

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

PIERO ALESSANDRO SAENZ MONCADA,

Petitioner,

SOUTHERN DISTRICT OF MISSISSIPPI
FILED

JAN 21 2026

v.

ARTHUR JOHNSTON
BY DEPUTY

RAFAEL VERGARA,

in his official capacity as Warden of

Adams County Correctional Center,

and

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE),

Respondents.

Civil Action No.: 5:26-CV-19-DCB-BWR

PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

I. INTRODUCTION

1. Petitioner, PIERO ALESSANDRO SAENZ MONCADA, is currently detained by the United States Department of Homeland Security, Immigration and

Customs Enforcement ("ICE"), at Adams County Correctional Center, Natchez, Mississippi.

2. This Petition for Writ of Habeas Corpus is filed pursuant to 28 U.S.C. § 2241 to challenge the lawfulness of Petitioner's detention, which violates the Fifth Amendment to the United States Constitution, federal statutes, and fundamental principles of due process.
3. This Petition is filed by Estrella Leon Gurreonero, Petitioner's domestic partner, acting as Next Friend, as Petitioner is currently detained and unable to access the Court freely.
4. Petitioner seeks immediate judicial review of his detention and respectfully requests release, or alternatively, an immediate hearing to determine the legality of his continued custody.

II. JURISDICTION AND VENUE

5. This Court has jurisdiction under 28 U.S.C. § 2241.
6. Venue is proper in this District because Petitioner is detained within the Southern District of Mississippi.

III. PARTIES

7. Petitioner is PIERO ALESSANDRO SAENZ MONCADA.
8. Respondent Rafael Vergara is the Warden of Adams County Correctional Center and the immediate custodian of Petitioner.
9. Respondent U.S. Immigration and Customs Enforcement (ICE) is the agency responsible for Petitioner's detention.

IV. STATEMENT OF FACTS

10. On January 5, 2026, Petitioner was arrested by ICE agents.
11. ICE agents did not present a judicial warrant signed by a judge at the time of arrest.
12. Petitioner was arrested violently and with excessive force, despite posing no threat and offering no resistance.
13. Petitioner previously received a removal order entered in absentia due to lack of proper notice and procedural defects.
14. ICE executed the arrest and continues detention without prompt judicial review or consideration of less restrictive alternatives.
15. Petitioner remains detained without a bond hearing or individualized custody determination.

V. GROUNDS FOR RELIEF

COUNT I – Violation of Fifth Amendment Due Process

16. Petitioner's detention is arbitrary and unconstitutional.

COUNT II – Unlawful Arrest and Excessive Force

17. The manner of arrest renders continued detention unlawful.

COUNT III – Defective Prior Removal Order

18. The prior removal order is legally invalid due to lack of notice and due process violations.

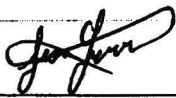
VI. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Issue a Writ of Habeas Corpus;
- B. Order Petitioner's immediate release;
- C. Alternatively, order an immediate bond hearing;
- D. Grant any other relief deemed just and proper.

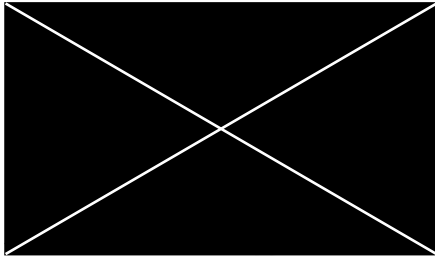
VII. VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.



Estrella Leon Gurreonero

Family Friend



Date: 01-08-2026

DECLARATION UNDER PENALTY OF PERJURY

I, Estrella Leon Gurreonero, declare as follows:

1. I am the friend of the family of Piero Alessandro Saenz Moncada.
2. On January 5, 2026, friend was detained by agents of Immigration and Customs Enforcement (ICE).
3. ICE agents did not show a judicial warrant signed by a judge at the time of arrest.
4. The arrest was conducted violently and with excessive force, despite no resistance.
5. This event caused severe emotional distress to my friend and to me.
6. To the best of my knowledge, the prior removal order was entered in absentia due to lack of proper notice.
7. I submit this declaration in support of the Petition for Writ of Habeas Corpus filed on his behalf.

I declare under penalty of perjury that the foregoing is true and correct.



Estrella Leon Gurreonero

Date: 01-08-2026

City and State: New Windsor, NY