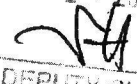


**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

MAILAINE ARIANNA PÉREZ GARCÍA,  
Petitioner,  
v.

WARDEN, MOSHANNON VALLEY ICE PROCESSING CENTER,  
Respondent.

FILED  
HARRISBURG, PA  
JAN 21 2026  
PER   
DEPUTY CLERK

**MOTION FOR IMMEDIATE RELEASE**

**I. INTRODUCTION**

Petitioner, by and through her Next Friend, respectfully moves this Honorable Court for an order of immediate release from custody. Continued detention violates the Constitution, federal law, and fundamental principles of liberty. Immediate release is the only adequate remedy.

**II. FACTUAL BACKGROUND**

Petitioner was arrested on August 26, 2025, without a warrant, without probable cause, and solely based on racial profiling. She was denied the opportunity to present valid identification and work authorization. She has no criminal history and has pending applications for asylum and Cuban Adjustment.

**III. LEGAL STANDARD**

Federal courts possess inherent authority to order immediate release where detention violates the Constitution. See *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Boumediene v. Bush*, 553 U.S. 723 (2008).

**IV. ARGUMENT**

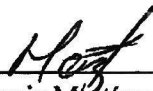
- A. Continued Detention Violates the Fourth Amendment.
- B. Continued Detention Violates Due Process.
- C. Petitioner Suffers Irreparable Harm.
- D. No Legitimate Government Interest Justifies Detention.

**V. RELIEF REQUESTED**

Petitioner respectfully requests that this Court order her immediate release from custody, or alternatively release under reasonable conditions.

**VI. CERTIFICATION**

I certify that this motion is made in good faith.

  
\_\_\_\_\_  
Liosvanis Martínez Clemente  
Next Friend for Petitioner  
Date: 01/13/2026