

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

FILED - 1:26-cv-062
FEB 10 2026
AG

UNITED STATES DISTRICT COURT
for the

Cesar Perez Abad
Petitioner

v.

Case No. 1:26-cv-062
(Supplied by Clerk of Court)

Marcelo Villegas, DHS, ICE
Respondent
(name of warden or authorized person having custody of petitioner)

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

Personal Information

1. (a) Your full name: Cesar Perez Abad
(b) Other names you have used: None
2. Place of confinement:
(a) Name of institution: Blue Bonnett Detention Center
(b) Address: 400 2nd St Anson TX 75001
3. (c) Your identification number: A- [REDACTED]
Are you currently being held on orders by:
 Federal authorities State authorities Other - explain:
DHS, ICE, Immigration
4. Are you currently:
 A pretrial detainee (waiting for trial on criminal charges)
 Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: N/A
(b) Docket number of criminal case: N/A
(c) Date of sentencing: N/A
 Being held on an immigration charge
 Other (explain): N/A

Decision or Action You Are Challenging

5. What are you challenging in this petition:
 How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): N/A

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Blue Bonnet Detention Center
400 2nd st Anson Tx 79501

(b) Docket number, case number, or opinion number:

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Revoking my OSUP without prior notice & Bringing
me back in to Ice custody

(d) Date of the decision or action: December 15, 2025

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- Yes
- No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not appeal: My case was closed & I
was not aware of a form of appeal

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a second appeal: N/A

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a third appeal: N/A

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Name of court: N/A
- (2) Case number: N/A
- (3) Date of filing: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

Yes No

If "Yes," provide:

- (1) Name of court: N/A
- (2) Case number: N/A
- (3) Date of filing: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: December 15, 2025
- (b) Date of the removal or reinstatement order: April 3, 2024
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Date of filing: N/A
- (2) Case number: N/A
- (3) Result: N/A
- (4) Date of result: N/A
- (5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court: N/A
- (2) Date of filing: N/A
- (3) Case number: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes No

If "Yes," provide:

- (a) Kind of petition, motion, or application: N/A
- (b) Name of the authority, agency, or court: N/A
- (c) Date of filing: N/A
- (d) Docket number, case number, or opinion number: N/A
- (e) Result: N/A
- (f) Date of result: N/A
- (g) Issues raised: N/A

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: DHS violated my Due Process right when they revoked my OSUP & detained me on December 15, 2025 without prior notice on a routine check in.

(a) Supporting facts (Be brief. Do not cite cases or law.):

I am entitled to an informal interview to contest to the reasons my OSUP is being revoked. I was never given this informal interview violating DHS Due Process.

(b) Did you present Ground One in all appeals that were available to you?

Yes No

GROUND TWO: The ICE official that revoked my OSUP was not authorized to do so.

(a) Supporting facts (Be brief. Do not cite cases or law.):

Only the Executive Associate Commissioner or District Director may revoke release and return to service custody.

(b) Did you present Ground Two in all appeals that were available to you?

Yes No

GROUND THREE: I was not given notice of the reasons for my OSUP revocation nor an informal interview was given to me to respond.

(a) Supporting facts (Be brief. Do not cite cases or law.):

ICE must provide an informal interview to notify of the reasons why my OSUP is being revoked & a opportunity for me to respond to those reasons.

(b) Did you present Ground Three in all appeals that were available to you?

Yes No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

GROUND FOUR: I have followed all Ice orders & regulations and have been doing everything right as they instructed me to.

(a) Supporting facts (Be brief. Do not cite cases or law.):

I have withholding of Removal under CAT closed on April 3, 2024. By Judge Xiomara Davis-Gumbs, I have followed all OSUP orders

(b) Did you present Ground Four in all appeals that were available to you?

Yes No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: I would like the court to order my immediate release and give me the proper Due Process

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

2/5/2026

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 2/4/2026

Cesar Perez
Signature of Petitioner

Signature of Attorney or other authorized person, if any