

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

EXHIBIT A

Emergency Pro Se Petition for Writ of Habeas Corpus

Submitted in support of the Emergency Pro Se Petition for Writ of Habeas Corpus

28 U.S.C. § 2241

FILED
JAN 30 2026
JOAN KANE, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY ADA DEPUTY

EMERGENCY PRO SE PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241 – CONSTITUTIONAL VIOLATIONS – CHILD WELFARE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

ANGÉLICA MARÍA DÍAZ RIVERO,

Petitioner,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY;

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

WARDEN, DIAMONDBACK CORRECTIONAL FACILITY,

Respondents.

FILED
JAN 30 2026
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EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS
AND IMMEDIATE RELEASE

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I. INTRODUCTION

This is an emergency constitutional habeas corpus petition challenging the unlawful, arbitrary, and prolonged detention of RITZABETH MILAGROS PINEDA ALVARADO (A ) a Venezuelan asylum seeker, whose continued detention violates the Fifth Amendment, due process protections, and fundamental principles of family unity and child welfare.

Her detention has caused — and continues to cause — irreparable harm to her minor child, a two-year-old U.S.-born child, who has been forcibly separated from his mother without legal necessity, justification, or individualized assessment.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241, as Petitioner is in federal custody.
2. Jurisdiction is proper because the detention lacks a lawful basis, is constitutionally excessive, and violates due process guarantees.
3. Venue is proper in this District because Petitioner is confined at Diamondback Correctional Facility, Watonga, Oklahoma.

III. IDENTIFICATION OF THE DETAINEE

Name: Ritzabeth Milagros Pineda Alvarado

A-Number: A 

Nationality: Venezuelan

Immigration Status: Asylum Applicant

Date of Arrest: January 8, 2026

Facility: Diamondback Correctional Facility

Route 2, 

Watonga, OK 73772

IV. FACTUAL BACKGROUND

1. On January 8, 2026, Ritzabeth Milagros Pineda Alvarado was stopped and detained by ICE agents while lawfully operating her vehicle.
2. At the time of arrest:
 - She possessed a valid driver's license;
 - She was not committing any crime;
 - She was not subject to any criminal warrant.
3. ICE failed to articulate a lawful basis for the arrest, rendering it arbitrary and unreasonable.

4. Petitioner has no criminal history, no violent record, and no history of immigration non-compliance.
5. She is the primary and essential caregiver of her U.S.-born child, born [REDACTED]
6. Since her detention:
 - No bond hearing has been scheduled;
 - No individualized custody determination has occurred;
 - No finding of danger or flight risk has been made.
7. The detention has resulted in forced family separation, causing severe emotional, psychological, and developmental harm to the minor child.
8. Continued detention serves no legitimate governmental interest and is punitive rather than administrative.

V. STANDING OF THE PETITIONER

I, ANGÉLICA MARÍA DÍAZ RIVERO, am the grandmother and current caregiver of the minor child.

Address: [REDACTED]

Phone: [REDACTED]

I file this petition to protect the constitutional rights of both the detained mother and the U.S.-citizen child, who lacks the legal capacity to seek relief independently.

VI. CONSTITUTIONAL AND LEGAL VIOLATIONS

Respondents' actions violate the Fifth Amendment Due Process Clause, substantive and procedural due process, family unity principles, and child welfare protections.

VII. IRREPARABLE HARM

The harm suffered is ongoing and irreparable, including emotional trauma to a toddler forcibly separated from his mother, developmental harm during a critical growth period, psychological

distress to both mother and child, and permanent damage to family integrity. No monetary remedy can cure this harm.

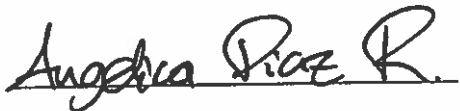
VIII. REQUEST FOR EMERGENCY RELIEF

Petitioner respectfully requests that this Court grant the writ of habeas corpus, order immediate release, or alternatively order release on bond, parole, or supervision, consider the best interest of the U.S.-citizen child as controlling, and grant any other relief deemed just and proper.

IX. DECLARATION UNDER PENALTY OF PERJURY

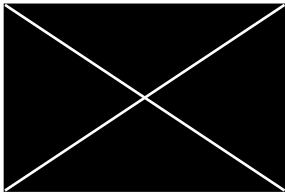
I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,



ANGÉLICA MARÍA DÍAZ RIVERO

Petitioner Pro Se



Date: __January 21__, 2026