

JUDGE KATHLEEN CARDONE

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

511 E. SAN ANTONIO AVENUE, ROOM 105

EL PASO, TX 79901

EP 26 CV 0389

FILED
FEB 09 2026
U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

Carmen Edelina Chimborazo Azas,

IN THE MATTER OF:

CHIMBORAZO AZAS, Jefferson Fernando

A#: 

Petitioner, PRO SE.

v.

U.S. DEPARTMENT OF HOMELAND SECURITY;

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE);

ICE FIELD OFFICE DIRECTOR, EL PASO TX;

WARDEN OF THE DETENTION FACILITY,

Respondents.

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS PRO SE

PURSUANT TO 28 U.S.C. § 2241

Petitioner, by and through his sister Carmen Edelina Chimborazo Azas, respectfully petitions this Court for a Writ of Habeas Corpus, and states as follows:

I. JURISDICTION

This Court has jurisdiction under 28 U.S.C. §2241, as Petitioner is detained in the United States at ICE / ERO El Paso, Texas, without any EOIR case or access to a judge, and seeks relief from unlawful detention.

II. PARTIES

Petitioner: Jefferson Fernando Chimborazo Azas, A# [REDACTED] Ecuadorian national, detained at: ICE / ERO – El Paso, Camp East Montana 6920 Digital Road El Paso, TX 79936.

Representative / Pro se filer: Carmen Edelina Chimborazo Azas, sister

Respondents:

- Alejandro Mayorkas, Secretary, DHS
- Tae Johnson, Acting Director, ICE
- ERO El Paso Field Office Director • Director, Camp East Montana, ICE / ERO

III. FACTUAL BACKGROUND

I. Petitioner entered the United States irregularly, apprehended by Border Patrol on or around November 30, 2025.

II. Petitioner fled Ecuador due to credible threats to his life, seeking asylum and protection.

III. Since detention, Petitioner has not received any notification of removal proceedings, no NTA, no EOIR case, no court date, and has not been interviewed for credible fear.

IV. Petitioner has contacted family in the U.S., but ICE has provided no information, leaving him in indefinite detention.

V. Petitioner is currently 19 years old, a legal adult, and at risk of irreparable harm if removed to Ecuador.

IV. CLAIMS

I. Violation of Due Process: Petitioner is being detained indefinitely without notice or opportunity to contest removal.

II. Violation of INA §235(b)(1): Petitioner has not been given a credible fear interview, as required for asylum seekers apprehended at the border.

III. Risk of Irreparable Harm: Removal to Ecuador would expose Petitioner to serious threats to his safety.

V. RELIEF REQUESTED

Petitioner respectfully requests that this Court:

I. Issue a Writ of Habeas Corpus ordering Respondents to immediately produce Petitioner before the Court.

II. Order ICE / ERO to schedule and conduct a credible fear interview immediately.

III. Enjoin Respondents from removing Petitioner from the United States until the Court rules on this petition.

IV. Grant any other relief deemed just and proper.

VI. AFFIDAVIT OF REPRESENTATIVE

I. Carmen Edelina Chimborazo Azas, declare under penalty of perjury under the laws of the United States:

I. I am the sister of Jefferson Fernando Chimborazo Azas.

II. I am submitting this petition on his behalf as he is currently detained and unable to access legal counsel.

III. To the best of my knowledge, the facts stated herein are true and correct.

Executed this 24 day of January 2026.

Signature: _____



Carmen Edelina Chimborazo Azas