

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

MAR 25 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *Mei*
DEPUTY CLERK

JOSÉ DE JESÚS MORÁN GONZÁLEZ,

A# ,

Petitioner,

v.

TODD M. LYONS,

Acting Director, U.S. Immigration and Customs Enforcement,

PATRICK J. LECHLEITNER,

Deputy Director and Senior Official Performing the Duties of the Director, U.S. Immigration and
Customs Enforcement,

DANIEL H. RAGSDALE,

Executive Associate Director, Enforcement and Removal Operations,

SAMUEL WRIGHT,

Field Office Director, ICE Enforcement and Removal Operations, San Antonio Field Office,

FACILITY ADMINISTRATOR,

Karnes County Immigration Processing Center,

Respondents.

Civil Action No. 5:26-cv-00053

PETITIONER'S REPLY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner is currently subjected to ongoing civil immigration detention that has now extended to approximately **207 days as of March 24, 2026**, without any meaningful opportunity to obtain release and without any constitutionally adequate mechanism to challenge the legality of that continued confinement.
2. This case does not present a request for a bond hearing, nor does it seek to relitigate discretionary custody determinations before an immigration judge.
3. Rather, it presents a far more fundamental question: whether the Executive may continue to detain a person inside the United States for a prolonged and indeterminate period of time after the only available custody mechanism has already been pursued and denied, and where no meaningful review remains available.
4. Respondents attempt to reframe this case as a routine statutory detention matter governed exclusively by 8 U.S.C. § 1225(b), relying heavily on circuit precedent to argue that no bond hearing is required and that due process does not mandate additional procedures.
5. That framing misses the core issue.
6. Even assuming arguendo that the statutory scheme authorizes Petitioner's initial detention, **statutory authorization does not eliminate constitutional limits on prolonged civil confinement**, nor does it extinguish this Court's duty under the federal habeas statutes to ensure that detention remains lawful as applied.
7. Here, Petitioner has already pursued the only custody avenue the Government claims exists.
8. That request was denied.
9. As a result, Petitioner remains detained with **no remaining forum capable of meaningfully reviewing the legality of his continued confinement**.
10. The Government cannot simultaneously assert that no bond mechanism exists and then argue that Petitioner must exhaust non-existent or ineffective remedies before seeking habeas relief.
11. Such a position creates a situation in which Petitioner's continued detention is not subject to any meaningful judicial or administrative review, in a manner incompatible with the Constitution and the longstanding role of habeas corpus as a check on unlawful executive detention.

12. The Supreme Court has repeatedly confirmed that habeas corpus must remain a **real and effective remedy**, not a hollow formality. *Boumediene v. Bush*, 553 U.S. 723 (2008).
13. Likewise, the writ exists precisely to test the legality of detention where no other adequate mechanism for relief is available. *INS v. St. Cyr*, 533 U.S. 289 (2001); *Preiser v. Rodriguez*, 411 U.S. 475 (1973).
14. Civil immigration detention, while permissible in limited circumstances, must remain regulatory in nature and cannot become prolonged, arbitrary, or punitive without violating the Fifth Amendment. *Zadvydas v. Davis*, 533 U.S. 678 (2001); *United States v. Salerno*, 481 U.S. 739 (1987).
15. After 207 days of confinement, marked by continued detention without a meaningful opportunity for release, Petitioner's detention has crossed that constitutional line.
16. The issue before this Court is therefore not whether an immigration judge should reconsider custody, but whether the Constitution permits the Executive to continue detaining Petitioner under these circumstances at all.
17. Habeas corpus exists to answer that question, and the answer, as applied here, is no.

LEGAL FRAMEWORK GOVERNING HABEAS REVIEW

18. Federal courts possess jurisdiction under 28 U.S.C. § 2241 to review the legality of executive detention, including civil immigration confinement, and to order relief where such detention violates the Constitution or laws of the United States.
19. The writ of habeas corpus has long served as a fundamental safeguard against unlawful restraint, ensuring that the Executive remains subject to judicial oversight when depriving a person of liberty. *Preiser v. Rodriguez*, 411 U.S. 475 (1973).
20. This authority extends fully to immigration detention, where courts retain the responsibility to determine whether continued confinement is lawful as applied, regardless of the statutory framework invoked by the Government. *INS v. St. Cyr*, 533 U.S. 289 (2001).
21. The Supreme Court has made clear that habeas review must be both meaningful and effective, providing a genuine opportunity to test the legality of detention rather than a purely formal or illusory process. *Boumediene v. Bush*, 553 U.S. 723 (2008).
22. Where no adequate alternative mechanism exists to challenge continued detention, habeas corpus remains not only available but necessary to preserve constitutional guarantees. *Id.*

23. The scope of habeas review includes the authority to examine whether detention has become unlawful due to its duration, its conditions, or the absence of adequate procedural safeguards, even where initial detention may have been statutorily authorized. *Zadvydas v. Davis*, 533 U.S. 678 (2001).
24. The federal habeas statutes further impose an affirmative duty on courts to act promptly in resolving challenges to unlawful detention.
25. Under 28 U.S.C. § 2243, the Court is directed to address habeas petitions “forthwith” and to dispose of the matter as law and justice require, reflecting the urgent nature of claims involving ongoing loss of liberty.
26. This statutory command underscores that habeas proceedings are not intended to become protracted or delayed where the legality of detention is squarely presented and ripe for adjudication.
27. The judiciary’s role in this context is not to defer indefinitely to executive detention decisions, but to ensure that such detention remains within constitutional bounds and does not devolve into arbitrary or unchecked confinement.
28. Accordingly, where, as here, a petitioner has already pursued available custody mechanisms and remains detained without any meaningful avenue for review, the Court’s habeas authority is properly invoked to determine whether continued detention is lawful and to grant appropriate relief if it is not.

EXHAUSTION IS PRUDENTIAL AND HAS BEEN SATISFIED OR IS FUTILE

29. Respondents’ suggestion that this Court should decline review based on alleged failure to exhaust administrative remedies is misplaced both as a matter of law and as applied to the facts of this case.
30. It is well established that exhaustion in the context of federal habeas corpus under 28 U.S.C. § 2241 is **prudential, not jurisdictional**, and therefore does not bar judicial review where requiring exhaustion would be futile, inadequate, or incapable of providing meaningful relief. *Gallegos-Hernandez v. United States*, 688 F.3d 190 (5th Cir. 2012).
31. The Supreme Court has likewise recognized that exhaustion is not required where the available administrative process cannot provide the relief sought or where pursuing such remedies would be futile. *McCarthy v. Madigan*, 503 U.S. 140 (1992).

32. Here, even assuming arguendo that exhaustion were required, Petitioner has already pursued the only custody mechanism the Government contends is available.
33. That request for release was denied.
34. As a result, Petitioner remains detained without any further meaningful administrative avenue through which to challenge the legality of his continued confinement.
35. The Government cannot simultaneously maintain that no bond hearing or custody review is available under the governing statutory framework and then argue that Petitioner must exhaust additional remedies that do not exist in any meaningful sense.
36. Such a position creates a structural contradiction that underscores, rather than defeats, the necessity of habeas review.
37. Where the administrative scheme provides no adequate mechanism to test the legality of continued detention, exhaustion is not only unnecessary but inapplicable.
38. Requiring further exhaustion under these circumstances would serve no purpose other than delay, effectively insulating ongoing detention from judicial review in a manner inconsistent with the Constitution and the role of habeas corpus.
39. Accordingly, Petitioner has either satisfied any applicable exhaustion requirement or is excused from it as a matter of law, and this Court may properly proceed to adjudicate the merits of his challenge to continued detention.

**HABEAS CORPUS PROVIDES THE ONLY MEANINGFUL AVENUE FOR REVIEW
OF PETITIONER'S DETENTION**

40. Respondents' position, taken as a whole, results in Petitioner's continued detention proceeding without any meaningful opportunity for judicial or administrative review.
41. On the one hand, the Government asserts that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b), and therefore is not entitled to a bond hearing or any discretionary custody determination before an immigration judge.
42. On the other hand, Respondents contend that this Court should decline habeas review, effectively leaving Petitioner without any forum capable of evaluating the legality of his ongoing confinement.
43. This dual position cannot be reconciled with the Constitution or the historic function of the writ of habeas corpus.

44. The Supreme Court has made clear that habeas corpus must provide a **meaningful opportunity to test the legality of executive detention**, and cannot be reduced to a hollow or symbolic remedy. *Boumediene v. Bush*, 553 U.S. 723 (2008).
45. Where a statutory scheme, as applied, provides no adequate mechanism to challenge continued detention, the writ must remain available to ensure that constitutional limits are not violated. *INS v. St. Cyr*, 533 U.S. 289 (2001).
46. The Government's position here would result in executive detention that is effectively insulated from meaningful review.
47. If accepted, Respondents' argument would permit prolonged and potentially indeterminate detention without any meaningful process through which that detention may be tested.
48. Such a framework is incompatible with the fundamental principle that liberty may not be restrained without the opportunity for judicial review.
49. Habeas corpus exists to ensure that courts retain the authority to examine whether continued detention remains lawful as applied, even where Congress has authorized initial detention under a statutory scheme.
50. Accordingly, this Court's intervention is not only appropriate but necessary to ensure that Petitioner's continued confinement is subject to meaningful judicial review and remains within constitutional bounds.

STATUTORY AUTHORITY DOES NOT ELIMINATE CONSTITUTIONAL LIMITS ON DETENTION

51. Respondents rely heavily on the statutory framework of 8 U.S.C. § 1225(b) to argue that Petitioner's detention is authorized and therefore not subject to further judicial scrutiny.
52. Even assuming arguendo that Petitioner's initial detention falls within the scope of that statutory provision, **statutory authorization does not eliminate constitutional limitations on the duration and nature of civil confinement**.
53. The Supreme Court has repeatedly held that civil detention must remain consistent with the Due Process Clause and cannot be justified solely by reference to statutory language. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

54. In *Zadvydas*, the Court made clear that the Government's detention authority is subject to constitutional constraints and that prolonged detention raises serious due process concerns when it ceases to serve its regulatory purpose. *Id.*
55. Likewise, while the Government may detain noncitizens during the pendency of removal proceedings, such detention has been upheld only where it is of a limited duration and reasonably related to its regulatory goals. *Demore v. Kim*, 538 U.S. 510 (2003).
56. The Court in *Demore* emphasized the brief and finite nature of detention in that context, a premise that does not extend to prolonged or indeterminate confinement. *Id.*
57. Civil detention becomes constitutionally suspect when its duration is extended without adequate procedural safeguards or when it no longer bears a reasonable relation to its purported regulatory purpose.
58. The Government cannot rely on statutory authority to justify detention that, as applied, has become excessive, arbitrary, or effectively punitive.
59. The Constitution imposes an independent limitation requiring that deprivation of liberty be accompanied by adequate process and remain reasonably related to a legitimate governmental objective.
60. Accordingly, even if 8 U.S.C. § 1225(b) authorizes Petitioner's initial detention, it does not permit continued confinement that violates the Fifth Amendment or escapes meaningful judicial review.

**CIVIL IMMIGRATION DETENTION MUST REMAIN REGULATORY, NOT
PUNITIVE**

61. Civil immigration detention is constitutionally permissible only insofar as it serves a legitimate regulatory purpose and does not operate as punishment.
62. The Supreme Court has made clear that the distinction between regulatory detention and punitive confinement is central to the constitutional analysis of any deprivation of liberty. *United States v. Salerno*, 481 U.S. 739 (1987).
63. Under that framework, detention must be reasonably related to its nonpunitive purpose and may not be excessive in relation to that purpose. *Id.*
64. Where detention ceases to function as a regulatory measure and instead operates as prolonged, arbitrary, or excessive confinement, it violates the Due Process Clause.

65. The Constitution does not permit the Government to impose punishment without the protections afforded in criminal proceedings, regardless of the label attached to the detention. *Wong Wing v. United States*, 163 U.S. 228 (1896).
66. In the immigration context, detention is justified as a means of ensuring the orderly administration of removal proceedings, including securing attendance at hearings and facilitating removal where appropriate.
67. However, that justification weakens as detention becomes prolonged, particularly where delays are not attributable to the detainee and where no meaningful opportunity for release exists.
68. Prolonged detention under such circumstances begins to resemble punitive confinement, especially when it is no longer closely tied to the Government's asserted regulatory objectives.
69. The absence of any meaningful mechanism for release further underscores the punitive character of continued detention, as it leaves the detainee confined without a realistic path to regain liberty.
70. Here, after approximately 207 days of detention as of March 24, 2026, and in the absence of any effective avenue to obtain release, Petitioner's confinement has exceeded the bounds of permissible regulatory detention.
71. Accordingly, Petitioner's continued detention is no longer constitutionally valid as a regulatory measure and instead constitutes impermissible punitive confinement in violation of the Fifth Amendment.

PROLONGED DETENTION WITHOUT MEANINGFUL REVIEW VIOLATES DUE PROCESS

72. The Fifth Amendment prohibits the Government from depriving any person of liberty without due process of law, a protection that applies to all persons within the United States, regardless of immigration status.
73. Civil immigration detention, while permissible in limited circumstances, must be accompanied by adequate procedural safeguards and must remain reasonably related to its regulatory purpose.

74. Prolonged detention without a meaningful opportunity to obtain release or to challenge the legality of continued confinement violates these constitutional requirements.
75. The Supreme Court has recognized that civil detention becomes constitutionally problematic when it extends beyond a reasonable period or lacks sufficient procedural protections. *Zadvydas v. Davis*, 533 U.S. 678 (2001).
76. In *Zadvydas*, the Court emphasized that indefinite or potentially permanent detention raises serious due process concerns and cannot be sustained absent adequate justification. *Id.*
77. Similarly, due process requires that the Government provide a meaningful opportunity to be heard at a meaningful time and in a meaningful manner when liberty is at stake. *Mathews v. Eldridge*, 424 U.S. 319 (1976).
78. Where detention continues for a prolonged period without access to a meaningful mechanism for release, the procedural protections afforded are constitutionally insufficient.
79. Here, Petitioner has been detained for approximately **207 days as of March 24, 2026**, and has already pursued the only custody mechanism identified by the Government, which resulted in denial.
80. As a result, Petitioner remains confined without any meaningful opportunity to obtain release or to have the legality of his continued detention adequately reviewed.
81. The duration of Petitioner's detention, combined with the absence of meaningful procedural safeguards, renders his continued confinement constitutionally deficient.
82. Under these circumstances, due process requires judicial intervention to ensure that Petitioner's liberty is not restrained in a manner that is arbitrary, excessive, or fundamentally unfair.

DUE PROCESS PROTECTIONS APPLY TO PERSONS WITHIN THE UNITED STATES

83. The Fifth Amendment guarantees that no person shall be deprived of liberty without due process of law, and this protection extends to all persons physically present within the United States, regardless of immigration status.
84. The Supreme Court has long recognized that constitutional protections are not limited to citizens, but apply to all persons within the Nation's territorial jurisdiction. *Yick Wo v. Hopkins*, 118 U.S. 356 (1886).

85. While Congress possesses broad authority over matters of immigration and admission, that authority does not eliminate the applicability of the Due Process Clause to individuals who are physically present within the United States.
86. The Supreme Court has acknowledged that even noncitizens seeking admission may be entitled to due process protections depending on their ties to the United States and the circumstances of their presence. *Landon v. Plasencia*, 459 U.S. 21 (1982).
87. Respondents rely on cases addressing the limited rights of individuals at the threshold of entry to argue that Petitioner's constitutional protections are minimal or nonexistent.
88. Those cases, however, do not authorize prolonged detention within the interior of the United States without meaningful review or constitutional safeguards.
89. The present case does not involve an initial determination of admissibility at the border, but rather the continued detention of an individual who is physically present within the United States and subject to the protections of the Due Process Clause.
90. The Government cannot rely on formal classifications to circumvent constitutional limitations where the practical reality is that Petitioner remains detained within the United States without a meaningful opportunity to challenge that confinement.
91. Due process requires that liberty not be restrained arbitrarily, and that individuals be afforded a meaningful opportunity to challenge the legality of their detention.
92. Accordingly, Petitioner is entitled to the full protection of the Fifth Amendment with respect to the legality of his continued detention, and those protections require meaningful judicial review under the circumstances presented here.

**THE GOVERNMENT'S RELIANCE ON LIMITED-ENTRY DOCTRINE CASES IS
MISPLACED**

93. Respondents rely on precedent addressing the limited constitutional rights of individuals seeking admission at the threshold of entry to argue that Petitioner is not entitled to additional procedural protections.
94. Cases such as *Department of Homeland Security v. Thuraissigiam*, 591 U.S. ____ (2020), *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206 (1953), and *Nishimura Ekiu v.*

- United States*, 142 U.S. 651 (1892), arise in the context of initial entry or expedited removal and address the scope of review available in those specific circumstances.
95. Those decisions do not control the distinct question presented here, which concerns the constitutionality of prolonged civil detention within the United States after the only available custody mechanism has been pursued and denied.
96. In *Thuraissigiam*, the Court emphasized the narrow scope of habeas review in the context of expedited removal proceedings at or near the border, where the petitioner sought to expand the writ to obtain additional administrative review of an asylum determination. *Id.*
97. The present case is materially different.
98. Petitioner does not seek to alter the procedures governing admission or to expand the scope of review over immigration decisions.
99. Instead, Petitioner challenges the legality of continued detention itself, a core function historically within the scope of habeas corpus.
100. Likewise, *Mezei* and *Nishimura Ekiu* address the Government's authority over admission and exclusion, not the constitutionality of prolonged detention without meaningful review once an individual is physically present within the United States.
101. Even where Congress has broad authority over admission, that authority does not permit the Government to impose indefinite or prolonged detention without constitutional limitations or judicial oversight.
102. Respondents' reliance on these limited-entry doctrine cases therefore does not resolve the constitutional question presented, which is whether Petitioner's continued detention—after approximately **207 days as of March 24, 2026** and without meaningful review—remains lawful under the Fifth Amendment.
103. Properly understood, these precedents do not foreclose habeas relief in this case and do not authorize the continued detention challenged here.

HABEAS CORPUS REQUIRES A REAL AND EFFECTIVE REMEDY

104. The writ of habeas corpus is not a mere formality, but a substantive safeguard designed to ensure that unlawful detention is subject to meaningful judicial review and effective relief.

105. The Supreme Court has made clear that habeas must provide a **real and effective remedy** for unlawful executive detention, not a symbolic or illusory process. *Boumediene v. Bush*, 553 U.S. 723 (2008).
106. Where a detainee lacks any adequate mechanism to challenge continued confinement or to obtain release, habeas corpus serves as the essential vehicle through which the legality of detention must be tested. *INS v. St. Cyr*, 533 U.S. 289 (2001).
107. The writ historically extends to challenges to the fact and duration of detention, and it empowers courts to order release where continued confinement is found to be unlawful. *Preiser v. Rodriguez*, 411 U.S. 475 (1973).
108. The Supreme Court has further recognized that habeas relief must remain available where detention persists without adequate procedural safeguards or where no alternative forum provides meaningful review. *Carafas v. LaVallee*, 391 U.S. 234 (1968).
109. A system in which an individual may be detained for a prolonged period of time without any effective avenue to secure release is incompatible with the fundamental purpose of the writ.
110. Habeas corpus exists precisely to prevent such unchecked executive detention by ensuring that courts retain the authority to determine whether continued confinement remains lawful as applied.
111. Here, Petitioner has already pursued the only custody mechanism identified by the Government, which resulted in denial, and remains detained without any meaningful opportunity to obtain release.
112. Under these circumstances, limiting habeas relief or deferring further review would render the writ ineffective and would allow continued detention to persist without meaningful judicial oversight.
113. Accordingly, this Court must exercise its habeas authority to provide a real and effective remedy by determining the legality of Petitioner's continued detention and ordering appropriate relief where that detention is found to be unconstitutional.

SECTION 2243 REQUIRES PROMPT ADJUDICATION OF UNLAWFUL DETENTION

114. The federal habeas statute imposes a clear and mandatory duty on courts to address challenges to unlawful detention without delay.

115. Under 28 U.S.C. § 2243, the Court is directed to act “forthwith” in resolving habeas petitions and to dispose of the matter as law and justice require.
116. This statutory command reflects the fundamental principle that unlawful restraint of liberty demands immediate judicial attention and prompt resolution.
117. The Supreme Court has recognized that habeas corpus is intended to provide a swift and imperative remedy in cases of illegal detention. *Fay v. Noia*, 372 U.S. 391 (1963).
118. The structure of § 2243 underscores that habeas proceedings are not designed to become protracted or subject to unnecessary delay where the legality of detention is squarely presented.
119. Where, as here, the material facts are not in dispute and the issue before the Court is the legality of continued detention as applied, the matter is ripe for adjudication.
120. Petitioner has now been detained for approximately **207 days as of March 24, 2026**, and remains confined without any meaningful opportunity for release or effective review.
121. Continued delay in resolving the legality of this detention would only prolong an ongoing deprivation of liberty that is alleged to be unconstitutional.
122. Section 2243 therefore reinforces the Court’s obligation to address the merits of Petitioner’s claim promptly and to grant appropriate relief if the detention is found to be unlawful.
123. Under these circumstances, the statutory command of prompt adjudication weighs strongly in favor of immediate judicial determination of Petitioner’s entitlement to relief.

COUNTS

COUNT I – UNLAWFUL DETENTION IN VIOLATION OF THE FIFTH AMENDMENT

124. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
125. The Fifth Amendment to the United States Constitution prohibits the Government from depriving any person of liberty without due process of law.
126. This protection applies to all persons within the United States, regardless of immigration status, and imposes substantive and procedural limitations on the Government’s authority to detain. *Yick Wo v. Hopkins*, 118 U.S. 356 (1886).

127. Civil immigration detention is constitutionally permissible only where it remains reasonably related to its regulatory purpose and is accompanied by adequate procedural safeguards.
128. Petitioner has been detained for approximately **207 days as of March 24, 2026**, and remains confined without any meaningful opportunity to obtain release.
129. Petitioner has already pursued the only custody mechanism identified by Respondents, which resulted in denial, leaving him without any effective avenue to challenge the legality of his continued detention.
130. As a result, Petitioner's confinement has become prolonged, arbitrary, and no longer reasonably related to its asserted regulatory purpose.
131. The absence of any meaningful mechanism to obtain release or to challenge continued detention renders the process afforded constitutionally deficient.
132. The Supreme Court has made clear that civil detention may not become indefinite or excessive without violating due process. *Zadvydas v. Davis*, 533 U.S. 678 (2001).
133. Likewise, detention that is not reasonably related to a legitimate governmental objective or that becomes punitive in nature violates the Fifth Amendment. *United States v. Salerno*, 481 U.S. 739 (1987).
134. Petitioner's continued detention under these circumstances exceeds constitutional limits and constitutes an unlawful deprivation of liberty.
135. Accordingly, Respondents' continued detention of Petitioner violates the Due Process Clause of the Fifth Amendment and is unlawful as a matter of law.

COUNT II – DETENTION EXCEEDS CONSTITUTIONAL LIMITS ON CIVIL CONFINEMENT

136. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
137. Civil detention is constitutionally permissible only where it remains limited in duration and reasonably related to a legitimate regulatory purpose.
138. The Supreme Court has recognized that the Government's authority to detain in the civil immigration context is subject to constitutional limitations that prevent indefinite or excessive confinement. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

139. In *Zadvydas*, the Court held that civil detention becomes constitutionally suspect when it extends beyond a reasonable period and lacks sufficient justification. *Id.*
140. Similarly, while detention during removal proceedings may be authorized, it has been upheld only where it is brief and finite in nature. *Demore v. Kim*, 538 U.S. 510 (2003).
141. The constitutional validity of such detention depends on its reasonable duration and its continued connection to a legitimate regulatory objective.
142. Where detention becomes prolonged without meaningful procedural safeguards or without a realistic prospect of termination, it exceeds the bounds of permissible civil confinement.
143. Petitioner has been detained for approximately **207 days as of March 24, 2026**, a period that is no longer brief or finite and that has extended well beyond the temporal assumptions underlying permissible civil detention.
144. During this period, Petitioner has remained confined without any meaningful opportunity to obtain release and without access to a process capable of testing the legality of continued detention.
145. The absence of meaningful review, combined with the prolonged duration of confinement, renders Petitioner's detention excessive in relation to its asserted regulatory purpose.
146. Under these circumstances, Petitioner's continued detention can no longer be justified as a permissible regulatory measure and instead violates constitutional limitations governing civil confinement.
147. Accordingly, Respondents' continued detention of Petitioner exceeds constitutional limits and is unlawful as a matter of law.

COUNT III – DENIAL OF MEANINGFUL HABEAS REVIEW

148. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
149. The Constitution guarantees the availability of habeas corpus as a meaningful mechanism to challenge unlawful detention.
150. The Supreme Court has held that the writ must provide a **real and effective opportunity to test the legality of executive detention**, not a merely formal or illusory process. *Boumediene v. Bush*, 553 U.S. 723 (2008).

151. Habeas corpus extends to challenges to the fact and duration of confinement and authorizes courts to order release where detention is found to be unlawful. *Preiser v. Rodriguez*, 411 U.S. 475 (1973).
152. The availability of habeas relief is particularly critical where no adequate alternative forum exists to review continued detention. *INS v. St. Cyr*, 533 U.S. 289 (2001).
153. Here, Respondents' position leaves Petitioner without any meaningful avenue to challenge the legality of his continued confinement.
154. Petitioner has already pursued the only custody mechanism identified by Respondents, which resulted in denial, and no further administrative process exists to obtain release.
155. As a result, Petitioner remains detained without any effective mechanism to test the legality of his ongoing confinement outside of this habeas proceeding.
156. Limiting or denying habeas review under these circumstances would render the writ ineffective and would permit continued detention to proceed without meaningful judicial oversight.
157. The Constitution does not permit a framework in which an individual may be deprived of liberty for a prolonged period without access to a meaningful judicial remedy.
158. Accordingly, Respondents' continued detention of Petitioner without providing a meaningful opportunity for habeas review violates the Constitution and is unlawful as a matter of law.

COUNT IV – ULTRA VIRES EXECUTIVE DETENTION

159. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
160. The Executive Branch possesses only the authority granted by Congress and the Constitution, and any detention exceeding those limits is unlawful.
161. Even where a statute authorizes detention in the immigration context, that authority is constrained by constitutional requirements and must be exercised in a manner consistent with due process.
162. The Supreme Court has recognized that habeas corpus permits courts to review whether executive detention exceeds lawful authority and to order release where such detention is unauthorized or unconstitutional. *INS v. St. Cyr*, 533 U.S. 289 (2001).

163. Respondents rely on 8 U.S.C. § 1225(b) to justify Petitioner's continued detention.
164. However, that statutory provision does not authorize prolonged or indeterminate detention that lacks meaningful procedural safeguards or that violates constitutional limitations.
165. As applied here, Respondents' continued detention of Petitioner has exceeded any lawful authority conferred by statute because it has become prolonged, excessive, and unreviewable in any meaningful sense.
166. The Executive may not rely on statutory language to shield detention that, in practice, operates beyond constitutional bounds or without adequate judicial oversight.
167. Where detention is carried out in a manner that exceeds both statutory and constitutional limits, it is ultra vires and subject to correction through habeas corpus.
168. Petitioner has been detained for approximately **207 days as of March 24, 2026**, without any meaningful opportunity to obtain release and without any adequate mechanism to challenge the legality of continued confinement.
169. Under these circumstances, Respondents are acting beyond the scope of their lawful authority in continuing to detain Petitioner.
170. Accordingly, Petitioner's continued detention is ultra vires and unlawful as a matter of law.

COUNT V – ARBITRARY AND PUNITIVE DETENTION IN VIOLATION OF DUE PROCESS

171. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
172. The Fifth Amendment prohibits the Government from imposing arbitrary restraints on liberty and forbids the use of civil detention as a form of punishment.
173. Civil immigration detention must remain nonpunitive and reasonably related to a legitimate regulatory purpose in order to satisfy constitutional requirements. *United States v. Salerno*, 481 U.S. 739 (1987).
174. The Constitution does not permit the Government to impose punishment without the protections afforded in criminal proceedings, regardless of the label attached to the detention. *Wong Wing v. United States*, 163 U.S. 228 (1896).

175. Detention becomes arbitrary and punitive where it is prolonged without adequate justification, disconnected from its regulatory purpose, or imposed without meaningful procedural safeguards.
176. Petitioner has been detained for approximately **207 days as of March 24, 2026**, and remains confined without any meaningful opportunity to obtain release.
177. Petitioner has already pursued the only custody mechanism identified by Respondents, which resulted in denial, leaving him without any effective path to regain liberty.
178. The continued detention of Petitioner under these circumstances is not meaningfully tied to a legitimate regulatory objective and instead operates as prolonged and arbitrary confinement.
179. The absence of any meaningful mechanism for release further demonstrates the punitive character of Petitioner's continued detention.
180. Such detention exceeds constitutional limits and violates the Due Process Clause of the Fifth Amendment.
181. Accordingly, Respondents' continued detention of Petitioner constitutes arbitrary and punitive confinement and is unlawful as a matter of law.

COUNT VI – VIOLATION OF THE SUSPENSION CLAUSE

182. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
183. The Suspension Clause of the United States Constitution guarantees that the privilege of the writ of habeas corpus shall not be suspended except in limited and extraordinary circumstances not present here. U.S. Const. art. I, § 9, cl. 2.
184. The Supreme Court has held that the writ must remain available as a meaningful and effective mechanism to challenge unlawful executive detention. *Boumediene v. Bush*, 553 U.S. 723 (2008).
185. The constitutional protection afforded by the Suspension Clause ensures that individuals are not deprived of liberty without access to a judicial forum capable of testing the legality of their confinement.
186. A framework that eliminates any meaningful opportunity to obtain release or to challenge continued detention effectively suspends the writ as applied.

187. Here, Respondents assert that Petitioner is subject to mandatory detention without access to a bond hearing or any discretionary custody review.
188. At the same time, Respondents contend that habeas relief should be denied or limited, leaving Petitioner without any meaningful avenue to challenge the legality of his continued confinement.
189. Petitioner has already pursued the only custody mechanism identified by Respondents, which resulted in denial, and no further administrative process exists to obtain release.
190. As a result, Petitioner remains detained for approximately **207 days as of March 24, 2026**, without any effective mechanism to test the legality of that detention outside of this proceeding.
191. If the Government's position were accepted, Petitioner would be subjected to prolonged detention without any meaningful opportunity for judicial review or relief.
192. Such a result would render the writ of habeas corpus ineffective and would amount to an unconstitutional suspension of the writ as applied to Petitioner.
193. The Constitution does not permit the Government to deprive an individual of liberty while simultaneously foreclosing all meaningful avenues for judicial review.
194. Accordingly, Respondents' continued detention of Petitioner, combined with the absence of any meaningful mechanism to challenge that detention, violates the Suspension Clause and is unlawful as a matter of law.

PRAYER FOR RELIEF

Petitioner respectfully requests that this Court:

- a. grant the Petition for Writ of Habeas Corpus and declare that Petitioner's continued detention violates the Constitution and laws of the United States;
- b. order Petitioner's **immediate release from custody**, without remand for further administrative custody proceedings or bond determinations;
- c. declare that Respondents' continued detention of Petitioner, after approximately **207 days as of March 24, 2026**, and without any meaningful opportunity for release or review, is unlawful as a matter of law;

d. enjoin Respondents from re-detaining Petitioner absent lawful authority consistent with the Constitution and applicable federal law; and

e. grant such other and further relief as this Court deems just and proper under 28 U.S.C. §§ 2241 and 2243.

VERIFICATION

I, José de Jesús Morán González, am the Petitioner in the above-captioned action. I have read the foregoing Petition for Writ of Habeas Corpus and know the contents thereof.

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

Executed on March 24, 2026.

Jose De Jesus Moran Gonzalez

José de Jesús Morán González

A# 

Karnes County Immigration Processing Center

409 FM 1144

Karnes City, TX 78118