

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

JAN 05 2026

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

OSCAR OVIEDO DÍAZ,

Petitioner,

by Next Friend Agustín Quiñones Vargas,

v.

SA26CA0058 JKP

FACILITY DIRECTOR (WARDEN),

South Texas ICE Processing Center,

566 Veteran Drive,

Pearsall, Texas 78061,

Respondent.

PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241 — Immigration Detention)

I. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody within the Southern District of Texas.

2. Venue is proper in the San Antonio Division because Petitioner is detained at the South Texas ICE Processing Center, Pearsall, Texas, and the immediate custodian is located within this district.

II. PARTIES

3. Petitioner is Oscar Oviedo Díaz ("Petitioner" or "Mr. Oviedo"), a 68-year-old male currently detained by U.S. Immigration and Customs Enforcement (ICE).

4. Respondent is the Facility Director (Warden) of the South Texas ICE Processing Center, the immediate custodian with authority over Petitioner's detention and conditions of confinement.

III. STATEMENT OF FACTS

5. ICE records reflect that Mr. Oviedo Díaz reported for an ICE check-in appointment on July 17, 2025, at which time he was taken into ICE custody, and he has remained in civil detention since that date.

6. Mr. Oviedo is 68 years old and suffers from significant medical conditions requiring ongoing care, monitoring, and mobility assistance.

7. While in ICE custody, Mr. Oviedo has experienced dizziness, weakness, and near-fainting episodes, and has required assistance from others to walk to sick call or medical appointments.

8. Mr. Oviedo attends sick call for frequent blood-pressure checks, indicating ongoing cardiovascular monitoring needs.

9. Mr. Oviedo was previously provided with a wheelchair while in ICE custody.

10. The wheelchair was removed during a transport outside the facility and has not been restored.

11. ICE medical records reflect that after Mr. Oviedo Díaz was transported and later returned to ICE custody, he requested a wheelchair and/or walker due to ongoing mobility limitations, dizziness, and fall risk. ICE medical records further reflect that Mr. Oviedo was taken into custody without his walker, and that replacement or restoration of mobility assistance has remained pending and unavailable.

12. The records further reflect continued mobility impairment and the need for assistive assistance following his return.

13. Mr. Oviedo has also experienced lower-extremity edema, sciatica-related pain severe enough to limit ambulation, and periods where he was unable to perform self-care, requiring observation and nursing checks.

14. Medical records reflect the need for cardiology follow-up, compression stockings, and assistive devices such as a walker.

15. The interruption and non-restoration of mobility assistance, combined with Petitioner's age and medical condition, places Mr. Oviedo at a substantial and ongoing risk of serious harm.

16. According to information provided to Petitioner's family, Mr. Oviedo has not had his wheelchair restored since his return to ICE custody and has reported that requests for mobility assistance and sick call over multiple days have not resulted in medical evaluation or assistance.

17. According to information provided to Petitioner's family, at the time Mr. Oviedo reported for his ICE check-in appointment and was taken into custody, personal materials and records he had been maintaining over time were taken from him and have not been returned. Family members understand these materials to include accumulated documents related to his medical care and ongoing administrative matters.

IV. CLAIM FOR RELIEF

(Unlawful Detention Due to Inadequate Medical Care and Unsafe Conditions)

18. Civil immigration detention must comply with the Due Process Clause of the Fifth Amendment.

19. Continued detention becomes unlawful where the government fails to provide reasonably adequate medical care or subjects a civil detainee to conditions that pose a substantial risk of serious harm.

20. The removal and non-restoration of mobility assistance, despite documented mobility limitations and requests reflected in ICE medical records, results in inadequate medical care and unsafe conditions of confinement.

21. Petitioner's advanced age (68), cardiovascular monitoring needs, dizziness, near-falls, and impaired mobility establish a heightened and ongoing risk to his health and safety.

22. Under these circumstances, Petitioner's continued detention operates in a manner inconsistent with due process and is constitutionally impermissible.

V. IRREPARABLE HARM

23. Mr. Oviedo faces a real and immediate risk of serious injury, including falls, cardiovascular events, and other serious medical complications.

24. Such harm cannot be adequately remedied by monetary damages or after-the-fact relief.

25. Absent Court intervention, the risk of harm is ongoing and irreparable.

VI. APPLICABLE LEGAL FRAMEWORK

26. Prolonged civil detention without a realistic prospect of resolution raises serious due process concerns and requires heightened justification, including meaningful consideration of humanitarian and medical factors relevant to continued confinement.

VII. REQUEST FOR RELIEF

27. WHEREFORE, Petitioner respectfully requests that this Court:

(A) Issue the writ of habeas corpus;

(B) Order Respondent to immediately provide reasonably adequate medical care and necessary mobility assistance, including restoration of required assistive devices;

(C) Order Petitioner's immediate release from civil detention, or, in the alternative, order an expedited custody redetermination hearing before an Immigration Judge with authority to consider release under appropriate conditions; and

(D) Grant such other and further relief as the Court deems just and proper.

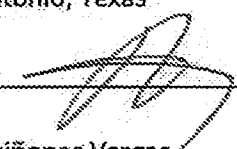
VIII. VERIFICATION (NEXT FRIEND)

I declare under penalty of perjury that I am acting as next friend to Petitioner Oscar Oviedo Díaz, who is currently detained and unable to timely sign this Petition prior to filing. I have a significant relationship with Petitioner, am dedicated to his best interests, and submit this Petition solely to protect his health, safety, and constitutional rights.

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

Executed on: 12-28-2025

At: San Antonio, Texas

Signature: 

Agustín Quiñones Vargas
Next Friend to Petitioner

Clerk of Court
United States District Court
Southern District of Texas
San Antonio Division

Re: Oscar Oviedo Díaz v. Facility Director (Warden)

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

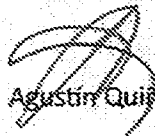
Dear Clerk:

Enclosed please find for filing a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, submitted by Agustín Quiñones Vargas as Next Friend to Petitioner Oscar Oviedo Díaz, who is currently detained at the South Texas ICE Processing Center in Pearsall, Texas.

This is a civil immigration habeas petition raising due process concerns related to inadequate medical care and unsafe conditions of confinement. The Petition includes a signed verification.

Kindly file and docket the enclosed materials. Thank you for your assistance.

Respectfully submitted,



Agustín Quiñones Vargas

Next Friend to Petitioner

Phone: 210-838-5579

Beybo67@gmail.com

EXHIBITS

The following documents are submitted in support of the Petition:

Exhibit A:

ICE Medical Record — Lower-extremity edema and documented fall risk
(Page 63 of 464) *(redacted)*

Exhibit B:

Unsworn Declaration of Agustín Quiñones Vargas
(Next Friend to Petitioner)

Exhibit C:

Unsworn Declaration of Michelle Díaz
(Family Member / Direct Observer)

Exhibit D:

Letter of Dr. Barbara Taylor, M.D.

Exhibit E:

Certificate of Mandatory Supervision