \*9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners' Motion for Partial Summary Judgment).

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

4. Nonetheless, the Executive Office for Immigration Review and its subagency the Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to

1 abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the  
2 opportunity to be released on bond.

3 5. Petitioner, Merced Salazar Quintanilla, is a member of the Bond Eligible Class, as  
4 he:

- 5 a. does not have lawful status in the United States and is currently detained at the  
6 Bluebonnet Detention Facility. She was apprehended by immigration authorities  
7 on or about December 1, 2025;  
8 b. entered the United States without inspection over 21 years ago and was not  
9 apprehended upon arrival, *cf. id.*; and  
10 c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

11 6. After apprehending Petitioner on or about December 1, 2025, the DHS placed her  
12 in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being  
13 inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States  
14 without inspection.

15 7. The Court should expeditiously grant this petition.

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

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

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

4 11. Alternatively, the Court should order Petitioner's release unless Respondents  
5 provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

6 **JURISDICTION**

7 12. Petitioner is in the physical custody of Respondents. Petitioner is detained at the  
8 Bluebonnet Detention Facility in Anson, Texas.

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

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

14 **VENUE**

15 15. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-  
16 500 (1973), venue lies in the United States District Court for the Northern District of Texas, the  
17 judicial district in which Petitioner currently is detained.

18 16. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because  
19 Respondents are employees, officers, and agencies of the United States, and because a  
20 substantial part of the events or omissions giving rise to the claims occurred in the Northern  
21 District of Texas.



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

4 23. Respondent Pamela Bondi is the Attorney General of the United States. She is  
5 responsible for the Department of Justice, of which the Executive Office for Immigration Review  
6 and the immigration court system it operates is a component agency. She is sued in her official  
7 capacity.

8 24. Respondent Executive Office for Immigration Review (EOIR) is the federal  
9 agency responsible for implementing and enforcing the INA in removal proceedings, including  
10 for custody redeterminations in bond hearings.

11 25. Respondent, Warden of Bluebonnet Detention Facility, has immediate physical  
12 custody of Petitioner. He is sued in his official capacity.

13 **CLAIM FOR RELIEF**

14 **Violation of the INA:**

15 **Request for Relief Pursuant to *Maldonado Bautista***

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

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

20 28. The order granting partial summary judgment in *Maldonado Bautista* holds that  
21 Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class  
22 members.

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

