

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
FEB - 6 2026  
JEFFREY P. COLWELL  
CLERK

Civil Action No. \_\_\_\_\_  
(To be supplied by the court)

Tadler Villegas Cardenas, Applicant,

v. TODD M. Lyons Acting Director ICE  
Madison Sheahan, Deputy Director ICE  
Juan Baltazar, Warden of Aurora ICE PC, Respondent.  
(Name of warden, superintendent, jailer, or other custodian)

(Note: If you are attacking the validity of a state conviction or sentence and not the execution of your sentence, you must file an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. If you are attacking the validity of a judgment entered in a federal court, you must file a motion pursuant to 28 U.S.C. § 2255 in the federal court that entered the judgment.)

**APPLICATION FOR A WRIT OF HABEAS CORPUS  
PURSUANT TO 28 U.S.C. § 2241**

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

**A. APPLICANT INFORMATION**

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

Tadler Villegas Cardenas, [REDACTED]; 3130 N. Oakland St;  
(Applicant's name, prisoner identification number, and complete mailing address)  
A3-202, Aurora, CO, 80010 (Aurora ICE Processing Center)

Indicate whether you are a prisoner or other confined person as follows: (check one)

- Pretrial detainee  
 Civilly committed detainee  
 Immigration detainee  
 Convicted and sentenced state prisoner  
 Convicted and sentenced federal prisoner  
 Other: (Please explain) \_\_\_\_\_

**B. RESPONDENT INFORMATION**

TODD Lyons / Madison Sheehan: US-ICE, 12445 E. Coley Ave, Centennial, CO 80111  
(Respondent's name and complete mailing address)

Juan Baltazar: 3130 N. Oakland St, Aurora CO 80010

**C. STATEMENT OF CLAIMS**

State clearly and concisely every claim you are asserting in this action. For each claim, specify the right that allegedly has been violated and all facts that support your claim. If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "C. STATEMENT OF CLAIMS."

CLAIM ONE: I am being detained and under custody of ICE for a Prolonged Period of without being removed.  
Supporting facts:

- An Immigration Judge ordered me being removed from the USA to my country (Cuba) on or about 8/8/2025 (copy attached) (c-1)
  - I have been under custody by ICE since 6/4/2025
  - ICE noticed me their going to file a custody review determination on 11/25/25 . Letter is attached (copy) (c-2)
  - ICE noticed me with a Custody Review Determination Letter on 11/27/25 . they determined I will not be release from ICE custody. (copy is attached) (c-3)
- \* Additional papers (pages 1-7) are attached.

**D. PRIOR APPLICATIONS**

Have you ever filed a lawsuit, other than this lawsuit, in any federal court in which you raised or could have raised the claim(s) raised in this action?  Yes  No (check one).

*If your answer is "Yes," complete this section of the form. If you have filed more than one prior application, use additional paper to provide the requested information for each prior application. Please indicate that additional paper is attached and label the additional pages regarding previous lawsuits as "D. PRIOR APPLICATIONS."*

Name and location of court: \_\_\_\_\_

Case number: \_\_\_\_\_

Type of proceeding: \_\_\_\_\_

List the claim(s) raised: \_\_\_\_\_

Date and result: (Attach a copy of the decision if available) \_\_\_\_\_

Result on appeal, if appealed: \_\_\_\_\_

**E. ADMINISTRATIVE REMEDIES**

*WARNING: You must exhaust administrative and/or state remedies before filing an action in federal court pursuant to 28 U.S.C. § 2241. Your case may be dismissed if you have not exhausted administrative and/or state remedies. If additional space is needed to explain exhaustion, use extra paper to do so. Please indicate that additional paper is attached and label the additional pages regarding exhaustion as "E. ADMINISTRATIVE REMEDIES."*

Explain the steps you have taken to exhaust administrative and/or state remedies:

*On 11/27/25. I was noticed by ICE with the Custody Review Determination telling me that I will not be release from ICE custody.  
ICE said that my administrative case was going to be transfered to the ICE Headquarters (ERD Removal Decision) who will conduct a custody review and will make a determination.  
I already have been in custody over 180 days. My first legal action to take was the Petition for a Writ Habeas Corpus.*

**F. REQUEST FOR RELIEF**

*State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as "F. REQUEST FOR RELIEF."*

*Additional paper (or Page) regarding to Request for Relief is attached.*

**G. APPLICANT'S SIGNATURE**

I declare under penalty of perjury that I am the applicant in this action, that I have read this application, and that the information in this application is true and correct. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this application: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the application otherwise complies with the requirements of Rule 11.

  
\_\_\_\_\_  
(Applicant's signature)

*02-04-2026*  
\_\_\_\_\_  
(Date)

(Form Revised December 2017)

**C. STATEMENT OF CLAIM**

1. **My continued detention is unlawful, and I am unlikely to be removed in the reasonably foreseeable future. Therefore, My detention violates the statute and I am entitled to immediate release.** As the Supreme Court held in *Zadvydas v. Davis*, 533 U.S. 678 (2001), noncitizens cannot be detained indefinitely if the government is unable to carry out their removal. Instead, detention after a final order of removal is authorized only when removal is reasonably foreseeable. As a guide to courts, the Court in *Zadvydas* established a presumption that detention after a final order of removal was permissible for six months. Detention after a final order may be unlawful even when six months have not passed, particularly if it is clear that the United States will not be able to effect a noncitizens's removal. But after that six months period, once a noncitizen provides "good reason to believe that there is not significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." And the longer a noncitizen has been detained, the stronger the government's showing must be. Petitioner is entitled to release under the framework of *Zadvydas* unless the government promptly demonstrate that there is a significant likelihood of removal in the reasonably foreseeable future.
2. My prolonged detention also violates the Due Process Clause. The Due Process Clause of the Fifth Amendment forbids the government from depriving any "person" of liberty "without due process of law." U.S. Const. Amend. V. "Freedom from imprisonment—from government custody, detention or other form of physical restraint—lies at the heart of the liberty" that the Due Process Clause protects. *Zadvydas*, 533 U.S. at 690 (citing *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992)). Civil immigration detention violates due process if it is not reasonably related to

its statutory purpose. *See, id.* (citing *Jackson v. Indiana*, 406 U.S. 715, 738 (1972)). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention: to mitigate the risk of flight and prevent danger to the community. *Id.* Petitioner’s prolonged civil detention, which has lasted well beyond the end of the removal period, and which is likely to continue indefinitely, is no longer reasonably related to the primary statutory purpose of ensuring imminent removal. Thus, Petitioner’s detention violates Petitioner’s right to due process.

### ARGUMENTS

3. This action arises under the Constitution of the United States and the Immigration and Nationality Act (“INA”) §§ 101-507, 8 U.S.C. § 1101-1537, amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009-1570.
4. This Court has jurisdiction under 28 U.S.C. § 2241, The Suspension Clause, U.S. Const. Art. 1 § 9, cl 2, and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of the authority of the United States, and Petitioner’s custody is in violation of the Constitution, laws, or treaties of the United States. *See Zadvydas*, 566 U.S. 678. This Court may grant relief under 28 U.S.C. § 2241 (Habeas Corpus), 5 U.S.C. § 702 (establishing the right of review for a person suffering a legal wrong due to agency action), and 28 U.S.C. § 1651 (All Writs Act).
5. The Due Process Clause applies to all persons in the United States, “whether their presence here is lawful, unlawful, temporary or permanent.” *Zadvydas*, 533 U.S. at 693. In *Zadvydas*, the Supreme Court emphasized, “[f]reedom from imprisonment—from government custody, detention, or other forms of physical lies at the heart of the liberty that [the Due Process] Clause protects.” 533 U.S. at 690 (citing *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992)). The Court noted, “[a] statute permitting indefinite detention of an alien would raise a serious constitutional

problem,” *Id.*; see also *Plyer v. Doe*, 457 U.S. 202, 210 (1982) (“Aliens, even aliens whose presence in this country is unlawful, have long been recognized as “persons” guaranteed due process of law by the Fifth and Fourteenth Amendments”).

6. Under 8 U.S.C. § 1231(a)(2), noncitizens subject to final orders of removal “shall” be detained during the first 90 days—the “removal period”—and they “shall” be removed during that period under § 1231(a)(1). Under 8 U.S.C. § 1231(a)(6), the government “may” continue detention beyond the 90-days removal period if a noncitizen falls within certain broad categories of removability or is determined “to be a risk to the community or unlikely to comply with the order of removal.” 8 U.S.C. § 1231(a)(6).
7. In *Zadvydas*, the Supreme Court construed 8 U.S.C. § 1231(a)(6) to authorize detention only where it is significantly likely that removal will occur in the reasonably foreseeable future, in order to avoid the serious due process concerns that would be presented by permitting detention for an indefinite period of time. *Zadvydas*, 533 U.S. at CITE. After a noncitizen meets his or her initial burden to show that no such likelihood of removal exists, the burden shifts to the government to “respond with evidence sufficient to rebut [the alien] showing,” *Id.* At 701.
8. Courts have rejected conclusory claims by ICE agents which claim, without submitting concrete factual information about scheduled flights or repatriation agreements, that removal is imminent. “[A] theoretical possibility of eventually being removed does not satisfy the government’s burden once the removal period has expired and the petitioner establishes good reason to believe his removal is not significantly likely in the reasonably foreseeable future.” *Balza v. Barr*, No. 6:20-CV-00866, 2020 WL 6143643, at \*5 (W.D. La. Sept. 17, 2020) (internal quotation and citation omitted). “[I]f [ICE] has no idea of when it might reasonably expect [Petitioner] to be repatriated, [a] Court certainly cannot conclude that [a] removal is likely to occur—or even that it might occur—in the reasonably foreseeable future.” *Id.* at \*5 (internal quotation marks and

citation omitted). *See also, Gomez Barco v. Witte*, No. 6:20-CV-00497, 2020 WL 7393786 (W.D. La. Dec. 16, 2020) (ordering release of a petitioner who was detained longer than six months because ICE had not be able to secure necessary travel document, nothing that the ICE officer “clearly has no factual basis for his ‘belief’ that there is not foreseeable impediment of Petitioner’s removal or that her removal is imminent,” and that there was not foundation for the “expectation” that the COVID-19 related travel restrictions in place would soon be lifted); *Balza v. Barr*, No. 6:20-CV-00866, 2020 WL 6064881 (W.D. La. Oct. 14, 2020) (same).<sup>1</sup> In granting Ms. Balza’s release, the Court considered and rejected a conclusory declaration by a local ICE Assistant Field Officer that removal was imminent. *Id.* at \*5. In *Alexis v. Smith*, the Petitioner, Mr. Alexis, had been in detention for almost a year and subject to a removal order for over a year. An ICE official testified to an informal agreement that permitted removals but acknowledged that there were far fewer removals to Haiti in the aftermath of the 2010 hurricane. The Haitian government had an issue with identity documents and it was unknown when that would be resolved. The magistrate did not credit ICE’s vague statements that it was “endeavoring to rectify the issue” and conclude there was no end in sight for detention, and recommended release. The District Court Judge agreed and ordered release. ICE then released Mr. Alexis on an Order of Supervised release and moved to get the judgment vacated on mootness, which it was. However, this does not invalidate the reasoning and conclusions of the Magistrate Judge and District Court Judge on this subject, and this case is still informative and persuasive to the body of law on this subject. *Alexis v. Smith*, No. CIV.A. 11-0309, 2011 WL

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<sup>1</sup> Other districts courts in the Fifth Circuit and Elsewhere have similarly granted Habeas relief when the noncitizen has shown that there is no significant likelihood of removal in the reasonably foreseeable future. *See, e.g., Carreno v. Gillis*, No. 5:20-cv-44-KS-MTP, 2020 WL 8366735 (S.D. Miss. Dec. 16, 2020) (granting Habeas relief to petitioner detained for approximately sixteen months due to a lack of diplomatic relations with Venezuela); *Ali v. Dep’t of Homeland Sec.*, 451 F. Supp. 3D 703 (S.D. Tex. 2020) (granting Habeas relief to petitioner initially detained for three years, released and detained again for four months when petitioner could not be removed due to travel restrictions to Pakistan); *Saharifi v. Gillis*, No. 5:20-cv-5-DCB-MTP, 2020 WL 7379211 (S.D. Miss. Oct. 9, 2020) (granting Habeas relief to petitioner detained for seventeen months after Iranian officials failed to respond a travel document request for more than seven months).

3924247 (W.D. La. Aug. 3, 2011) report and recommendations adopted. No. CIV.A 11-0309, 2011 WL 3954945 (W.D. La. Sept. 6, 2011), vacated, No. CV 11-0309, 2011 WL 13386020 (W.D. La. Sept. 15, 2011).

9. Courts in this Districts have—pursuant to *Zadvydas*—released individuals who have been detained for over six months. *See, e.g. Gomez Barco*, 2020 WL 7393786 (ordering release of an immigrant detained who was a native and citizen of Venezuela who was detained longer than six month because ICE had not been able to secure necessary travel documents); *Balza*, 2020 WL 6143643, at \*5 (ordering release of petitioner and nothing that “[a]fter more than a year of detention, Petitioner’s removal need not necessarily be imminent, but it cannot be speculative”) (internal quotation marks omitted).
10. Under *Zadvydas*, courts have found that there is no significant likelihood of removal and granted relief where:
  - No country will accept the petitioner. *See, e.g. Jabir v. Ashcroft*, No. 03-2480, 2004 WL 60318 (E.D. La. Jan. 8, 2004) (granting habeas relief to petitioner detained for more than fourteen months after numerous countries refused to repatriate the petitioner).<sup>2</sup>
  - The Petitioner’s country of origin refuses to issue a travel document, *See, e.g., Alexis v. Smith*, No. 11-0309, 2011 WL 3924247 (W.D. La. Aug. 3, 2011) (granting habeas release to petitioner detained for approximately one year due to the Haitian government rejecting the quality of identity documents provided); *Fermine v. Dir. Of Immigr. Custom Enf’t*, No. 2:06-cv-1578, 2007 WL 2284606 (W.D. La. May 23, 2007) (granting habeas relief to petitioner detained for fifteen months due to Trinidad’s refusal to issue travel documents); *Lijadu v.*

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<sup>2</sup> *See also Hassoun v. Sessions*, No. 18-CV-586-FPG, 2019 WL 78984, at \*4 (W.D.N.Y. Jan. 2, 2019) (ordering release of petitioner detained fourteen months after petitioner showed “that the countries with he has any affiliation will not accept him”), *Yusupov v. Love*, No. 4:CV-06-1804, 2007 WL 5063231 (M.D. Pa. Jan. 12, 2007); *Abel-Muhti v. Ashcroft*, 314 F. Supp. 2d 418 (M.D. Pa. 2004) (ordering release of petitioner detained approximately two years after refusal of several countries to accept petitioner).

*Gonzales*, No. 06-1208, 2006 WL 3933850 (W.D. La. Dec. 18, 2006) (granting habeas relief to petitioner detained nineteen months because Nigeria refused to issue travel documents due to petitioner's HIV status).<sup>3</sup>

- There is not removal agreement between the United States and a country. In this scenarios, courts have found that the lack of a normal agreement regarding repatriation, lack of diplomatic relationship, and lack of a functioning government support a finding that there is no significant likelihood of removal. *See, e.g. Negusse v. Gonzales*, No. 06-1382, 2007 WL 708615 (W.D. La. Mar. 1, 2007) (granting habeas relief to petitioner detained for approximately one year because the United States did not have a repatriation agreement with Ethiopia and Ethiopia would not issue travel documents because one of the petitioner's parents was not Ethiopian).<sup>4</sup>
- There is either no response from a country designated for removal or a significant delay in receiving a response. *See. e. g., Gonzales-Rondon v. Gillis*, 5:19-cv-109-DCB-MTP, 2020 WL 3428983 (S.D. Miss. June 23, 2020) (granting habeas relief to petitioner detained thirteen months where there was no response from Venezuelan officials).<sup>5</sup>

<sup>3</sup> *See also Ka v. Bureau of Immigr. & Custom Enft*, No. B-07-197, 2008 WL 11462867, at \*8 (S.D. Tex. June 24, 2008) (ordering release of petitioner detained twelve months after Senegal "refuses to issue Ka a travel document because he d[id] not have proper identity documentation"); *Moreira v. Gonzales*, No. CIVA CV05-588 A, 2006 WL 3861972 (W.D. La. Nov. 2, 2006) (granting habeas relief to petitioner detained for three years because Cape Verde advised that it would not accept the petitioner for repatriation); *Khan v. Gonzales*, 481 F. Supp. 2d 638 (W.D. Tex. 2006).

<sup>4</sup> *See also Gomez Barco*, 2020 WL 7393786, *Islam v. Kane*, No. CV-11-515-PHX-PGR (LOA), 2011 WL 4374226, at \*3 (D. Ariz. Aug. 30, 2011) (ordering release of petitioner detained ten months where petitioner presented evidence that Bangladesh "is one of fifteen countries identified by ICE as least likely to issue travel documents"); *Carreno*, 2020 WL 8366735, *Simoza Rangel v. Gillis*, No. 5:19-cv-118-DCB-MTP, 2020 WL 7223258 (S.D. Miss. Sept. 2, 2020) (granting habeas relief to petitioner detained for sixteen months due to lack of diplomatic relation with Venezuela); *Abduelle v. Gonzales*, 422 F. Supp. 2d 774 (W.D. Tex. 2006) (concluding that the petitioner met the burden to show removal was not reasonably foreseeable after being detained for more than one year when an injunction restricted the government's ability to remove the petitioner to Somalia).

<sup>5</sup> *See also Sharif*, 2020 WL 7379211; *Aung v. Barr*, No. 20-CV-681-LJV, 2020 WL4581465 (W.D.N.Y. Aug. 10, 2020); *Edwards v. Barr*, No. 4:20cv350-WS-MAF, 2020 WL 6747737 (N.D. Fla. Oct. 14, 2020); *Rual v. Barr*, No. 6:20-CV-06215 EAW, 2020 WL 3972319 (W.D.N.Y. July 14, 2020); *Rodriguez Del Rio v. Price*, No. EP-20-CV-00217-FM, 2020 WL 7680560 (W.D. Tex. Nov. 3, 2020); *Singh v. Whitaker*, 362 F. Supp. 3d 93 (W.D.N.Y. 2019); *Butt v. Holder*, No. CA 08-0672-CG-C, 2009 WL 1035354 (S.D. Ala. Mar. 19, 2009) (holding that petitioner met his initial burden where he was held in ICE custody for more than ten months after the issuance of his removal order with no indication from the Pakistan Embassy that travel documents would be issued); *Lawrikov v. Kollus*, No. CV-08-1403-PHX-GMS (LOA), 2009 WL 2905549 (D. Ariz. July 27, 2009); *Reid v. Crawford*, No. 06-02436 PHX-JWS (MEA), 2007 WL 1063413 (D.

- ICE fails to take action to secure travel documents for a prolonged period. *See, e.g. Senor*, 401 F. Supp. 3d at 430-31 (granting habeas relief after ICE initially requested travel documents but where “there [wa]s no identification from the record that anyone ha[d] taken any further action in the eight months since that time. . .to facilitate Senor’s receipt of the necessary travel documents”).<sup>6</sup>

11. As the length of detention grows, the period of time that would be considered the “reasonably foreseeable future” shrinks. *See e.g., Zadvydas*, 533 U.S. at 701 (stating that as the length of time in detention grows “what counts as the ‘reasonably foreseeable future’ conversely would be to shrink”); *Senor*, 401 F. Supp. 3d at 430 (“[T]he passage of time combined with ‘the’ government [being] no closer to . . . repatriating [a detainee] than they were once they first took him into custody’ [is] sufficient to meet that ‘initial burden.’”); *Lawrikow*, 2009 WL 2905549, at \*12.

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Ariz. Jan. 31, 2007); *Gui v. Ridge*, No. 3CV031965, 2004 WL 1920719 (M.D. Pa. Aug. 13, 2004); *Shefqet v. Ashcroft*, No. 02C 7737, 2003 WL 1964290 (N.D. III. Apr. 28, 2003).

<sup>6</sup> *See also Chun Yat Ma v. Asher*, No. C11-1797 MJP, 2012 WL 1432229, at \*4 (W.D. Wash. Apr. 25, 2012) (ordering petitioner’s release where the government failed “to provide any documentation of efforts. . . to effectuate removal . . . [for] nearly six months”).

***F. REQUEST FOR RELIEF***

1. Petitioner respectfully requests that this Court order Respondents to show cause why should not be granted, and set a hearing on this Petition, and **grant the Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from their custody.**
2. In order to permit full judicial review of the claim herein and requested relief, Petitioner respectfully requests that the **Court orders Respondents not to transfer Petitioner outside the jurisdiction of this Court pending considerations of this petition.**



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
AURORA IMMIGRATION COURT

Respondent Name:

VILLEGAS CARDENAS, JADIER

To:

VILLEGAS CARDENAS, JADIER  
DHS / ICE / GEO  
3130 N. OAKLAND STREET  
AURORA, CO 80010

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

08/08/2025

**ORDER OF THE IMMIGRATION JUDGE**

Based upon Respondent's admissions and concessions, the immigration court finds that Respondent is removable/inadmissible as charged in the Notice to Appear. Further, Respondent has made no application(s) for relief from removal under 8 C.F.R. § 1240.11.

**Order:** Respondent shall be removed to Cuba, or in the alternative to N/A, on the charge(s) contained in the Notice to Appear.

Failure to Depart: If Respondent is subject to a final order of removal and willfully fails or refuses to depart from the United States pursuant to the order, to make timely application in good faith for travel or other documents necessary to depart the United States, to present himself or herself at the time and place required for removal by the DHS, or conspires to or takes any action designed to prevent or hamper Respondent's departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D(a) and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then he or she shall be further fined or imprisoned for up to 10 years. See INA § 243(a)(1).

*Enforcement and Removal Operations  
Denver Field Office*

**U.S. Department of Homeland Security**  
12445 East Caley Ave  
Centennial, CO 80111



**U.S. Immigration  
and Customs  
Enforcement**

Mr. Jadier Villegas Cardenas  
C/O GEO CDF  
3130 North Oakland St.  
Aurora, CO 80010



### **Notice to Alien of File Custody Review**

You are detained in the custody of U.S. Immigration and Customs Enforcement (ICE) and you are required to cooperate with ICE in effecting your removal from the United States. If ICE has not removed you from the United States within the removal period as set forth in INA 241(a) (normally 90-days of either: 1) your entering ICE custody with a final order of removal, deportation or exclusion, or 2) the date of any final order you receive while you are in ICE custody), ICE's Deciding Official will review your case for consideration of release on an Order of Supervision. Release, however, is dependent on your demonstrating to the satisfaction of the Attorney General that you **will not** pose a danger to the community and **will not** present a flight risk.

Your custody status will be reviewed on or about: 11/26/2025. The Deciding Official may consider, but is not limited to considering the following:

1. Criminal convictions and criminal conduct;
2. Other criminal and immigration history;
3. Sentence(s) imposed and time actually served;
4. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
5. Probation history;
6. Disciplinary problems while incarcerated;
7. Evidence of rehabilitative effort or recidivism;
8. Equities in the United States;
9. Cooperation in obtaining your travel document.
10. Any available mental health reports.

You may submit any documentation you wish to be reviewed in support of your release, prior to the date listed above, to the attention of the Officer and address below. English translations must be provided pursuant to 8 CFR 103.2(b)(3). An attorney or other person may submit materials on your behalf. The deciding official will notify you of the decision in your case. Attached to this notice is a list of free or low cost legal representatives who may be able to provide assistance to you in preparing your case.

Enforcement and Removal Operations  
Denver Field Office

U.S. Department of Homeland Security  
12445 East Caley Ave  
Centennial, CO 80111



**U.S. Immigration  
and Customs  
Enforcement**

U.S. Department of Homeland Security  
**Immigration and Customs Enforcement**  
Attn: D. Bargiel-Allen, Deportation Officer  
3130 North Oakland St.  
Aurora, CO 80010

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**METHOD OF SERVICE**

I certify that this form was provided to the alien by:      Hand      Institution Mail

( ) CC: Attorney of Record or Designated Representative

(x) CC: A-file

*D. Bargiel-Allen*  
Signature of Officer

D. Bargiel-Allen, DO  
Print Name of Officer

11/25/2025  
Date

**U.S. Department of Homeland Security  
Immigration and Customs Enforcement**

**Warning for Failure to Depart**


<b>Name:</b> VILLEGAS CARDENAS, JADIER	<b>Field Office:</b> DVS-T	<b>File #:</b> 
<p>Section 243(a) of the Immigration and Nationality Act provides, in part, that:</p> <p>Any alien against whom a final order of removal is outstanding by reason of being a member of any of the classes described in section 237(a) who--</p> <p>(A) willfully fails or refuses to depart from the United States within a period of 90 days* from the date of the final order of removal under administrative processes, or if judicial review is had, then from the date of the final order of the court,</p> <p>(B) willfully fails or refuses to make timely application in good faith for travel or other documents necessary to the alien's departure,</p> <p>(C) connives or conspires, or takes any other action, designed to prevent or hamper or with the purpose of preventing or hampering the alien's departure pursuant to such, or</p> <p>(D) willfully fails or refuses to present himself or herself for removal at the time and place required by the Attorney General pursuant to such order,</p> <p>shall be fined under title 18, United States Code, or imprisoned not more than four years (or 10 years if the alien is a member of any of the classes described in paragraph (1)(E), (2), (3), or (4) of section 237(a)), or both.</p> <p>Nothing in this section shall make it a violation to take proper steps for the purpose of securing cancellation of or exemption from such order of removal or for the purpose of securing the alien's release from incarceration or custody.</p> <p>Any action Immigration and Customs Enforcement may take to obtain a travel document for your departure or to remove you will <i>NOT</i> relieve you of the liability for compliance with the provisions of law referred to in the first paragraph above.</p> <p>* Section 241(a)(1)(C) provides for the extension of the statutory removal period if the alien refuses, during the removal period, to make application in good faith, for a travel or other document necessary for the alien's removal or departure or conspires or acts to prevent the alien's removal subject to an order of removal.</p>		
<b>Date Order Final:</b> August 08, 2025	<b>Ordered Removed under Section:</b> 212a2AiI, 212a7AiI	
<b>Record of Service (Check method used)</b>		
<b>Record of Personal Service</b>		
<b>Served By: (Print Name and Title of Officer)</b> D 05552 BARGIEL-ALLEN, Deportation Officer		<b>Date:</b> November 25, 2025
<b>Officer's Signature:</b> 	<b>Location of Service:</b> Aurora, CO	
<b>Served On: (Alien's Signature)</b> Served via Detainee Mail		<b>Date:</b> November 25, 2025
<input type="checkbox"/> <b>Warning administered in Court (Copy of order attached)</b>		<b>Record of Personal Service (Cont.)</b>
<input checked="" type="checkbox"/> <b>Certified Mail Service</b>		<b>Fingerprint of Alien (Specify finger used)</b>
<p>Institutional Mail</p> <p style="text-align: center;">Attach certified mail receipts here.</p>		<p>RIGHT INDEX</p>

### INSTRUCTION SHEET TO DETAINEE REGARDING REQUIREMENT TO ASSIST IN REMOVAL

The following is a list of things you are required to complete within 30 days of receiving this form, in order comply with your obligation to assist in obtaining a travel document:

*Mandatory requirements will be checked off by the ICE officer depending on the facts of each case. Failure to comply or provide sufficient evidence of your inability to comply, may result in the extension of the removal period and subject you to further detention. In addition, you may be subject to criminal prosecution. If you need assistance in complying with any of the requirements, please contact a Deportation Officer.*

- Submit passports (current and expired) to ICE. If you have a copy of your passport, you are to submit it.
- Apply for a travel document/passport from your embassy or consulate, or directly from your government in your native country, or any other embassy or consulate of your native country in another country.
- Comply with all instructions from all embassies or consulates requiring completion of documentation for issuance of a travel document.
- Submit to ICE birth certificates, national identification cards, and any other document issued by a foreign government indicating your citizenship, nationality, place of birth, and place of residence prior to entering the United States.
- Provide names and addresses of family and friends residing in the United States and request that they contact your embassy or consulate in the United States, in order to facilitate the issuance of a travel document.
- Provide names and addresses of family and friends residing in your country of citizenship and request family and friends residing abroad contact your government in reference to issuing a travel document.
- You are required to take measures to request reinstatement of your previous nationality, register as required, or take any other action that will ensure the issuance of a travel document and your removal from the United States.
- Provide ICE with written copies of requests to embassies or consulates requesting issuance of a travel document.
- Provide ICE with written copies of responses from embassies or consulates regarding your requests.
- Solicit permission from another country, which may be able to accept you, to enter that country to affect your removal from the United States.
- Provide your true and correct name and date of birth and any other identities you have ever used.
- Other: \_\_\_\_\_

Alien's Signature Served via Detainee Mail A Number 

Served by D 05552 BARGIEL-ALLEN on November 25, 2025 at DVS-T  
Officer's Name Date Location

To be served with I-229 (a) no later than 30 days after the final order

*Office of Enforcement and Removal Operations*

U.S. Department of Homeland Security  
12445 E. Caley Avenue  
Centennial, CO 80111



**U.S. Immigration  
and Customs  
Enforcement**

Villegas Cardenas, Jadier  
c/o Immigration and Customs Enforcement  
Denver Field Office



### **Decision to Continue Detention**

This letter is to inform you that your custody status has been reviewed, and it has been determined that you will not be released from the custody of U.S. Immigration and Customs Enforcement (ICE) at this time. This decision has been made based on a review of your file, consideration of the information you submitted to ICE's reviewing officials and upon review of the factors for consideration set forth at 8 C.F.R. § 241.4(e), (f), and (g).

As explained below, after such review, ICE has determined to maintain your custody because:


- You have not demonstrated that, if released, you will not:
  - Pose a significant risk of flight pending your removal from the United States.
  - Pose a Threat to Public

ICE has made such determination based upon: Your removal and pendency of your removal from the United States.

Based on the above, you are to remain in ICE custody pending your removal from the United States as ICE is unable to conclude that the factors set forth at 8 C.F.R. § 241.4(e) have been satisfied. You are advised that you must demonstrate that you are making reasonable efforts to comply with the order of removal and that you are cooperating with ICE's efforts to remove you by taking whatever actions ICE requests to affect your removal. You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 U.S.C. § 1253(a).

If you have not been released or removed from the United States at the expiration of the three-month period after this 90-day review, jurisdiction of the custody decision in your case will be transferred to the ICE Headquarters (ERO Removal Division), Potomac Center North, 500 12<sup>th</sup> Street SW, Washington, DC 20536. The ERO Removal Division will thereafter conduct a custody review and will make a determination regarding whether you will continue to be detained pending removal or may be released.

**Decision to Continue Detention**

Villegas Cardenas, Jadier 

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To assist in the ERO Removal Division custody review, you will be afforded a personal interview. You and your representative who has filed a Form G-28, Notice of Entry of Appearance, if any, will be notified of the date and time of the interview approximately 30 days prior to the scheduled interview date. This interview may be in person or through a video teleconference. If ERO needs to change the date of the interview, ERO will provide notice to you and your representative who has filed a Form G-28, Notice of Entry of Appearance, if any.

You may be accompanied during the interview by a person of your choice, subject to security requirements at the detention facility, as long as this person is able to attend the interview at the scheduled time.

You may submit any additional documentation in English you wish to be considered in support of your release at the time of the interview or via mail service up to five business days prior to the scheduled time of your interview to the following address:

**Denver CDF (GEO)  
3130 North Oakland Street  
Aurora, CO 80010**

Such documentation should contain a cover letter indicating that the material is submitted in support of your Post Order Custody Review personal interview. An attorney or other person may submit materials on your behalf.

You are required to complete the below information.

I do \_\_\_\_\_ do not \_\_\_\_\_ want a personal interview.

**If you do want an interview, please check the appropriate box(es) below:**

Check this box if you need an interpreter for your interview.  
Language/Dialect: \_\_\_\_\_

I will be assisted at this interview by a representative of my own choosing.

Name: \_\_\_\_\_

If your representative has not filed a G-28, Notice of Entry of Appearance, on your behalf, you are responsible for notifying any other person you have selected to assist you of the date, time, and location of the interview. The representative must be at least 18 years of age.

You will be sent a separate Notice to Alien of Interview for Review of Custody Status approximately 30 days before the interview is scheduled. If you wish to request additional time to prepare for the interview, you must notify your deportation officer within five business days of

C-3

**Decision to Continue Detention**

Villegas Cardenas, Jadier 

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receipt of the Notice of Interview. If ERO agrees to postpone the interview at your request, you will be deemed to have waived its completion prior to jurisdiction over your case transferring to the ERO Removal Division.

You will be notified of the decision in your case when the custody review has been concluded by the ERO Removal Division.

**KATIE MARTIN**

Digitally signed by KATIE  
MARTIN RIESNER

**RIESNER**

Date: 2025.11.27 09:22:53 -07'00'

11/27/2025

Katie M. Riesner, Deputy Field Office Director

Date

**PROOF OF SERVICE**

**(Officer to complete both (a) and (b) below.)**

(a) I \_\_\_\_\_, \_\_\_\_\_  
Name of ICE Officer Title  
certify that I served Villegas Cardenas, Jadier with a copy of  
Name of detainee  
this document at Denver CDF on \_\_\_\_\_, at \_\_\_\_\_.  
Institution Date Time

(b) I certify that I served the custodian \_\_\_\_\_,  
Name of Official  
\_\_\_\_\_, at \_\_\_\_\_, on  
Title Institution  
\_\_\_\_\_ with a copy of this document.  
Date

Detainee Signature: refused to sign Date: 11/20/25

(X) cc: Attorney of Record or Designated Representative  
(X) cc: A-File

**AFFIDAVIT OF SUPPORT FOR RELEASE FROM DETENTION**

I, **Yasber Perez Ramirez**, residing at [REDACTED] hereby declare the following under penalty of perjury:

**1. Personal Information**

I am over 18 years of age and competent to make this declaration. I currently reside at the address listed above. My Florida Driver's License number is [REDACTED] and I can be reached by phone at [REDACTED] and by email at [REDACTED]

**2. Support and Relationship to Detainee**

I am writing this affidavit in support of **Jadier Villegas Cardena**, [REDACTED], who is currently detained at **Krome Detention Center**. I am a close personal friend of Mr. Villegas Cardena and have known him for over fifteen (15) years.

**3. Willingness to Provide Support**

I am fully willing and able to receive Mr. Villegas Cardena into my home at the address above upon his release. I commit to providing him with housing, food, transportation, and emotional support during his transition period. I will ensure he complies with all conditions of release, including attending all immigration or court-related appointments and proceedings.

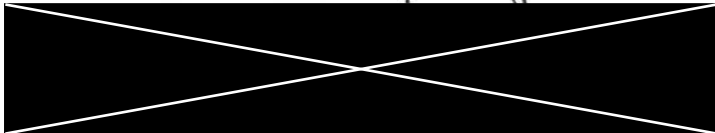
**4. Affirmation**

I make this statement voluntarily and affirm that everything stated herein is true and correct to the best of my knowledge. I understand that providing false information in this affidavit may have legal consequences under U.S. law.

Executed on this 25 day of June 2025,  
in Lee County, Florida.

Signature: \_\_\_\_\_

Full Name: Yasber Perez Ramirez



CERTIFICATE OF SERVICE

JADIER VILLEGAS  
(Name of Respondent)



\_\_\_\_\_  
("A number" of Respondent)

On 02/04/26, JADIER VILLEGAS  
(Print Name)

served a true and correct copy of this:

APPLICATION FOR A WRIT OF HABEAS CORPUS & ATTACHMENTS

and any attached pages to: ✓

US DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
OFFICE OF CHIEF COUNSEL  
12445 E. CALEY AVENUE  
CENTENNIAL, CO 80111-6432

\_\_\_\_\_  
US DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
OFFICE OF CHIEF COUNSEL (IN COURT)  
3130 NORTH OAKLAND STREET  
AURORA, CO 80010

By: FIRST CLASS MAIL

[Signature]  
(Signature)

02/04/26  
(Date)

JADIER VILLEGAS

(Name of alien or aliens)



("Alien number" of alien or aliens)

### CERTIFICATE OF SERVICE

On 02/04/26, I, JADIER VILLEGAS,  
(date) (printed name of person signing below)

served a copy of this APPLICATION FOR A WRIT OF HABEAS CORPUS,  
(name of document)

and any attached pages to JUAN BALTAZAR, WARDEN OF AURORA ICE PROC. CENTER  
(name of party served)

at the following address: 3130 W. OAKLAND ST., AURORA CO 80010  
(address of party served)

by FIRST CLASS MAIL.  
(method of service, for example overnight courier, hand-delivery, first class mail)

(signature)

02/04/26  
(date)