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**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
NORTHERN DIVISION**

MARICELA NOLASCO VENTURA)

Petitioner,)

V.)

NIKITA BAKER, Acting Director of Baltimore)
Field Office, U.S. Immigration and Customs)
Enforcement; and)

CIVIL CASE NO: 1:26-CV-532

KRISTI NOEM, Secretary of the Department of)
Homeland Security; and)

PAMELA BONDI, U.S. Attorney General)

Respondents)
_____)

AMENDED PETITION FOR WRIT OF HABEAS CORPUS

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A# - [REDACTED])

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AMENDED PETITION FOR WRIT OF HABEAS CORPUS

MARICELA NOLASCO VENTURA (“Petitioner” or “Ms. Nolasco Ventura”) petitions this Court for a Writ of Habeas Corpus, pursuant to 28 USC § 2241 and the Administrative Procedure Act, 5 U.S.C. § 701, et seq., to remedy her continued unlawful detention by Respondents. Petitioner hereby requests that an immediate hearing be set on this matter. Petitioner also requests that she be released during the pendency of this Petition. In support of this Petition, Petitioner alleges as follows:

I. INTRODUCTION

1. Petitioner’s full name is Maricela Nolasco Ventura. She was born on [REDACTED]. She is a thirty-eight (38) year-old citizen of Honduras who fled her home country due to the dangerous conditions she faced there. She arrived in the United States on or about March 2010. She entered without inspection and was not detained upon arrival.

2. Petitioner's Alien Registration number is 

3. At the time the Petition for Writ of Habeas Corpus was filed, Petitioner was detained at the Baltimore Immigration and Customs Enforcement (ICE) facility located at 31 Hopkins Plaza, Baltimore, Maryland 21201, following her arrest by ICE on February 8, 2026. Petitioner has since been transferred to the Adelanto Detention Center in Adelanto, California.

4. Emergency relief is necessary because the Petitioner is eligible for a U-Visa and intends to apply for Cancellation of Removal and needs to work with her attorney to submit those applications. Moreover, the Cancellation of Removal is based on a hardship to her Lawful Permanent Resident qualifying relatives, her daughters are seventeen (17) and twenty (20) years old. The Petitioner's minor daughters were left at home, unattended while she was detained. The 17-year-old child has medical concerns and needs the care of the Petitioner to attend school and medical appointment. The Petitioner was transferred to the Adelanto Detention Center in California, emergency relief is necessary, as the Petitioner has viable relief, she may forever lose her opportunity to obtain relief, in which she is prima facie eligible.

5. Respondents' decision to detain Petitioner was not based on her personal circumstances or individualized facts, but on Respondents' categorical determination that, the Fifth Amendment notwithstanding, noncitizens are not entitled to due process. Respondents' decision also deviates from their own policy to re-detain noncitizens only after a material change in circumstances. Instead, under Respondents' new policy, they arrogate to themselves the unilateral authority to revoke release without regard to whether anything has occurred that has converted Petitioner into a flight risk or danger to the community, and without involving any neutral arbiter.

6. Petitioner's detention is unlawful as a matter of constitutional and statutory law. Because she was seized without probable cause and subjected to a warrantless arrest in violation of the Fourth Amendment and she has been denied a constitutionally meaningful bond hearing in violation of the Fifth Amendment and binding Fourth Circuit precedent.

7. On February 11, 2026, this Court ordered that Petitioner is detained pursuant to 8 U.S.C. § 1226(a) and enjoined Respondents from detaining her under 8 U.S.C. § 1225(b). Although a bond hearing was conducted, it failed to comply with this Court's Order and constitutional due-process requirements. The Immigration Judge de facto applied standards consistent with § 1225(b) by treating Petitioner as categorically ineligible for release and by relying on agency policy rather than conducting a meaningful, individualized custody determination as required under § 1226(a). As a result, the hearing was not meaningful, not individualized, and not constitutionally adequate.

8. Petitioner remains detained in violation of the Fourth and Fifth Amendment, the Immigration and Nationality Act, and this Court's prior Order. Respondents' continued detention of Petitioner is arbitrary, capricious, contrary to law, and unsupported by any legitimate governmental interest.

9. To vindicate petitioner's rights, this court should grant the instant petition for a writ of habeas corpus. Petitioner asks this court to find that Respondents' continuous detention of petitioner is in violation of the law, and to obtain relief from her continued arbitrary and unlawful detention.

II. JURISDICTION AND VENUE

10. Venue lies in the United States District Court for the District of Maryland, the judicial district in which Respondents, Department of Homeland Security (DHS) and Nikita Baker Acting Field Office Director for U.S. Immigration and Customs Enforcement (ICE) Baltimore Field Office reside and where Petitioner is detained. 28 U.S.C. § 1391(e). This Court has subject matter jurisdiction over the claims alleged in this Petition pursuant to 28 U.S.C. § 1331, as they arise under federal statutes, 28 U.S.C. § 2201 (Declaratory Judgment Act); and 28 U.S.C. § 2241 (habeas corpus), and the Immigration and Nationality Act.

11. Federal courts also have federal question jurisdiction, through the APA, to "hold unlawful and set aside agency action" that is "arbitrary, capricious, an abuse of discretion, or

otherwise not in accordance with law.” 5 U.S.C. § 706(2)(A). APA claims are cognizable on habeas. 5 U.S.C. § 703 (providing that judicial review of agency action under the APA may proceed by “any applicable form of legal action, including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus”). The APA affords a right of review to a person who is “adversely affected or aggrieved by agency action.” 5 U.S.C. § 702. Respondents’ continued detention of Petitioner up to and past the 90-day removal period has adversely and severely affected Petitioner’s liberty and freedom.

12. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(e) and 2241 because Petitioner was detained within this District at the time this Petition was filed, and because Respondents responsible for Petitioner’s custody and detention reside and perform their official duties within this District. Petitioner’s subsequent transfer to another detention facility outside this District does not defeat jurisdiction or venue, as habeas jurisdiction attaches at the time of filing and Respondents remain subject to this Court’s authority. The Respondents responsible for her custody reside within the jurisdiction of this district.

III. PARTIES

13. Petitioner Ms. Nolasco Ventura is a citizen of Honduras who last entered the United States on or about March 2010. She is currently in the custody of the Department of Homeland Security (DHS) since she was detained on February 8, 2026.

14. Respondent Nikita Baker is sued in her official capacity as the Acting Director of the Baltimore Field Office of Immigration Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement, Department of Homeland Security. Respondent has immediate physical custody of the Petitioner and is a legal custodian of Petitioner and has the authority to release her.

15. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for implementation and enforcement of the INA, and oversees ICE, which is responsible for Ms. Nolasco Ventura’s detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

16. Respondent Pamela Bondi is the U.S. Attorney General. She oversees the immigration court system, which is housed within the Executive Office for Immigration Review (EOIR) and includes all Immigration Judges and the Board of Immigration Appeals (BIA). She is sued in her official capacity.

17. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention of noncitizens.

18. Respondent reserves the right to substitute any parties who are incorrectly named in this petition.

IV. STATEMENT OF FACTS

19. Petitioner, Ms. Nolasco Ventura is a citizen of Honduras who arrived the United States on or about March 2010. She is detained by Respondents and is currently in removal proceedings under 8 U.S.C. § 1229a. She is not subject to a final order of removal.

20. Ms. Nolasco Ventura has no criminal history, no pending charges, and no history of non-compliance with immigration authorities.

21. On February 8, 2026, while on her way to work, Petitioner was driving her vehicle and entered a parking lot with the intent to stop at a grocery store. Three unmarked vehicles began pursuing her and subsequently stopped her vehicle. ICE officers then detained Petitioner without a warrant, reasonable suspicion, or probable cause. She was taken into custody and placed in immigration detention.

22. At the time of the arrest there was no judicial warrant and no administrative warrant supported by probable cause was present. The officers did not possess specific, articulable facts establishing probable cause that Petitioner was removable or that she posed any risk of flight before a warrant could be obtained. Her arrest was therefore unlawful under the

Fourth Amendment, and her continued detention is the direct result of that unconstitutional seizure.

23. Ms. Nolasco Ventura is not a danger to the community or a flight risk. She has no pending criminal cases. Additionally, she has deep roots in this community. She has a sponsor who is willing to accept her upon her release.

24. Petitioner intends to apply for Cancellation of Removal under 8 U.S.C. § 1229b(b)(1). She has been continuously present in the United States for more than ten years, has demonstrated good moral character, and has qualifying relatives who are lawful permanent residents. She is also prima facie eligible for a U-Visa and must be able to work with counsel to prepare and submit her application and obtain the required law-enforcement certification.

25. Petitioner is the mother of two lawful permanent resident daughters, M [REDACTED] N [REDACTED] born [REDACTED] and Lesly Ramirez Nolasco ("Lesly"), born [REDACTED] 2005. Both daughters depend entirely on Petitioner for emotional, financial, and daily support.

26. Separation from their mother would cause exceptional and extremely unusual hardship to Maryury and Lesly. There is no other adult caregiver available to provide for their basic needs, stability, or well-being.

27. Petitioner's detention therefore directly prejudices her ability to prepare and present a meritorious Cancellation of Removal application.

28. On February 11, 2026, this Court ruled that the Petitioner is subject to detention under 8 U.S.C § 1226(a), not § 1225 and Ordered that a Bond Hearing be held within 7 days pursuant to § 1226(a).

29. A bond hearing was held on February 13, 2026. At the hearing, the Immigration Judge de facto applied standards consistent with 8 U.S.C § 1225 (b) rather than § 1226 (a) and ruled that she was both a danger to the community and a flight risk. In *Miranda v. Garland*, 34 F.4th 338 (4th Cir. 2022), it was stated that courts must examine whether the procedures

employed in an individual custody determination satisfy constitutional due process. The Immigration Judge applied the incorrect statutory framework, treated Petitioner as categorically ineligible for release, and failed to conduct a meaningful, individualized assessment of flight risk or danger. As a result, the custody determination violates the Fifth Amendment. The Constitution does not permit prolonged civil detention based on legal misclassification or conclusory findings divorced from the individual facts of the case.

30. The Immigration Judge found the Petitioner to be a danger to society and a flight risk based on information in the Form I-213, including references to criminal allegations that were held as *nolle prosequi*. Relying on dismissed charges is a violation of due process. By considering these abandoned allegations, the Immigration Judge further demonstrated that the custody determination was neither neutral nor individualized.

31. Petitioner does not pose a risk of flight. She is the primary caregiver to her two daughters, ages seventeen (17) and twenty (20), who depend on her for emotional, financial, and daily support. At the time of her arrest, her daughters were left without an adult caregiver due to her sudden detention. These circumstances highlight the Petitioner's strong family connections and deep community ties, which strongly counter any suggestion that she might flee. Petitioner's responsibilities to her children provide a powerful incentive for her to remain before the Court and fully comply with all the conditions of release.

32. DHS has denied Petitioner's release from Immigration custody consistent with the new DHS policy issued on July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider anyone inadmissible under § 1182(a)(6)(A)(i) i.e., those who entered the United States without admission or inspection to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

33. Similarly, on September 5, 2025, the Board of Immigration Appeals (BIA or Board) issued a precedent decision, binding on all immigration judges, holding that an immigration judge has no authority to consider bond requests for any person who entered the United States without admission. See *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA

2025). The Board determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

34. In *Maldonado Bautista v. Santacruz*, (C.D. Cal. Dec. 18, 2025), Judge Sunshine S. Sykes held that DHS's July 8, 2025 "Interim Guidance Regarding Detention Authority for Applicants for Admission" unlawfully reclassified certain noncitizens as subject to mandatory detention under 8 U.S.C. § 1225(b)(2), thereby eliminating their eligibility for bond under § 1226(a). The court concluded that this interpretation conflicted with the statutory framework and vacated the policy under the Administrative Procedure Act as not in accordance with law.

35. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. The statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

36. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying § 1226(a) to people like Petitioner.

37. Accordingly, Petitioner seeks an Amended Writ of Habeas Corpus requiring that she be released immediately.

38. To vindicate petitioner's rights, this court should grant the Amended Petition for a Writ of Habeas Corpus. Petitioner asks this court to find that Respondents' continuous detention of Petitioner is in violation of the law, and that she be released immediately.

39. Respondents' detention of petitioner is no longer justifiable and is arbitrary and capricious.

V. LEGAL FRAMEWORK

A. Habeas Review of Unlawful Immigration Detention

40. The Constitution guarantees that the writ of habeas corpus is “available to every individual detained within the United States.” *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004) (citing U.S. Const., Art I, § 9, cl. 2). Section 2241 of Title 28 confers the federal courts with the power to issue writs of habeas corpus to persons “in custody in violation of the Constitution or Laws or Treaties of the United States.” 28 U.S.C. § 2241. This includes challenges by non-citizens in immigration-related matters. See *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001); see also *A. A. R. P. v. Trump*, 145 S. Ct. 1364, 1367 (2025).

41. Federal courts retain jurisdiction under 28 U.S.C. § 2241 to review the legality of immigration detention, including constitutional challenges to arrest, custody, and bond procedures. Federal courts retain jurisdiction under § 2241 to review the legality of immigration detention, including constitutional challenges to arrest, custody, and bond procedures. Habeas relief is appropriate where custody violates the Constitution, exceeds statutory authority, or is otherwise arbitrary and unlawful.

B. Fourth Amendment Protections Against Unlawful Seizure.

42. The Fourth Amendment protects against unreasonable searches and seizures, and that protection applies fully to Petitioner as a person physically present within the United States. The Supreme Court has repeatedly affirmed that the Fourth Amendment safeguards all individuals on U.S. soil citizens and non-citizens alike from arbitrary government intrusion. In *INS v. Delgado*, 466 U.S. 210 (1984), the Court made it clear that immigration officers are bound by ordinary Fourth Amendment standards when interacting with individuals inside the country. Those standards require reasonable suspicion to justify a stop and probable cause to support an arrest.

43. These constitutional requirements apply in the Immigration context. A warrantless arrest is presumptively unreasonable unless the government can show that probable cause existed at the moment of seizure. In *United States v. Brignoni-Ponce*, 422 U.S. 873 (1975), the Court held that immigration officers may not stop or detain individuals without specific, articulable facts giving rise to reasonable suspicion. See also *Dunaway v. New York*, 442 U.S. 200 (1979), the Court held that an arrest unsupported by probable cause violates the Fourth Amendment and

renders any resulting detention unlawful. Immigration arrests require not only probable cause of removability but also a lawful basis to believe the person is likely to flee before a warrant can be obtained.

44. Petitioner's seizure and arrest were unsupported by unreasonable suspicion or probable cause under these established precedents, rendering the initial seizure unconstitutional. Because her current custody flows directly from the unlawful arrest, her continued detention violates the Fourth Amendment and cannot lawfully be sustained. Immigration and Customs Enforcement (ICE) officers cannot detain Petitioner without probable cause.

C. Constitutional Limits on Civil Immigration Detention

45. The Fifth Amendment's Due Process Clause protects all persons within the United States from unlawful deprivations of liberty. The Supreme Court has made this principle explicit: "The Due Process Clause applies to all persons within the United States, including aliens, whether their presence is lawful, unlawful, temporary, or permanent," and a noncitizen's liberty interest "is not diminished by their lack of a legal right to live at large." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). Petitioner has lived in the United States since approximately March 2010 and is fully entitled to these constitutional protections.

46. In immigration context, the Supreme Court has recognized only two valid purposes for civil detention: to mitigate the risks of danger to the community and to prevent flight. *Zadvydas*, 533 U.S. Ct. 678; *Demore v. Kim*, 538 U.S. Ct. 510 at 528. The government may not detain a noncitizen based on any other justification because "civil commitment for any purpose constitutes a significant deprivation of liberty that requires due process protection." *Addington v. Texas*, 441 U.S. 418, 425 (1979).

47. The balancing test established in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976), the *Mathews* factors weigh heavily in Petitioner's favor. First, Petitioner has a fundamental liberty interest in freedom from physical restraint, which the Supreme Court has recognized as "at the core of the liberty protected by the Due Process Clause." *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992). Courts have repeatedly recognized that noncitizens with longstanding residence in the United States possess a substantial liberty interest in avoiding civil confinement. *Hernandez-*

Fernandez v. Lyons, 2025 WL 2976923, at 8 (W.D. Tex. Oct. 21, 2025). Second, the risk of erroneous deprivation is substantial where, as here, the Immigration Judge applied the incorrect statutory framework. Third, the government’s interest does not outweigh the need for constitutionally adequate procedures, particularly given Petitioner’s significant ties to the United States and pursuit of multiple forms of statutory relief.

D. Burden of Proof and Statutory Framework Under § 1226(a).

48. The courts have made it clear that due process governs detention under 8 U.S.C. § 1226(a) and that individuals detained under this provision are entitled to constitutionally adequate procedures before the government may continue to deprive them of liberty. In *Miranda v. Garland*, 34 F.4th 338 (4th Cir. 2022), the Fourth Circuit confirmed that noncitizens detained pursuant to § 1226(a) possess a constitutionally protected liberty interest and that federal courts retain jurisdiction to review whether bond procedures comport with due process. While the court declined to impose a categorical constitutional rule governing all bond hearings, it emphasized that detention under § 1226(a) must be accompanied by procedures that are fundamentally fair and sufficiently protective against erroneous deprivation of liberty.

49. 8 U.S.C. § 1226(a) provides the general process for arresting and detaining aliens who are present in the United States and eligible for removal. Under this rule, a noncitizen may be arrested and detained “[o]n a warrant issued by the Attorney General” if their removal proceedings are pending, 8 U.S.C. § 1226(a). Detention pursuant to 8 U.S.C. § 1226(a) is not mandatory. If the noncitizen was not charged with, arrested for, or convicted of certain criminal offenses enumerated in 8 U.S.C. § 1226(c), the government has discretion to release them on “bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or ... conditional parole.” 8 U.S.C. § 1226(a)(2)(A)–(B).

50. That section 1225 (b) governs arriving aliens and certain applicants for admission in expedited or credible-fear proceedings. Petitioner does not fall within that category. She is physically present within the United States, is in full removal proceedings under 8 U.S.C. § 1229a, is not in expedited removal, and is not properly classified as an arriving alien. Because

her detention is governed by 8 U.S.C. § 1226(a), which requires an individualized custody determination, the Immigration Judge's reliance on § 1225 was ultra vires and resulted in a violation of Petitioner's substantive and procedural due process rights.

E. Constitutional Defects in Petitioner's Bond Hearing

51. The Petitioner's continued detention violates the Fifth Amendment because the Immigration Judge improperly subjected her to mandatory detention under 8 U.S.C. § 1225, which does not apply to her circumstances. By treating her as categorically ineligible for bond, the Immigration Judge imposed de facto mandatory detention without any individualized assessment of flight risk or danger, resulting in an unlawful deprivation of liberty. This misapplication of § 1225(b) denied the Petitioner the procedural protections guaranteed by the Due Process Clause and subjected her to mandatory detention based on a statute that was inapplicable to her case.

52. The Fifth Amendment protects all persons within the United States from deprivation of liberty without due process of law. By treating Petitioner as categorically ineligible for bond, the Government deprived her of any meaningful opportunity to demonstrate that she is not a flight risk, and she is not a danger to the community. If detention is governed by § 1226(a), denial of a bond hearing is a denial of required procedural safeguards. The deprivation of liberty based on legal misclassification violates procedural due process.

53. The Immigration Judge further relied on information contained in the Form I-213, including references to criminal allegations that were nolle prosequi. An Immigration Judge may not treat dismissed charges as evidence of danger or flight risk, nor may the Executive rely on unproven or abandoned allegations to justify civil detention. By invoking these dismissed accusations, the Immigration Judge further demonstrated that the custody determination was neither neutral nor individualized.

54. The Supreme Court has long recognized family unity as a fundamental liberty interest. *Troxel v. Granville*, 530 U.S. 57 (2000); *Moore v. City of East Cleveland*, 431 U.S. 494 (1977). Petitioner's continued detention unlawfully interferes with her ability to care for her two lawful permanent resident daughters, ages seventeen (17) and twenty (20), who rely on her for

emotional, financial, and daily support. When Petitioner was detained on February 8, 2026, her daughters were left without an adult caregiver, as no one was immediately available to assume responsibility for them. This abrupt separation highlights the substantial intrusion her detention has imposed on her family unity and her essential caregiving role.

55. Federal courts have consistently held that prolonged civil immigration detention without meaningful procedural protections becomes unconstitutional when it grows unreasonable in length.

F. Prejudice Resulting From Unlawful Detention

56. Ms. Nolasco Ventura's detention is unreasonable or unjustifiable and highly prejudicial to her ability to pursue the immigration relief for which she is eligible. The deprivation of her liberty severely impedes her ability to prepare and file her U-visa application with USCIS, obtain the required law-enforcement certification, and maintain meaningful communication with her attorney, steps that are essential to the statutory process Congress created to protect victims of crime. Her detention also obstructs her ability to prepare for Cancellation of Removal Application under 8 U.S.C. § 1229b(b)(1), including the collection of supporting evidence. Petitioner needs to obtain medical records and comply with applicable Health Insurance Portability and Accountability Act (HIPAA) authorization requirements to establish hardship. These tasks require her direct involvement and coordination with medical providers and counsel and are substantially impeded by her continued detention.

57. The Constitution protects Ms. Nolasco Ventura and every other person present in this country from arbitrary deprivations of her liberty and guarantees her due process of law. The government's power over immigration is broad, but as the Supreme Court has declared, it "is subject to important constitutional limitations." *Zadvydas v. Davis*, 533 U.S. 678, 695 (2001). "Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause from arbitrary government action." *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992).

58. Petitioner, Ms. Nolasco Ventura, respectfully seeks a writ of habeas corpus ordering the government to immediately release her from ongoing, unlawful detention so that she

may pursue the statutory relief that she is eligible for and to care for her minor lawful permanent resident children.

VI. EXHAUSTION

59. Petitioner argues any application for Bond before the Immigration Court would be futile considering separate decisions of the Board of Immigration Appeal issued on May 15, 2025, and September 5, 2025, where the BIA adopted DHS' interpretation of the INA as mandating detention without bond for millions of noncitizens who reside in the U.S. See *Matter of Q Li*, 29 I&N Dec. 66 (BIA 2025); *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). The BIA's decision held that immigration judges lack jurisdiction to hold bond hearings or grant bond to all individuals charged with entering the country without inspection. *Id.*

60. The Court should find administrative exhaustion would be futile. See *Dawson Farms, LLC v. Farm Service Agency*, 504 F.3d 592, 607 (5th Cir. 2007) ("Traditional circumstances in which the courts have excused a claimant's failure to exhaust administrative remedies include situations in which ... exhaustion of administrative remedies would be futile because the administrative agency will clearly reject the claim."). BIA decisions are binding on immigration judges, and *Matter of Q Li* and *Matter of Hurtado* thus precludes an IJ from finding jurisdiction over noncitizens like petitioner to hold a custody redetermination hearing. Therefore, judicial intervention enjoining Respondents from preventing petitioner from having a bond hearing pursuant to the holding in *Q Li* and *Hurtado* is necessary to enable petitioner to avail herself of her administrative remedies. Therefore, the Court should consider the merits of the Petition.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

HABEAS CORPUS

61. Ms. Nolasco Ventura realleges and incorporates by reference the paragraphs above. As set forth above, Respondents are holding Ms. Nolasco Ventura in federal custody, in violation of federal statutes, and in the U.S Constitution.

62. Accordingly, Petitioner Ms. Nolasco Ventura seeks a writ of habeas corpus compelling Respondents to release her to the custody and care of her sponsor.

SECOND CLAIM FOR RELIEF

CONSTITUTIONAL CLAIM

63. Ms. Nolasco Ventura realleges and incorporates by reference the paragraphs above.

64. Ms. Nolasco Ventura's continued detention violates both the Fourth Amendment and the Fifth Amendment to the United States Constitution. Her detention is the direct result of an unlawful, warrantless arrest unsupported by reasonable suspicion or probable cause, in violation of the Fourth Amendment, and it further violates her substantive and procedural due process rights guaranteed by the Fifth Amendment.

PRAYER FOR RELIEF

Therefore, Petitioner respectfully requests this Court to grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Issue an Order directing Respondents to show cause why the writ should not be granted within three days;
- c. Declare that Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment to the U.S. Constitution.
- d. Order Petitioner's immediate release;
- e. Grant any other further relief this Court deems just and proper.

Dated: March 3, 2026

Respectfully submitted,

/s/ Liset Collazo Dingle

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**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF PURSUANT
TO 28 U.S.C. § 2242.**

I am submitting this verification on behalf of the Petitioner because I am the attorney for Petitioner. I have discussed with the Petitioner the events described in this Petition. Based on those discussions, I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: March 3, 2026

Respectfully submitted,

/s/ Liset Collazo Dingle

Liset Collazo Dingle, Esquire
Attorney for Petitioner

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Amended Petition for Writ of Habeas Corpus and all attachments via electronic means and served using the CM/ECF system to each of the following individuals:

Nikita Baker, Acting Field Office Director
Department of Homeland Security
Immigration and Customs Enforcement ERO
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Baltimore MD 21201

Kristi Noem, Secretary
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Dated: March 3, 2026

Respectfully submitted,

/s/ Liset Collazo Dingle

Liset Collazo Dingle, Esquire
Attorney for Petitioner