

JUDGE DAVID BRIONES

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

YOENDRIS LEYVA LAMBERT,

A-Number: ,

Petitioner,

v.

Civil Action No.: _____

WARDEN, ERO EL PASO CAMP EAST MONTANA,

c/o U.S. Immigration and Customs Enforcement (ICE)

8915 Montana Avenue

El Paso, Texas 79925,

Respondents.

PETITION FOR WRIT OF HABEAS
CORPUS

(28 U.S.C. § 2241)

FILED
FEB 12 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

EP 26CV0427

I. JURISDICTION AND VENUE

1. This Petition for Writ of Habeas Corpus is filed pursuant to 28 U.S.C. § 2241, challenging the unlawful and unconstitutional detention of Petitioner by U.S. Immigration and Customs Enforcement ("ICE").
 2. Petitioner is currently detained at ERO El Paso Camp East Montana, under the custody of ICE, located at 8915 Montana Avenue, El Paso, Texas 79925, within the jurisdiction of the United States District Court for the Western District of Texas, El Paso Division.
 3. Petitioner is in custody in violation of the Due Process Clause of the Fifth Amendment to the United States Constitution.
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II. PARTIES

4. Petitioner is Yoendris Leyva Lambert, a Cuban national.
 - o Date of Birth: [REDACTED] 1981
 - o A-Number: [REDACTED]
5. Next Friend / Spouse is Ana Maris Leyva, lawful permanent resident of the United States and Petitioner's legal spouse.

Current Mailing Address (for all correspondence):

406 Olive Street

Chelsea, IA 52215

Telephone: 813-629-6632

Email: anamarisleyva@yahoo.com

6. At the time of Petitioner's detention, his last known residential address was located in Georgia. Due to Petitioner's detention and the resulting financial hardship, Next Friend no longer resides at that location and currently lacks stable housing, further underscoring the humanitarian urgency of this matter.
 7. Respondents are the Warden of ERO El Paso Camp East Montana and U.S. Immigration and Customs Enforcement (ICE), who exercise immediate custody over Petitioner.
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III. STATEMENT OF FACTS

8. Petitioner is legally married to Ana Maris Leyva, a lawful permanent resident of the United States.
 9. Petitioner is the father of three children, including two U.S. citizen minor children from his current marriage:
 - o [REDACTED], born [REDACTED] 2020, diagnosed with severe cerebral palsy.
 - o [REDACTED], born [REDACTED] 2022, in Florida.
 10. [REDACTED] suffers from cerebral palsy and related severe medical conditions requiring constant care, frequent hospitalizations, and continuous emotional stability. Medical documentation is submitted as exhibits.
 11. Prior to detention, Petitioner was [REDACTED]'s primary caregiver, and she slept day and night with him.
 12. Since Petitioner's detention, [REDACTED]'s condition has significantly deteriorated, resulting in hospitalization and severe emotional distress.
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IV. COMPLIANCE WITH ICE AND DETENTION HISTORY

13. Petitioner has no criminal record, has never been arrested, and has always complied with ICE reporting requirements.
 14. On November 18, 2025, Petitioner appeared voluntarily before ICE in Atlanta, Georgia, accompanied by his children, and was not detained.
 15. Petitioner later appeared in Savannah, Georgia, again with his children, and was not detained. ICE officers instructed him to return without his children.
 16. Acting in good faith and compliance with ICE instructions, Petitioner appeared without his children on December 2, 2025, at which time he was detained.
 17. Petitioner has remained in ICE custody since December 2, 2025, and is currently detained at ERO El Paso Camp East Montana.
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V. PENDING IMMIGRATION RELIEF

18. Petitioner's spouse filed a Form I-130, Petition for Alien Relative, on his behalf.

- Receipt Number: 
- Filing Date: December 20, 2023
- Status: Pending

19. Petitioner holds a valid Employment Authorization Document (EAD) and has consistently filed income taxes, demonstrating compliance with U.S. law.

VI. LEGAL ARGUMENTS

A. Violation of Due Process – Fifth Amendment

20. Petitioner's continued detention is arbitrary, punitive, and excessive, serving no legitimate governmental purpose.
21. ICE failed to conduct an individualized custody assessment considering Petitioner's family ties, medical hardship, and lack of criminal history.

B. Severe Humanitarian Harm to U.S. Citizen Children

22. Detention has caused extraordinary and irreparable harm to Petitioner's U.S. citizen children, particularly a child with severe cerebral palsy whose health has worsened due to separation.

C. Less Restrictive Alternatives Are Available

23. Petitioner presents no flight risk or danger to the community and qualifies for less restrictive alternatives to detention, including supervised release.

VII. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Grant this Petition for Writ of Habeas Corpus and order Petitioner's immediate release from ICE custody;
- B. In the alternative, order an individualized custody or bond hearing;
- C. Grant any other relief the Court deems just and proper.

VIII. VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 5, 2026



Ana Maris Leyva

Next Friend / Spouse of Petitioner

Phone: 813-629-6632

Email: anamarisleiva@yahoo.com