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FILED

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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

RAUL SERGIO LOZANO, AS NEXT FRIEND OF §

JULIO CESAR BELLOSO PIRELA, § 

Petitioner, §

v. §

SA26CA0329 XR
CIVIL ACTION NO. -----

United States Attorney Western District of Texas §

WARDEN, KARNES COUNTY §

IMMIGRATION PROCESSING CENTER §

Respondents. §

PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C.

This Petition challenges the prolonged and unconstitutional immigration detention of Julio Cesar Belloso Pirela, a Venezuelan national currently in the custody of U.S. Immigration and Customs Enforcement at the Karnes County Immigration Processing Center in Karnes City, Texas. Petitioner respectfully seeks her immediate release.

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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. §§ 2241 AND 2242

I. INTRODUCTION

This is an Emergency Petition for Writ of Habeas Corpus challenging the unlawful and unconstitutional immigration detention of Julio Cesar Belloso Pirela, a Venezuelan national currently detained by U.S. Immigration and Customs Enforcement (“ICE”) at the Karnes County Immigration Processing Center in Karnes City, Texas. Petitioner Raúl Sergio Lozano files this Petition as Next Friend because Mr. Belloso Pirela is detained and unable to litigate this matter on his own behalf.

Mr. Belloso Pirela has no criminal history, was detained on November 17, 2025, during a routine daily activity (while pumping gas), and has a pending affirmative asylum application (Form I-589). He was paroled into the United States pursuant to INA § 212(d)(5) after entering through the southern border, confirming that DHS previously determined he posed no danger and no flight risk. His continued detention serves no legitimate civil immigration purpose, has become punitive, and violates the Due Process Clause of the Fifth Amendment. Immediate release is warranted.

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. §§ 2241 and 2242 and Article I, Section 9, Clause 2 of the United States Constitution. Venue is proper in this District because Mr. Belloso Pirela is detained within this District and his immediate custodian is subject to this Court's jurisdiction.

III. PARTIES

Petitioner / Next Friend

Raúl Sergio Lozano, who has personal knowledge of Mr. Belloso Pirela's circumstances and has agreed to assume responsibility for his compliance upon release.

Detainee : Julio Cesar Belloso Pirela, , citizen and national of Venezuela.

Respondents

U.S. Immigration and Customs Enforcement; the ICE Field Office Director for San Antonio; and the Warden of the Karnes County Immigration Processing Center.

IV. STATEMENT OF FACTS

Julio Cesar Belloso Pirela was born on  and is a citizen and national of Venezuela. He entered the United States on or about August 14, 2022, through the southern border and was released by DHS under humanitarian parole pursuant to INA § 212(d)(5).

On February 20, 2023, Mr. Belloso Pirela filed an affirmative application for asylum (Form I-589) with USCIS. He has never been deported, has never been ordered to depart voluntarily, and has no criminal history. He has resided in the United States for more than three (3) years, holds

employment authorization, has been assigned a Social Security number, and has submitted six (6) character reference letters attesting to his good moral character and community ties.

On or about November 17, 2025, Mr. Belloso Pirela was detained by ICE while pumping gas, without any criminal conduct or violation of immigration conditions. He is currently detained at the Karnes County Immigration Processing Center, 409 FM 1144, Karnes City, Texas.

Mr. Belloso Pirela has an upcoming Master Hearing scheduled for January 7, 2026, at 8:30 a.m., before Immigration Judge Thomas G. Crossan, Jr.

V. FAMILY AND HUMANITARIAN CIRCUMSTANCES

Mr. Belloso Pirela is the father of a minor child, [REDACTED]. The child's mother, Denirett Calles Contreras, is also detained at the same facility. The simultaneous detention of both parents has caused severe emotional distress and instability to the minor child.

During the parents' detention, the minor child has been placed under the temporary care of his maternal aunt, Danilett Maria Calles Contreras, who is visiting the United States from Spain. This arrangement is strictly temporary. Ms. Calles Contreras resides permanently in Spain and is scheduled to return on January 30, 2026. Once she departs, the minor child will be left without parental care or lawful supervision, creating an imminent humanitarian crisis.

Immigration detention should not result in the abandonment or endangerment of a child, particularly where less restrictive alternatives are readily available.

VI. RELEASE PLAN

Upon release from ICE custody, Mr. Belloso Pirela will reside temporarily at the home of his close friend and Next Friend, Raúl Sergio Lozano, located at: [REDACTED] San Antonio, TX

[REDACTED]

This arrangement will remain in place until Mr. Belloso Pirela and his family are able to return to their rented residence.

Mr. Lozano has agreed to provide stable housing, financial support, transportation, and supervision, and has committed to assume full responsibility for Mr. Belloso Pirela's compliance with all conditions imposed by this Court or by ICE, including reporting requirements and attendance at all immigration court hearings. This plan constitutes a clear, reliable, and less restrictive alternative to detention and demonstrates that Mr. Belloso Pirela poses no risk of flight or danger to the community.

VII. LEGAL STANDARD

Immigration detention is civil in nature and may not become punitive. The Due Process Clause of the Fifth Amendment prohibits the federal government from depriving any person of liberty without due process of law, and this protection applies to all persons within the United States, including noncitizens.

In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that immigration detention becomes unconstitutional when removal is not reasonably foreseeable. In *Demore v. Kim*, 538 U.S. 510 (2003), the Court upheld mandatory detention only for a narrow category of criminal noncitizens and only for brief periods—conditions not present here.

In *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018), the Supreme Court confirmed that habeas corpus remains the appropriate mechanism to challenge unconstitutional immigration detention. The Fifth

Circuit has likewise recognized that civil detention may not operate as punishment. *Andrade v. Gonzales*, 459 F.3d 538 (5th Cir. 2006). Even civil detention must be narrowly tailored and not punitive. *United States v. Salerno*, 481 U.S. 739 (1987).

When these principles are applied to the facts of this case, it is clear that Mr. Belloso Pirela's continued detention exceeds the bounds of lawful civil immigration detention. He was lawfully present, had a properly filed asylum application pending, and possessed valid employment authorization at the time of his detention. This case presents the extraordinary and constitutionally impermissible circumstance of both parents being detained simultaneously, to the severe detriment of a minor child.

VIII. ARGUMENT

A. Detention Is Unlawful and Punitive

Mr. Belloso Pirela's detention serves no legitimate civil purpose. DHS previously paroled him under INA § 212(d)(5), confirming he posed no danger or flight risk. No change in circumstances justifies his re-detention.

B. Detention Is Not Mandatory

Because **Mr. Belloso Pirela** was paroled and has no criminal history, his detention is discretionary, not mandatory. Continued detention is arbitrary and violates due process.

C. No Flight Risk or Danger

Mr. Belloso Pirela has stable housing, community support, employment authorization, and a scheduled court hearing. He poses no risk of flight or danger.

D. Severe Harm to a Minor Child

The detention of both parents has created an imminent humanitarian crisis for a minor child. Such harm exceeds any permissible civil purpose and renders detention unconstitutional.

IX. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

Grant this Emergency Petition for Writ of Habeas Corpus.

Order the immediate release of Julio Cesar Belloso Pirela from ICE custody.

In the alternative, order release under appropriate conditions of supervision; and

Grant such other relief as the Court deems just and proper.

X. VERIFICATION

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

Date: 12/30/2025

Raúl Sergio Lozano *RsL*

As Next Friend of

Julio Cesar Belloso Pirela

CERTIFICATE OF SERVICE

I, Raul Sergio Lozano hereby certify that on this 30th day of December 2025, a true and correct copy of the foregoing Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 was served by United States Postal Service Certified Mail upon the following parties:

1. Karnes County Immigration Processing Center
Attn: Facility Administrator
409 FM 1144
Karnes City, TX 78118

2. United States District Court
Attn: Clerk of Court
Western District of Texas
655 E. Cesar E. Chavez Blvd
San Antonio, TX 78206

3. United States Attorney
Western District of Texas
601 NW Loop 410, Suite 600
San Antonio, TX 78216



Raul Sergio Lozano