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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

RAUL BENITEZ REYES

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 CENTER

Respondents.

Case No.

**PETITION FOR WRIT OF
HABEAS CORPUS**

1 INTRODUCTION

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

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

18 3. The declaratory judgment held that the Bond Denial Class members are detained
19 under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under §
20 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

21 4. Nonetheless, the Executive Office for Immigration Review and its subagency the
22 Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to
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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, Raul Benitez Reyes, is a member of the Bond Eligible Class, as he:

- 4 a. does not have lawful status in the United States and is currently detained at the
5 Bluebonnet Detention Center. He was apprehended by immigration authorities on
6 October 23, 2025;
7 b. entered the United States without inspection over 20 years ago and was not
8 apprehended upon arrival, *cf. id.*; and
9 c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

10 6. After apprehending Petitioner on October 23, 2025, the DHS placed him in
11 removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being
12 inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States
13 without inspection.

14 7. The Court should expeditiously grant this petition.

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

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

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 Center at 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.

