

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

SIMÓN ENRIQUE PEROZO ARVELO,

Petitioner,

v.

MERRICK B. GARLAND, Attorney General of the United States;

TAE D. JOHNSON, Acting Director, ICE;

WARDEN, EDEN DETENTION CENTER,

Respondents.

4-25 CV 1468 - P

MW

PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

FILED BY NEXT FRIEND

INTRODUCTION

This is a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 filed by Audry del Valle Rondon Guevara as Next Friend of her husband, Simón Enrique Perozo Arvelo, who is currently detained by Immigration and Customs Enforcement (ICE) at Eden Detention Center. His detention violates the Fourth and Fifth Amendments of the United States Constitution, federal statutes, and binding Supreme Court precedent.

JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241. Venue is proper in the Northern District of Texas.

## PARTIES

Petitioner: Simón Enrique Perozo Arvelo, [REDACTED], Venezuelan national, born [REDACTED], entered the United States October 24, 2022, detained December 8, 2025, at Eden Detention Center.

Next Friend: Audry del Valle Rondon Guevara, [REDACTED], born [REDACTED], Venezuelan national, residing at [REDACTED] Grapevine, TX 76051.  
Phone: [REDACTED]

## STATEMENT OF FACTS

Petitioner was arrested without a judicial warrant during a routine ICE appointment. He has a pending asylum case jointly filed with his wife, valid employment authorization and Social Security number, regularly filed taxes with the IRS, and has no criminal record in Venezuela or the United States. He is a responsible stepfather and integral part of his family. A motion for bond was denied without justification.

## LEGAL ARGUMENT

### I. UNLAWFUL WARRANTLESS ARREST – FOURTH AMENDMENT

The arrest without a warrant issued by a neutral magistrate violates the Fourth Amendment. See *Almeida-Sanchez v. United States*, 413 U.S. 266 (1973).

### II. DUE PROCESS VIOLATION – FIFTH AMENDMENT

Civil immigration detention must be non-punitive and justified. Arbitrary detention violates due process. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

### III. ARBITRARY DENIAL OF BOND

Bond was denied without individualized findings, violating procedural due process. *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006).

### IV. PENDING ASYLUM AND FEAR OF PERSECUTION

Petitioner fears political persecution and imprisonment if returned to Venezuela, in violation of non-refoulement principles and the Convention Against Torture.

#### IRREPARABLE HARM

Petitioner and his family suffer severe emotional and psychological harm. Continued detention serves no legitimate government purpose.

#### RELIEF REQUESTED

Petitioner respectfully requests immediate release or, in the alternative, a new individualized bond hearing, and any other relief deemed just and proper.

#### VERIFICATION

I, Audry del Valle Rondon Guevara, declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE: Audry

Audry del Valle Rondon Guevara, Next Friend

Date: 12-27-25

DECLARATION / EXPLANATORY LETTER  
OF NEXT FRIEND AND SPOUSE

I, Audry del Valle Rondon Guevara, respectfully submit this declaration in support of the  
Petition  
for Writ of Habeas Corpus filed on behalf of my husband, Simón Enrique Perozo Arvelo.

My name is Audry del Valle Rondon Guevara, A-Number [REDACTED]. I am  
Venezuelan, born on  
[REDACTED], and I currently reside at [REDACTED] Grapevine, Texas  
76051.

I am the lawful wife of Simón Enrique Perozo Arvelo, A-Number [REDACTED], who is  
currently  
detained at Eden Detention Center. I submit this letter as his spouse and as his Next  
Friend  
because his detention prevents him from fully advocating for himself.

My husband was arrested during a routine ICE appointment without a judicial warrant.  
This arrest  
was unexpected, traumatic, and deeply unfair. At all times, my husband has demonstrated  
respect  
for the laws of the United States. He has a pending asylum case that we filed together,  
and we  
have always complied with immigration requirements.

My husband holds a valid Employment Authorization Document and a valid Social  
Security number.  
He has worked lawfully and has consistently filed his taxes with the Internal Revenue  
Service.  
He has no criminal record in Venezuela or in the United States.

Beyond the legal aspects, my husband is a fundamental pillar of our family. Although he  
is not  
the biological father of my daughter, he has fully assumed the role of a responsible and  
loving  
stepfather. His detention has caused severe emotional and psychological harm to our  
family,  
especially to my daughter, who depends on him for stability and support.

We are terrified of the possibility of his removal to Venezuela. Due to the political situation in our country, individuals who leave and are later deported are frequently detained and imprisoned. My husband has a well-founded fear of political persecution if returned.

This detention has devastated our family emotionally and financially. We are not criminals. We are a family seeking protection and safety. I respectfully ask the Court to consider the profound impact of my husband's detention and to grant his immediate release or, at minimum, a fair and individualized bond hearing.

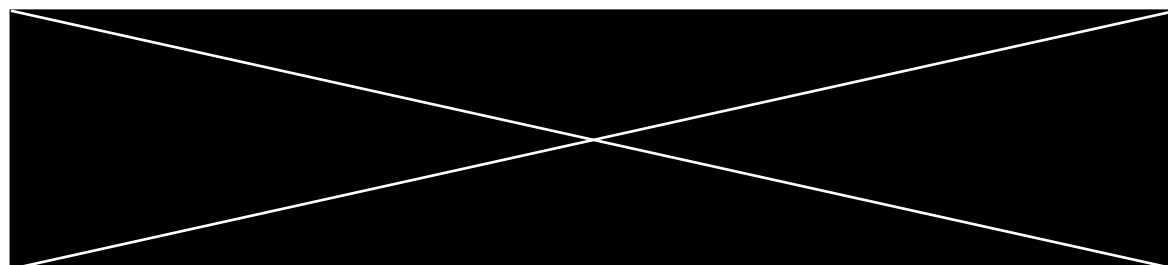
I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Respectfully submitted,

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Audry del Valle Rondon Guevara

Next Friend and Spouse



Date: 12.27.25

PROOF OF SERVICE

I, Audry del Valle Rondon Guevara, declare under penalty of perjury that on the date indicated

below, I caused a true and correct copy of the following document(s):

- Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241
- Explanatory Letter of Next Friend

to be served by U.S. Mail, postage prepaid, to the following parties:

1. Clerk of Court

United States District Court  
Northern District of Texas – Fort Worth Division  
501 West 10th Street, Room 103  
Fort Worth, TX 76102

2. United States Attorney

Northern District of Texas  
Fort Worth Office  
819 Taylor Street, Room 900  
Fort Worth, TX 76102

3. Attorney General of the United States

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

4. Office of the Principal Legal Advisor (OPLA)

U.S. Immigration and Customs Enforcement (ICE)  
500 N. Akard Street, Suite 2600  
Dallas, TX 75201

5. Warden

Eden Detention Center  
224 South 7th Street  
Eden, TX 76837

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 12 day of 27, 2025.

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Audry del Valle Rondon Guevara

Next Friend of

