THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

SEBASTIAN ZAMBRANO RAMIREZ, Petitioner vs. PAMELA BONDI, in her official capacity as Attorney General of the United States, KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, TODD LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement; GARRETT RIPA, in his official capacity as Field Office Director of Immigration and Customs Enforcement's Enforcement and Removal Operations Miami Field Office; CHARLES A. PARRA, in his official as Assistant Field Office Director for the Krome North Service Processing Center, Respondents.	Case No.: Agency File: [redacted]

INTRODUCTION

1. This case concerns the illegal detention of petitioner Sebastian Zambrano Ramirez—a Colombian young man suffering from [redacted] Mr. Zambrano has done everything the government has asked him to: he followed the process the United States established to present at the border on a certain date through the parole program called Customs and Border Protection One ("CBP One"); he appeared on that date, at which point the government decided to release him on parole while he applied for relief within the country; he lawfully entered the United States where he reunited with family; he applied for and was granted permission to work; and, his LPR filed an I-130 petition on his behalf.

2. Although Mr. Zambrano's parole was initially set to expire on October 5, 2026, the CBP I-94 website now reflects an expiration date of April 18, 2025.

3. Mr. Zambrano's arrest and detention are wholly unjustified. In the time he has lived in the United States, Mr. Zambrano has done all he can to integrate into his community, begin to learn English, and lawfully work. He is not a flight risk, nor is he a danger to the community. Rather, Mr. Zambrano was arrested and detained after his mother called law enforcement to have him committed and treated due to a schizophrenic episode.

4. Mr. Zambrano's arrest and ongoing detention are causing him immense harm. Prior to his arrest, Mr. Zambrano had never been criminally arrested or placed in detention. He was being treated for [redacted] following years of an incorrect diagnosis and treatment for [redacted] in Colombia. Since his current detention, his [redacted]. He has been separated from his family and support network and fears that he will be sent back to Colombia—where he has no close family ties and where he fears mistreatment due to his mental health condition.

5. Mr. Zambrano respectfully asks this Court to hold that his arrest was unlawful, to hold that his continued detention is unlawful, and to order his release from custody. Mr. Zambrano also respectfully asks that this Court order Respondents not to transfer him outside of the District for the duration of this proceeding.

6. Every day Mr. Zambrano spends in detention subjects him to further irreparable harm. Immediate relief is necessary to ensure that Mr. Zambrano is no longer subjected to continued violations of his substantive and procedural rights.

JURISDICTION

7. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Krome North Service Processing Center ("Krome SPC").

8. Jurisdiction of the Court is predicated upon 28 U.S.C. §§ 1331 in that the matter in controversy arises under the Constitution and laws of the United States.

9. This Court also has jurisdiction pursuant to 28 U.S.C. § 2241 (the general grant of habeas authority to the district court), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

10. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

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 has adversely and severely affected Petitioner's liberty and freedom.

VENUE

12. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Southern District of Florida, the judicial district in which Petitioner currently is detained.

13. Venue is proper in this District under 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Southern District of Florida.

REQUIREMENTS OF 28 U.S.C. § 2243

14. The Court must grant the petition for writ of habeas corpus or issue an order to show cause to the Respondents "forthwith," unless the Petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require Respondents to file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

15. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as "perhaps the most important writ known to the constitutional law of England, affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963).

PARTIES

16. Petitioner, Sebastian Zambrano Ramirez, is a Colombian national suffering from [redacted] and seeking refuge in the United States.

17. Respondent, Ms. Pamela Bondi, is the United States 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.

18. Respondent, Ms. Kristi Noem, is the United States Secretary of Homeland Security. DHS oversees ICE, which is responsible for administering and enforcing the immigration laws. Secretary Noem is the ultimate legal custodian of Petitioner. She is sued in her official capacity.

19. Respondent, Mr. Todd Lyons, is the Acting Director of U.S. Immigration

and Customs Enforcement ("ICE"). As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States and is legally responsible for pursuing any effort to remove Petitioner and confine him pending removal. As such, he is a custodian of Petitioner. He is sued in his official capacity.

20. Respondent, Garrett Ripa, is the Field Office Director of Immigration and Customs Enforcement's Enforcement and Removal Operations for the Miami Field Office. He is the federal agent responsible for the administration of immigration laws and the execution of immigration confinement and the institution of removal proceedings within Florida, which is the jurisdiction where Petitioner is confined. As such, he is a custodian of Petitioner. He is sued in his official capacity.

21. Respondent, Charles A. Parra, is the Assistant Field Office Director for the Krome North Service Processing Center. He is responsible for overseeing the administration and management of Krome, where Petitioner is currently detained. As such, he is a custodian of Petitioner. He is sued in his official capacity.

LEGAL FRAMEWORK

22. The INA "establishes the framework governing noncitizens' entry into and removal from the United States, with regulations promulgated by the enforcing agencies providing further governance." *Y-Z-L-H v. Bostock*, 792 F. Supp. 3d 1123, 1132 (D. Or. 2025). Noncitizens who arrive at a port of entry without a visa or other entry document, or who are present in the United States without admission, like Petitioner, are deemed 'inadmissible' under 8 U.S.C. § 1182(a)(7) or 1182(a)(6), respectively. 8 U.S.C. § 1182(a)(7); 8 U.S.C. § 1182(a)(6).

23. If a noncitizen is deemed to be inadmissible under § 1182(a)(7), "the immigration officer must order the noncitizen's removal unless the noncitizen indicates an intention to apply for asylum or fear of prosecution." *Y-Z-L-H.*, 792 F. Supp. at 1132 (citing 8 U.S.C. § 1225(b)(1)(A)(i)). If the noncitizen claims fear of return, the government may either place the noncitizen into expedited removal proceedings, *see* 8 U.S.C. § 1225(b)(1), or into regular removal proceedings under 8 U.S.C. § 1229(a). *See Y-Z-L-H*, 792 F. Supp. 3d at 1132–33 (citing 8 U.S.C. § 1225(b)(2)).

24. Section 1225(b)(2)(A) provides that "in the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding under section 1229a of this title." 8 U.S.C. § 1225(b)(2)(A).

25. "Applicants for admission may be temporarily released on parole for urgent humanitarian reasons or significant public benefit." *Jennings v. Rodriguez*, 583 U.S. 281, 288 (2018) (quoting 8 U.S.C. § 1182(d)(5)(A)).

26. The decision to grant parole pursuant to 8 U.S.C. § 1182(d)(5)(A) is determined "on a case-by-case basis." 8 U.S.C. § 1182(d)(5)(A).

27. "To terminate a previously granted parole, the agency must comply with the applicable regulatory and statutory requirements." *Infante v. Raycraft*, No. 1:25-cv-01560-RJJ-MV, (W.D. Mich. Dec. 18, 2025).

28. The regulation provides that DHS may terminate a noncitizen's parole either "automatically" or "[o]n notice." 8 C.F.R. § 212.5(e)(1), (e)(2). A grant of parole terminates automatically either (a) when the noncitizen departs the United States, or (b) "if not departed, at the expiration of the time for which parole was authorized." *Id.* § 212.5(e)(1). In cases

not covered by paragraph (e)(1), parole "shall be terminated upon written notice to the alien." *Id.* § 212.5(e)(2). That is, only when "the purpose for which parole was authorized" is accomplished "or when in the opinion of" the DHS Secretary or their delegee "neither humanitarian reasons nor public benefit warrants the continued presence of the alien in the United States." *Id*; *see also Loaiza Arias v. LaRose*, No. 3:25-cv-02595-BTM-MMP, 2025 WL 3295385, at *3 (S.D. Cal. Nov. 25, 2025) (citing 8 C.F.R. § 212.5(e)).

29. Several district courts who have addressed the termination of parole issue "have found that just as a grant of parole requires an individualized review, revocation of parole requires a case-by-case assessment to comply with the statute." *Infante*, No. 1:25-cv-01560-RJJ-MV at *9 (quoting *Mata Velasquez v. Kurzdorfer*, 794 F. Supp. 3d 128, 146 (W.D.N.Y. 2025) (citations omitted) (addressing this issue, and granting the petitioner's motion for preliminary injunction and ordering that the petitioner be released); *see, e.g., Y-Z-L-H*, 792 F. Supp. 3d at 1137–47 (addressing this issue, and granting the petitioner's habeas petition and ordering that the petitioner be released from custody); *Loaiza Arias*, 2025 WL 3295385, at *2–4 (same); *Noori v. LaRose*, No. 25-cv-1824-GPC-MSB, 2025 WL 2800149, at *10–13 (S.D. Cal. Oct. 1, 2025) (same); *Munoz Materano v. Arteta*, No. 25 CIV. 6137 (ER), --- F. Supp. 3d ----, 2025 WL 2630826, at *14–17 (S.D.N.Y. Sept. 12, 2025) (same); *Gabriel B.M. v. Bondi*, No. 25-cv-4298 (KMM/EMB), 2025 WL 3443584, at *6–7 (D. Minn. Dec. 1, 2025) (addressing this issue, and granting the petitioner's request for a preliminary injunction and ordering the petitioner's release from custody); *Orellana v. Francis*, No. 25-cv-04212 (OEM), 2025 WL 2822640, at *2–3 (E.D.N.Y. Oct. 3, 2025) (addressing the issue in the context of a motion for reconsideration filed by the respondents, and affirming the court's grant of habeas relief to the petitioner and the court's order to release the petitioner). *But see Doe v. Noem*,

152 F.4th 272, 278–79, 285 (1st Cir. 2025) (reversing district court's grant of preliminary relief and vacating district court's stay of the termination notice for previously granted parole because "Plaintiffs ha[d] not demonstrated a strong likelihood of success in showing that under the statute, the Secretary must terminate these grants of parole under the [parole] program[s] on an individual basis").

30. Here, Petitioner was paroled into the United States for a two-year period set to expire on October 5, 2026. That parole could not have terminated automatically because Petitioner has not departed the United States, and the original expiration date of the parole is not until October 2026. *See* 8 C.F.R. § 212.5(e)(1). Nor did DHS terminate parole "on notice," because the record contains no written notice of termination and no individualized determination that the parole purpose had been served or that continued parole was unwarranted. *See* 8 C.F.R. § 212.5(e)(2).

31. Based on the information currently on the record, there is no indication that Respondents followed the applicable statutory and regulatory requirements to revoke or terminate Petitioner's parole.

32. "If Respondents did not follow those requirements, then they did not have the authority to arrest and detain Petitioner, 'unless there [wa]s some other valid reason to arrest [him].'" *Infante*, No. 1:25-cv-01560-RJJ-MV at *11 (quoting *Mata Velasquez, 794 F. Supp. 3d at 145, and citing Norfolk S. Ry. Co. v. U.S. Dep't of Lab.,* No. 21-3369, 2022 WL 17369438, at *6 (6th Cir. Dec. 2, 2022) (discussing that "an agency's action that fails to observe the procedures required by its own regulations should be set aside" (citation omitted)); *Wilson v. Comm'r of Soc. Sec.,* 378 F.3d 541, 545 (6th Cir. 2004) ("It is an elemental principle of administrative law that agencies are bound to follow their own regulations[,] . . . [and] '[a]n

agency's failure to follow its own regulations tends to cause unjust discrimination and deny adequate notice and consequently may result in a violation of an individual's constitutional right to due process.'" (additional internal quotation marks omitted) (quoting *Sameena, Inc. v. U.S. Air Force,* 147 F.3d 1148, 1153 (9th Cir. 1998))).

33. Respondents had no reason to arrest Petitioner other than his status as a noncitizen. Petitioner was wrongfully arrested following a schizophrenic episode, during which his mother contacted law enforcement seeking medical assistance so that he could be hospitalized. Instead of facilitating medical treatment, officers arrested Petitioner and charged him with domestic violence battery. The charge was ultimately no-actioned, as the incident constituted a medical emergency rather than criminal conduct. Therefore, Respondents failed to follow the applicable statutory and regulatory requirements to terminate Petitioner's parole.

STATEMENT OF FACTS

34. Sebastian Zambrano Ramirez was born on [redacted], in Colombia. For many years, he suffered from [redacted] but was initially misdiagnosed and treated for [redacted] After arriving in the United States, he was able to obtain appropriate medical care, through which he received the correct diagnosis of [redacted] and began receiving proper treatment for his condition.

35. In 2024, Mr. Zambrano came to the United States to seek safety. Following a lawful process that was in place in 2024, Mr. Zambrano applied to enter the United States through the CBPOne application and received an appointment to come to the United States to present his case before an immigration court.

36. On October 6, 2024, Mr. Zambrano and his mother presented at the border for their CBPOne appointment. The border official decided to permit them entry and that he could

pursue his claims out of detention. Mr. Zambrano was served a Notice to Appear (NTA) requiring that he appear before the Executive Office of Immigration Review (Office of the Immigration Judge) on June 16, 2027, at the Miami Immigration Court. That same day, he was granted discretionary humanitarian parole.

37. Soon thereafter, Mr. Zambrano went to live with his family in Florida, where he applied for an employment authorization document (EAD) and a social security number. He received the EAD and a social security number.

38. On May 14, 2024, his Lawful Permanent Resident ("LPR") father filed an I-130, Petition for Alien Relative, on his behalf, which is currently pending with the United States Citizenship and Immigration Service.

39. Petitioner was otherwise waiting for his first hearing before the Immigration Judge in 2027 to present any claims for relief before the court.

40. On or about November 22, 2025, Petitioner [redacted] and his mother called the police out of desperation to have him committed and treated. Instead, the police officers arrested Petitioner, charging him with battery domestic violence. This charge was no actioned given the circumstances; nevertheless, ICE took Petitioner into custody. He has been in detention since, away from his family and treatment plan.

41. Upon information and belief, neither Petitioner nor his immediate caretaker is aware of whether he received any notice revoking his parole.

CAUSES OF ACTION

COUNT ONE
Violation of the Due Process Clause of the Fifth Amendment to the United States Constitution (Substantive Due Process); 5 U.S.C. §§ 702, 706

42. Petitioner repeats and re-alleges the allegations contained in all preceding

paragraphs of this Petition-Complaint as if fully set forth herein.

43. The Fifth Amendment's Due Process Clause not only guarantees procedural safeguards, but also protects individuals against governmental conduct that "shocks the conscience" or interferes with rights implicit in the concept of ordered liberty. *County of Sacramento v. Lewis*, 523 U.S. 833, 846–47 (1998).

44. Here, Petitioner had been affirmatively determined not to be a danger to the community or a flight risk upon his initial entry, when CBP conducted a custody review and paroled him into the United States for humanitarian reasons.

45. Despite these findings, Petitioner was re-detained and his parole revoked without cause. This re-detention occurred without written notice, any new facts or changed circumstances that could justify depriving him of liberty.

46. The government's conduct is arbitrary and capricious, amounting to punishment rather than regulation. It transforms ICE's discretionary authority into an unchecked power to re-incarcerate noncitizens at will, untethered to legitimate governmental objectives.

47. By subjecting Petitioner to renewed detention and revocation of parole without notice or justification, Respondents violated Petitioner's substantive due process rights under the Fifth Amendment. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (immigration detention is constitutionally limited and must bear a reasonable relation to its purposes); *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992) (continued confinement is impermissible absent a legitimate basis such as dangerousness or flight risk).

48. Respondents' actions shock the conscience because they reflect arbitrary government conduct that disregards both prior determinations and Petitioner's fundamental

right to be free from unjustified physical confinement.

COUNT TWO
Violation of the Due Process Clause of the Fifth Amendment to the United States Constitution (Procedural Due Process); 5 U.S.C. §§ 702, 706

49. Petitioner repeats and re-alleges the allegations contained in all preceding paragraphs of this Petition-Complaint as if fully set forth herein.

50. It has long been established that aliens, even if in the United States unlawfully, are entitled to due process of law under the Fifth Amendment. *See Mathews v. Diaz*, 426 U.S. 67, 77 (1976) ("Even one whose presence in this country is unlawful, involuntary, or transitory is entitled to th[e] constitutional protection [of the Due Process Clause]"); *see also Zadvydas v. Davis*, 533 U.S. 678, 693 (2001) ("It is well established that certain constitutional protections available to persons inside the United States are unavailable to aliens outside of our geographic borders. But once an alien enters the country, the legal circumstance changes, for the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent").

51. The Due Process Clause of the Fifth Amendment prohibits the government from depriving individuals of liberty without notice and a meaningful opportunity to be heard. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976).

52. When the Government interferes with a liberty interest, it must provide constitutionally sufficient procedures. *Ky. Dep't of Corr. v. Thompson*, 490 U.S. 454, 460 (1989). The adequacy of these procedures is determined by weighing three factors: (1) the private interest that will be affected by the official action, (2) the risk of erroneous deprivation of that interest through the available procedures, and (3) the Government's

interest, including the fiscal and administrative burdens that the additional or substantive procedures would entail. *See Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

53. Applying these factors here demonstrates that the procedures attendant upon Petitioner's detention are constitutionally insufficient.

54. First, Petitioner has a significant interest at stake. Being free from physical detention by one's own government "is the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004). Petitioner is being held at the Denver Contract Detention Facility and is far from his family and community.

55. Second, the risk of erroneous deprivation is extraordinarily high. Petitioner has already been found not to be a danger to the community or a flight risk upon his initial entry, when CBP reviewed his custody and paroled him for humanitarian reasons. Nevertheless, he was summarily re-detained without written notice or an individualized determination regarding the revocation of parole.

56. Third, the government's interest in detaining Petitioner without a hearing is minimal, if it exists at all. The government has already determined that Petitioner does not pose a risk to the community or a risk of flight. Providing an individualized determination as to whether parole should be terminated or revoked before re-arrest would impose little to no fiscal or administrative burden, while simultaneously protecting core constitutional rights. Respondents' decision to re-detain Petitioner in this matter contravenes federal law and violates his procedural due process rights.

57. This arbitrary deprivation of liberty without written notice violates the constitutional requirement that detention be accompanied by due process safeguards. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (holding that immigration detention is subject

to constitutional limits); *Demore v. Kim*, 538 U.S. 510, 532 (2003) (emphasizing limited scope and justification for immigration detention).

58. By taking Petitioner back into custody and terminating his parole without written notice or opportunity to be heard, Respondents deprived him of liberty in a manner inconsistent with due process and the fundamental fairness required by the Fifth Amendment.

COUNT THREE
Violation of the Administrative Procedure Act, 5 U.S.C. §§ 702, 706

59. Petitioner repeats and re-alleges the allegations contained in all preceding paragraphs of this Petition-Complaint as if fully set forth herein.

60. The Administrative Procedure Act ("APA") provides the framework for judicial review of agency action. While § 701(a)(2) precludes review where "agency action is committed to agency discretion by law," this limitation is narrowly construed considering the language of § 702. *Norton v. Southern Utah Wilderness Alliance*, 542 U.S. 55, 64–65 (2004); 5 U.S.C. § 551(13). Namely, § 702 expressly authorizes review by any person "suffering legal wrong because of agency action" or "adversely affected or aggrieved by agency action within the meaning of a relevant statute." 5 U.S.C. § 702; 5 U.S.C. § 551(13).

61. Moreover, in *Southern Utah Wilderness Alliance*, the Supreme Court clarified that "agency action" encompasses discrete action, or failure to act when mandated by statute, rather than broad challenges to an agency's overall program management. *Southern Utah Wilderness Alliance*, 542 U.S. at 64–65; 5 U.S.C. § 551(13) (agency action includes the whole or part of an agency's order, relief, or denial of relief).

62. When reviewing the erroneous agency action, section 706 directs courts to

resolve all relevant questions of law, interpret statutory provisions, and "compel agency action unlawfully withheld or unreasonably delayed." 5 U.S.C. § 706(1)–(2). Courts must also "hold unlawful and set aside" agency actions that are arbitrary, capricious, contrary to law, in excess of statutory authority, procedurally defective, unsupported by substantial evidence, or unwarranted by the facts. *Id.*

63. To invoke judicial review of an agency action, and hold unlawful or set aside arbitrary or capricious actions under § 706, a plaintiff must demonstrate Article III standing—an injury in fact, traceable to the challenged action, and redressable by a favorable decision—and must show that the interest asserted is "arguably within the zone of interests" protected by the statute invoked. *Ass'n of Data Processing Serv. Orgs., Inc. v. Camp*, 397 U.S. 150, 153 (1970); *Clarke v. Sec. Indus. Ass'n*, 479 U.S. 388, 399 (1987); *Nat'l Credit Union Admin. v. First Nat'l Bank & Trust Co.*, 522 U.S. 479, 492 (1998). This zone-of-interests requirement is not demanding, and any doubt is resolved in the plaintiff's favor. *Nat'l Credit Union Admin.*, 522 U.S. at 492 (reaffirming the standard established by *Sec. Indus. Ass'n*, 479 U.S. 388 (1987)).

64. Finally, to overcome the allegation of an agency's erroneous actions under § 702, the agency must prove to the satisfaction of the reviewing court, that its actions were not arbitrary and capricious under §706. *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 52 (1983); 5 U.S.C. § 702; 5 U.S.C. § 706(1)–(2). In *State Farm Mut. Auto. Ins. Co.*, the Court defined the arbitrary and capricious standard of §706 as requiring the agency to show it engaged in reasoned decision-making when deciding the matter at issue. *State Farm Mut. Auto. Ins. Co.*, 463 U.S. at 52; 5 U.S.C. § 706(1)–(2).

65. The APA framework squarely applies to Petitioner's case. Whether DHS

lawfully terminated parole in accordance with governing statutes and regulations is a discrete, reviewable agency action subject to judicial review under the APA.

66. Having exercised parole authority to release Petitioner upon his initial entry into the United States, DHS was required to comply with the statutory and regulatory requirements governing the termination of parole before re-detaining him. *See* 8 U.S.C. § 1182(d)(5)(A); 8 C.F.R. § 212.5(e). Those requirements include written notice upon an individualized determination that the purpose of parole has been served or that neither humanitarian reasons nor significant public benefit warrants continued parole. 8 C.F.R. § 212.5(e)(2).

67. DHS failed to comply with these mandatory requirements. The record does not reflect that DHS ever made an individualized determination that the purpose of Petitioner's parole had been served, nor that DHS provided Petitioner with written notice of parole termination as required by regulation. DHS's re-detention of Petitioner therefore constitutes agency action taken "without observance of procedure required by law." 5 U.S.C. § 706(2)(D).

68. DHS's failure to provide notice of parole termination or to engage in an individualized, case-by-case assessment also constitutes agency action "not in accordance with law" and "in excess of statutory authority." 5 U.S.C. § 706(2)(A), (C). Congress authorized parole decisions to be made on a case-by-case basis, 8 U.S.C. § 1182(d)(5)(A), and courts have repeatedly found that parole revocation, like parole grants, requires individualized consideration rather than categorical or automatic action.

69. DHS's actions are further arbitrary and capricious because the agency failed to articulate a reasoned basis for concluding that parole could be terminated without

process. *See State Farm Mut. Auto. Ins. Co.*, 463 U.S. at 43 (agency action is arbitrary and capricious where the agency "entirely failed to consider an important aspect of the problem" or offered an explanation counter to the evidence before it).

70. DHS's unlawful revocation of parole has caused Petitioner concrete and ongoing injury, including prolonged physical detention, deprivation of liberty without due process, and denial of the opportunity to remain at liberty under the same conditions that governed his release for over a year. These injuries are directly traceable to DHS's failure to comply with the APA and are redressable by this Court through vacatur of the unlawful agency action and an order directing Petitioner's release.

71. Petitioner's interests fall squarely within the zone of interests protected by the INA's parole provisions and the APA. The parole statute and its implementing regulations are designed to govern when and how DHS may release and re-detain noncitizens, and to protect noncitizens from arbitrary deprivation of liberty through unreviewed or procedurally defective parole decisions.

72. Because DHS unlawfully revoked parole without complying with statutory and regulatory requirements, the Court must hold unlawful and set aside DHS's action under 5 U.S.C. § 706(2) and compel compliance with the law under § 706(1). The appropriate remedy is immediate release from custody.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests the Court to grant the following relief:

1. Accept jurisdiction over this matter;
2. Order that Petitioner shall not be transferred outside the United States District Court for the Southern District of Florida while this habeas petition is pending;

3. Issue an Order to Show Cause pursuant to 28 U.S.C. § 2243, directing Respondents to show cause why the petition for a writ of habeas corpus filed by Petitioner should not be granted within three days;

4. Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner;

5. Declare that Petitioner's detention is unlawful;

6. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

7. Grant any further relief this Court deems just and proper.

Respectfully submitted,

s/ *Liliana Gomez*
Liliana Gomez, Esq.
Florida Bar No. 123559
Liliana Y. Gomez, P.A.
5000 SW 75th Ave., Suite 400
Miami, FL 33155
786.502.7615 Tel
Liliana@lilianagomezlaw.com
Counsel for Petitioner

Dated: February 9, 2026

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Sebastian Zambrano Ramirez, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 9th day of February 2026.

s/*Liliana Gomez*
Liliana Y. Gomez
Florida Bar No. 123559