

UNITED STATES DISTRICT COURT  
§ WESTERN DISTRICT OF TEXAS §  
SAN ANTONIO DIVISION §

FILED

JAN 07 2026

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

ISIDRO CAMPOS PADILLA,

A-Number: 

Petitioner,

v.

§  
§  
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§

WARDEN OF THE SOUTH TEXAS ICE PROCESSING CENTER; §

FIELD OFFICE DIRECTOR, §

ENFORCEMENT AND REMOVAL OPERATIONS, §

SAN ANTONIO FIELD OFFICE, §

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; §

SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY; §

U.S. DEPARTMENT OF HOMELAND SECURITY; §

ATTORNEY GENERAL OF THE UNITED STATES; §

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, §

Respondents. §

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

## INTRODUCTION

1. Petitioner Isidro Campos Padilla ("Petitioner" or "Mr. Campos") is a 38-year-old citizen of Mexico who entered the United States as a young teenager without lawful status and has since lived, worked, and built his entire adult life in this country. For more than two decades, Mr. Campos has been a hard-working, respected construction worker who specializes in residential construction and home projects. He is known as a reliable, diligent, and skilled laborer who provides for his family through honest work.
2. Most importantly, Mr. Campos is a devoted husband to a United States citizen wife and the father of United States citizen children. He is the primary economic and emotional pillar of his household. His family depends on him for financial stability, guidance, and daily support. His detention has caused immediate and severe hardship to his wife and children, who have been left without their main provider.
3. Mr. Campos has deep and longstanding ties to the United States. He has resided continuously in this country since his youth, established roots in his community, and built a life centered on work, family, and responsibility. Like many long-term residents who arrived at a young age, the United States is the only home he has truly known as an adult.
4. Mr. Campos is currently detained by Immigration and Customs Enforcement ("ICE") at the South Texas ICE Processing Center in Pearsall, Texas. Despite his extensive residence, strong family ties, lack of danger to the community, and eligibility to pursue immigration relief, he remains confined without a meaningful opportunity for release.
5. The sole criminal incident in Mr. Campos's past occurred when he was approximately seventeen (17) years old, more than two decades ago. He completed all requirements imposed at that time and has since lived a productive, law-abiding life. This decades-old juvenile conduct does not justify indefinite civil detention.
6. This Petition seeks immediate habeas relief. Mr. Campos respectfully requests that this Court issue an Order to Show Cause within three (3) days pursuant to 28 U.S.C. § 2243 and order his immediate release, or in the alternative, require the government to provide a lawful, individualized custody determination within seven (7) days, with no extension exceeding twenty (20) days.

## JURISDICTION

5. This Court has jurisdiction under 28 U.S.C. § 2241, 28 U.S.C. § 1331, and Article I, Section 9 of the United States Constitution.
6. Mr. Campos is in the physical custody of Respondents within the Western District of Texas, rendering jurisdiction and venue proper in this Court.

## **VENUE**

7. Venue is proper pursuant to 28 U.S.C. § 1391(e) and *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973), because Mr. Campos is detained in this judicial district and Respondents exercise custody here.

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

8. Under 28 U.S.C. § 2243, this Court must act forthwith. If an Order to Show Cause is issued, Respondents must respond within three (3) days unless the Court allows additional time not exceeding twenty (20) days.

## **PARTIES**

9. Petitioner Isidro Campos Padilla is a noncitizen currently detained by ICE.
10. Respondent Warden of the South Texas ICE Processing Center is the immediate physical custodian of Petitioner.
11. Respondent Field Office Director of ICE Enforcement and Removal Operations, San Antonio Field Office, is responsible for Petitioner's detention and custody decisions.
12. Respondent Secretary of Homeland Security oversees ICE and is responsible for enforcement of the INA.
13. Respondent Attorney General of the United States oversees the Executive Office for Immigration Review.
14. Respondent Executive Office for Immigration Review is responsible for immigration court proceedings affecting Petitioner.

## **EXHAUSTION**

15. No statutory exhaustion requirement applies to habeas petitions challenging immigration detention under 28 U.S.C. § 2241.
16. Any administrative remedies are inadequate or futile, as immigration courts and the Board of Immigration Appeals lack jurisdiction to grant constitutional relief or override unlawful detention frameworks.

## **FACTUAL BACKGROUND**

17. Mr. Campos has resided in the United States for many years and established a family life rooted in this country.
18. He is married to a U.S. citizen spouse and is the father of U.S. citizen children.
19. Mr. Campos has consistently worked in the construction industry and provided for his family through residential construction and manual labor. He has remained a reliable provider and source of financial support for his household. Prior to his detention, Mr. Campos retained legal counsel and a Form I-130, Petition for Alien Relative, was filed on his behalf by his United States citizen spouse, reflecting a

good-faith effort to pursue lawful immigration relief before he was taken into ICE custody. His detention has caused immediate and severe financial hardship, emotional distress, and instability to his U.S. citizen family members.

20. Mr. Campos does not present a danger to the community and is not a flight risk. His ties to family, home, and community ensure compliance with any conditions of release.

## LEGAL FRAMEWORK

### RESPONDENTS' RELIANCE ON MATTER OF YAJURE HURTADO IS CONTRARY TO LAW

22. Respondents' continued detention of Mr. Campos rests on the legal theory announced in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025), which reclassified long-term residents who entered the United States without lawful status as "applicants for admission" subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A), regardless of how long they have resided in the United States.
23. Under this theory, Immigration Judges are stripped of jurisdiction to conduct bond hearings under 8 U.S.C. § 1226(a), even for individuals like Mr. Campos who have lived in the United States for decades, established families, and been placed in standard removal proceedings under INA § 240.
24. *Matter of Yajure Hurtado* represents a sharp and unprecedented departure from decades of settled statutory interpretation and agency practice. For nearly thirty years following the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), individuals who entered without inspection but were later apprehended within the United States were detained pursuant to 8 U.S.C. § 1226(a) and afforded the opportunity to seek release on bond.
25. The BIA's decision in *Matter of Yajure Hurtado* conflicts with binding Supreme Court precedent. The Supreme Court has consistently recognized that 8 U.S.C. § 1226(a) governs the detention of noncitizens already present in the United States, while 8 U.S.C. § 1225 applies to individuals arriving at or near the border. See *Jennings v. Rodriguez*, 583 U.S. 281 (2018); *Johnson v. Arteaga-Martinez*, 596 U.S. 573 (2022).
26. Applying 8 U.S.C. § 1225(b)(2)(A) to Mr. Campos—who entered the United States as a teenager and has lived here for more than twenty years—contradicts the plain text, structure, and purpose of the Immigration and Nationality Act. Congress did not intend for long-term residents in § 240 removal proceedings to be treated as perpetual arriving aliens.
27. The retroactive application of *Matter of Yajure Hurtado* to Mr. Campos's case further violates due process. At the time Mr. Campos entered the United States and throughout his decades of residence, settled law and practice provided that individuals in his position were eligible for discretionary detention and bond under § 1226(a). Retroactively stripping him of that eligibility upends settled expectations and offends fundamental principles of fairness.
28. Numerous federal district courts, including courts within the Fifth Circuit and the Western District of Texas, have rejected Respondents' reliance on *Matter of Yajure Hurtado* and held that § 1226(a)—not § 1225(b)—governs the detention of long-term

- residents apprehended well after entry. These courts have repeatedly ordered bond hearings or release where the government relied on Hurtado to deny custody review.
29. Accordingly, Respondents' continued detention of Mr. Campos pursuant to Matter of Yajure Hurtado is unlawful, exceeds statutory authority, and violates the Constitution.

#### **ADMINISTRATIVE PROCEDURE ACT VIOLATIONS**

27. Respondents' application of an improper detention statute is arbitrary, capricious, and contrary to law in violation of 5 U.S.C. § 706(2)(A).
28. The decision to deny Mr. Campos a meaningful custody review departs from decades of agency practice and statutory interpretation without reasoned explanation.

#### **PROCEDURAL DUE PROCESS VIOLATIONS**

29. Mr. Campos has a fundamental liberty interest in freedom from physical restraint protected by the Due Process Clause of the Fifth Amendment.
30. Under *Maldonado-Bautista v. Garland*, prolonged immigration detention without an individualized custody determination violates due process where detention becomes unreasonable in duration and is not accompanied by adequate procedural safeguards.
31. Like the petitioner in *Maldonado-Bautista*, Mr. Campos has experienced prolonged civil detention without a bond hearing or meaningful custody review, despite strong equities favoring release, including longstanding residence, U.S. citizen family members, and the absence of flight risk or danger.
32. The government's continued detention of Mr. Campos without an individualized bond hearing impermissibly shifts the burden onto the detainee and results in a significant risk of erroneous deprivation of liberty.
33. Applying the *Mathews v. Eldridge* balancing test, Mr. Campos's private interest in liberty is substantial, the risk of erroneous deprivation is extreme without a bond hearing, and the government's interest in continued detention without review is minimal.
34. As in *Maldonado-Bautista*, due process requires, at a minimum, an individualized custody determination at which the government bears the burden of justifying continued detention.

#### **SUBSTANTIVE DUE PROCESS VIOLATIONS**

35. Mr. Campos's continued detention has become excessive, punitive, and divorced from any legitimate regulatory purpose.
36. Where detention is no longer reasonably related to ensuring appearance or protecting the community, it violates substantive due process. See *Zadvydas v. Davis*, 533 U.S. 678 (2001).
37. Mr. Campos poses no danger to the community and no flight risk, and his continued detention therefore cannot be justified under substantive due process principles.
38. Mr. Campos's detention serves no legitimate governmental purpose.
39. He poses no danger to the community and no flight risk.

40. Continued detention is punitive and unconstitutional.

**PRAYER FOR RELIEF**

WHEREFORE, Petitioner Isidro Campos Padilla respectfully prays that this Court:

- A. Accept jurisdiction over this Petition pursuant to 28 U.S.C. § 2241;
- B. Issue an Order to Show Cause forthwith, pursuant to 28 U.S.C. § 2243, directing Respondents to demonstrate within three (3) days why the writ should not be granted, with no extension exceeding twenty (20) days;
- C. Declare that Petitioner's ongoing detention violates the Immigration and Nationality Act, the Administrative Procedure Act, and the Due Process Clause of the Fifth Amendment;
- D. Issue a writ of habeas corpus requiring that Respondents **immediately release Petitioner from ICE custody**, 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 proving by clear and convincing evidence** that Petitioner's continued detention is justified.
- E. Enjoin Respondents from transferring or removing Petitioner from this Court's jurisdiction while this Petition is pending;
- F. Retain jurisdiction to ensure compliance with this Court's orders; and
- G. Grant such other and further relief as this Court deems just, proper, and equitable.

DATED: January 4, 2026

Respectfully submitted,

**/s/ Isidro Campos Padilla**

Isidro Campos Padilla, Petitioner

**VERIFICATION**

I, Isidro Campos-Padilla, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in this action; that I have read the foregoing Petition for Writ of Habeas Corpus; and that the facts stated herein are true and correct to the best of my knowledge, information, and belief.

Executed at Pearsall, Texas, on January 4, 2026.

**/s/ Isidro Campos Padilla**

Isidro Campos Padilla, Petitioner

Pro Se A-Number: 

South Texas ICE Processing Center

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