

United States Courts
Southern District of Texas
FILED

JAN 28 2026

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

IN RE: FAUSTINO ANTONIO GRUEIRO AÑUEZ,
Petitioner,

v.

WARDEN, KARNES COUNTY IMMIGRATION PROCESSING CENTER;
U.S. DEPARTMENT OF HOMELAND SECURITY;
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241

WITH MOTION FOR IMMEDIATE RELEASE

I. INTRODUCTION

This Petition for Writ of Habeas Corpus is respectfully submitted pursuant to 28 U.S.C. § 2241 to challenge the unlawful, unconstitutional, prolonged, and punitive civil detention of Petitioner Faustino Antonio Grueiro Añuez by Immigration and Customs Enforcement (ICE).

Petitioner's detention is not only legally unjustified, but it has become a de facto punishment in violation of the Fifth Amendment Due Process Clause. The government has failed to justify continued detention, has denied Petitioner essential medical care, and has subjected him to inhumane conditions that shock the conscience of this Court.

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 2241. Petitioner is detained within the territorial jurisdiction of the Southern District of Texas at the Karnes County Immigration Processing Center.

Venue is proper in this Court under the Immediate Custodian Rule. See *Rumsfeld v. Padilla*, 542 U.S. 426 (2004).

III. PARTIES

Petitioner:

Faustino Antonio Grueiro Afñuez

A-Number: [REDACTED]

Nationality: Cuban

Date of Birth: [REDACTED]

Date of Entry: January 28, 2023

Date of Detention: July 12, 2025

Detention Facility: Karnes County Immigration Processing Center

409 FM 1144

Karnes City, Texas 78118

Next Friend:

Liset Grueiro

A-Number: A [REDACTED]

Date of Birth: [REDACTED]

Nationality: Cuban

Address: [REDACTED]

[REDACTED]

Telephone: [REDACTED]

Email: lisetgrueiro@icloud.com

IV. STATEMENT OF FACTS

Petitioner was unlawfully seized and arrested while traveling home from work solely due to an allegedly expired vehicle registration sticker. Law enforcement officers lacked a judicial warrant, lacked probable cause for any criminal offense, and unlawfully prolonged the stop, leading to Petitioner's arrest and subsequent transfer to ICE custody.

Petitioner suffers from serious medical conditions, including chronic asthma and the presence of a metal rod surgically implanted in his foot. Medical professionals have determined that the rod must be urgently removed to prevent infection, permanent damage, or amputation. ICE has deliberately denied Petitioner adequate medical treatment, despite repeated complaints of severe pain.

Conditions of confinement at Karnes County Immigration Processing Center are unsanitary, overcrowded, and inhumane. Petitioner has been subjected to racial

harassment, food and water rationing, and denial of basic hygiene. These conditions have significantly worsened Petitioner's asthma and caused substantial weight loss and physical deterioration.

Petitioner holds a valid work permit, Social Security number, and driver's license, has no criminal history, and has consistently complied with all immigration requirements. He has strong family ties, including his U.S.-based daughter, and poses neither a danger to the community nor a flight risk.

V. LEGAL ARGUMENT

A. UNLAWFUL SEIZURE AND ARREST – FOURTH AMENDMENT

Petitioner's initial arrest violated the Fourth Amendment. A traffic infraction does not justify custodial arrest absent probable cause of a criminal offense. *Gerstein v. Pugh*, 420 U.S. 103 (1975); *Rodriguez v. United States*, 575 U.S. 348 (2015). Evidence derived from this unlawful seizure taints Petitioner's detention.

B. PROLONGED CIVIL DETENTION WITHOUT DUE PROCESS – FIFTH AMENDMENT

Civil immigration detention is lawful only if reasonably related to a legitimate governmental purpose. *Zadvydas v. Davis*, 533 U.S. 678 (2001). Detention becomes unconstitutional when it is prolonged and arbitrary. *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018).

Petitioner's detention has exceeded constitutional limits without an individualized determination that he poses a flight risk or danger. This violates substantive and procedural due process.

C. MEDICAL NEGLECT AND DELIBERATE INDIFFERENCE

The government's deliberate indifference to Petitioner's serious medical needs violates due process. *Estelle v. Gamble*, 429 U.S. 97 (1976); *Kingsley v. Hendrickson*, 576 U.S. 389 (2015). The risk of infection or amputation constitutes irreparable harm warranting immediate release.

D. PUNITIVE CONDITIONS OF CONFINEMENT

Civil detainees may not be punished. *Bell v. Wolfish*, 441 U.S. 520 (1979). Conditions at Karnes County Immigration Processing Center constitute punishment and violate constitutional standards.

E. HABEAS CORPUS IS THE PROPER REMEDY

Habeas corpus serves as the fundamental safeguard against unlawful detention. *Boumediene v. Bush*, 553 U.S. 723 (2008). This Court has authority to order immediate release where detention violates the Constitution.

VI. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241;
2. Order Petitioner's immediate release from ICE custody;
3. Alternatively, order an immediate, constitutionally adequate bond hearing;
4. Enjoin Respondents from further unlawful detention;
5. Grant any other relief the Court deems just and proper.

Respectfully submitted,

Liset Grueiro
Next Friend for Petitioner

Signature: 
Date: 01/19/2026