

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

UNITED STATES DISTRICT COURT for the

FILED

UNITED STATES DISTRICT COURT DENVER, COLORADO

FEB -9 2026

JEFFREY P. COLWELL CLERK

PEDRO ALEJANDRO VILA DIAZ Petitioner

v.

ICE FIELD OFFICE DIRECTOR DENVER FIELD OFFICE Respondent

(name of warden or authorized person having custody of petitioner)

Case No. (Supplied by Clerk of Court)

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

Personal Information

- 1. (a) Your full name: PEDRO ALEJANDRO VILA DIAZ
(b) Other names you have used:
2. Place of confinement:
(a) Name of institution: DENVER CONTRACT DETENTION FACILITY, AURORA, COLORADO
(b) Address: 3130 NORTH OAKLAND ST, AURORA, CO 80010
(c) Your identification number:
3. Are you currently being held on orders by:
Federal authorities State authorities Other - explain:
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:
(b) Docket number of criminal case:
(c) Date of sentencing:
Being held on an immigration charge
Other (explain): I WERE DETAINED BY ICE WHEN I WERE MERELY FULFILLING MY OBLIGATION TO APPEAR AT MY ANUAL ICE CHECK-IN APPOINTMENT.

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)

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- 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): _____

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

(a) Name and location of the agency or court: IMMIGRATION COURT, AURORA.
3130 NORTH OAKLAND ST, AURORA CO 80010

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

CONDITIONAL PAROLE OR BOND DENIAL

(d) Date of the decision or action: 12/30/2025

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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

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

Yes No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

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

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If "Yes," provide:

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

(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: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(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: NOVEMBER 15, 2025
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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If "Yes," provide:

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

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

Yes No

If "Yes," provide:

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

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: _____
- (b) Name of the authority, agency, or court: _____
- (c) Date of filing: _____
- (d) Docket number, case number, or opinion number: _____
- (e) Result: _____
- (f) Date of result: _____
- (g) Issues raised: _____

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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: PROLONGED CIVIL IMMIGRATION DETENTION WITH DENIAL OF CONDITIONAL PAROLE WITHOUT THE PAYMENT OF BOND

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

SECTION § 236 (A)(2) OF THE INA STATES THAT "THE ATTORNEY GENERAL... MAY RELEASE THE ALIEN ON (A) BOND... OR (B) CONDITIONAL PAROLE"
I PRESENTED AT THE COURT PROOFS OF NOT BEING A FLIGHT RISK, A DANGER TO SOCIETY OR A THREAT TO NATIONAL SECURITY

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

Yes No

GROUND TWO: PROLONGED CIVIL IMMIGRATION DETENTION WITH DENIAL OF BOND
IT IS WELLESABLISHED THAT THE IMMIGRATION JUDGE HAS THE AUTHORITY TO USE BOND FOR A MINIMUM AMOUNT OF \$1500 UNDER SECTION § 236 (A)(2) OF THE INA.

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

MY RECORDS REFLECTS THAT I WARRANT RELEASE ON CONDITIONAL PAROLE OR FOR A LOW BOND BECAUSE I AM NOT A FLIGHT RISK, NOT A DANGER TO THE COMMUNITY, AND I AM PRIMA FACIE ELIGIBLE FOR RELIEF VIA MY U.S. CITIZEN SON'S PENDING FAMILY PETITION AND MY PENDING APPLICATION FOR REYUN AND WITHHOLDING REMOVAL.

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

Yes No

GROUND THREE: According To: SEE 8 C.F.R. § 1003.19(h); C.F.R. § 1003.19(d)
"THE DETERMINATION OF THE IMMIGRATION JUDGE AS THE CUSTODY STATUS OR BOND MAY BE BASED UPON ANY INFORMATION THAT IS AVAILABLE TO THE IMMIGRATION JUDGE OR THAT IS PRESENTED TO HIM OR HER BY THE ALIEN OR THE SERVICE."

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

SINCE I ARRIVED IN THE UNITED STATES OVER FOUR YEARS AGO, I HAD MAKE SIGNIFICANT EFFORTS TO CONTRIBUTE AS A PRODUCTIVE AND VALUE MEMBER OF SOCIETY. I HAVE A CERTIFICATION IN U.S. AS REGISTERED BEHAVIOR TECHNICIAN AND PHARMACY TECHNICIAN. PRIOR MY DETENTION I WERE GAINFULLY EMPLOYED AS RBT. I HAS NOT CRIMINAL HISTORY IN THE U.S. I HAVE A FIXED ADDRESS. UPON MY RELEASE, I WILL BE REUNITED WITH MY COUSIN AND PROPOSE

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

Yes No

BOND SPONSOR, WHO WILL PROVIDE A STABLE RESIDENCE AT MIAMI.

PLG
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GROUND FOUR: DETENTION HAS BECOME PUNITIVE.

PROLONGED DETENTION WITHOUT INDIVIDUALIZED JUSTIFICATION HAS TRANSFORMED PETITIONER'S DETENTION INTO PUNITIVE CONFINEMENT.

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

NOT ONLY ME, BUT MY TWO CHILDREN [REDACTED], 16 YEARS old) AND MY SON (PEDRO ALEJANDRO VILA NARDO, 22 YEARS old, WHO IS CURRENTLY SERVING AT AIR FORCE SINCE ONE YEARS ago) BOTH AMERICAN CITIZENS, ARE PROFOUNDLY SUFFERING, KNOWING THAT HIS FATHER, A FAIR MAN, LOVELY AND KIND, A MAN THAT EDUCATED THEM WITH THE EXAMPLE OF HIS OWN BEHAVIOR IN THE MOST STANDING WAY OF MORAL AND SPIRITUAL VALUES, IS DETAINED YET.

(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: N/A

Request for Relief

15. State exactly what you want the court to do: PETITIONER'S RESPECTFULLY REQUESTS THAT THIS COURT:
- GRANT THIS PETITION FOR WRIT OF HABEAS CORPUS
- ORDER PETITIONER'S IMMEDIATE RELEASE WITH CONDITIONAL PAROLE OR RELEASE ON A LOW BOND
- GRANT ANY OTHER RELEASE DEEMED JUST AND PROPER

Pedro Alejandro Vila Dias
PVD 02/03/2026

PVD



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

Respondent Name:
VILA-DIAZ, PEDRO

To:
Cala, Dianelys
8492 Sw 8th St
Miami, FL 33144

A-Number:



Riders:
In Custody Redetermination Proceedings

Date:
12/30/2025

- Unable to forward - no address provided.
- Attached is a copy of the **decision of the Immigration Judge**. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:

Board of Immigration Appeals
Office of the Clerk
P.O. Box 8530
Falls Church, VA 22041

- Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242B(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252B(c)(3) in deportation proceedings or section 240(b)(5)(c), 8 U.S.C. § 1229a(b)(5)(c) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

Immigration Court

- Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available.
- Attached is a copy of the decision of the immigration judge relating to a **Credible Fear Review**. This is a final order. No appeal is available.
- Other:

Tyh

Immigration Judge: Tyler Wood 12/30/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved


Appeal Due: 01/29/2026

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

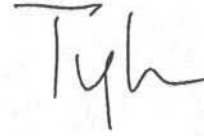
To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : VILA-DIAZ, PEDRO | A-Number : 

Riders:

Date: 12/30/2025 By: PARISH, REGAN, Court Staff

Date:




Immigration Judge: Tyler Wood 12/30/2025

Certificate of Service

This document was served:

Via: M] Mail | P] Personal Service | E] Electronic Service | U] Address Unavailable

To:] Alien |] Alien c/o custodial officer | E] Alien atty/rep. | E] DHS

Respondent Name : VILA-DIAZ, PEDRO | A-Number : 

Riders:

Date: 12/30/2025 By: PARISH, REGAN, Court Staff



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

Respondent Name:

VILA-DIAZ, PEDRO

To:

Cala, Dianelys
8492 Sw 8th St
Miami, FL 33144

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

12/30/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because
did not establish not a flight risk.

- Granted. It is ordered that Respondent be:
 - released from custody on his own recognizance.
 - released from custody under bond of \$
 - other:

- Other: