

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

UNITED STATES DISTRICT COURT

for the

COLORADO

Carlos A. Rodriguez Padron

Petitioner

Todd H. Lyons, Acting Director Denver
Robert Gadian, Field Director Denver
Juan Baltazar, Warden

Respondent

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

Case No.

(Supplied by Clerk of Court)

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 12 2026

JEFFREY P. COLWELL
CLERK

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

Personal Information

- (a) Your full name: Carlos Alejandro Rodriguez Padron
(b) Other names you have used: _____
- Place of confinement:
(a) Name of institution: Aurora ICE Processing Center
(b) Address: 3130 North Oakland Street, Aurora, CO 80010
(c) Your identification number: _____
- Are you currently being held on orders by:
 Federal authorities State authorities Other - explain: _____
- 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): _____

Decision or Action You Are Challenging

- 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): _____

6.

Provide more information about the decision or action you are challenging

(a) Name and location of the agency or court: AVONIA ICE Processing Center

3130 North Oakland Street, Avon, IL 60012

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

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

Being under ICE custody.

(d) Date of the decision or action: _____

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:

This is my first legal action

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: _____

(2) Date of filing: _____

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

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____ N/A

(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: _____ N/A

(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

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 12/11/2025
- (b) Date of the removal or reinstatement order: 08/15/2025
- (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: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (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: _____
- (2) Date of filing: _____
- (3) Case number: _____
- (4) Result: _____
- (5) Date of result: _____
- (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: _____
- (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: _____

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: I am a citizen from Cuba, 34 y/o. who entered to US. 11/30/2010 as a political refugee. (locally). I was living in Tampa Florida. I moved to Nebraska where I committed a felony (Domestic Violence and trespassing) in 2011.

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

I was in jail for 6 1/2 months (time served). I was granted a Green Card (Permanent Resident) in 2014. I was arrested in 2015 for drug distribution and I was 7 1/2 years in federal prison. I was released on 07/24/2023 and 4 years probation.

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

Yes No

GROUND TWO: Once released from Federal Prison I was transferred to ICE custody in Pennsylvania. I was released on 09/02/2023 (45 days) on supervision reporting every year without ankle monitor.

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

I was arrested into ICE custody on 12/11/2025 until today (60 days). On 01/16/2026 I was served with a "Decision to continue detention due to" Risk of Flight a danger to community." If released.

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

Yes No

GROUND THREE: After 105 days under ICE custody I was offered to go to Mexico unaccompanied without any legal status, which I refused. I fear for my life in that violent country.

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

There is not a foreseeable near future deportation. Cuba is not accepting me, neither a 3rd country legally.

(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 am not a risk of flight. I have lived in US for 15 years and I have my family here (citizens). I work as CD driver. I own my company (delivering food and construction materials)

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

My information regarding my company is public record "Charles A. Company"

I am not a risk to society. I learned my lesson and I have a daughter (11yo) who need me. I am a hard worked person and my goal is to respect the law and to live in peace in my community

(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: To order Respondents to show cause explaining why the court should not grant me this petition. In the next 20 days. I also request to preclude ICE from moving me out of the jurisdiction until petition is solved. If ICE fail to answer on time, immediate release from custody

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:

on February 9th 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:

1/30/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

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