UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

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CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY:JMW SCANNED BY: JJ / 2-23

ANGELA FERNANDEZ PEREZ,
Petitioner, Pro Se,

v.

1:26-cv-600
Robert J. Jonker - U.S. District Judge
Phillip J. Green - Magistrate Judge

ICE DETROIT FIELD OFFICE DIRECTOR RAYCRAFT,
and
KRISTY NOEM, Secretary, Department of Homeland Security,
Respondents.

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

28 U.S.C. § 2241

URGENT MATTER OF LIFE OR DEATH / REQUEST FOR IMMEDIATE RELEASE

Petitioner Angela Fernandez Perez, pro se, respectfully petitions this Court for an Emergency Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, and states as follows:

1. INTRODUCTION

1. This is an emergency life-or-death petition.
2. Petitioner is an elder [redacted] woman from Hidalgo, Mexico, who is currently detained by ICE.
3. Petitioner is suffering serious medical conditions, including post-surgery complications and urinary problems, and is

being denied adequate care.

4. Due to a severe language barrier, Petitioner cannot communicate her medical needs or defend herself in court proceedings.
5. Petitioner respectfully requests immediate release, or alternatively supervised release, because continued detention places her at risk of serious injury or death.

2. JURISDICTION

6. This Court has jurisdiction under 28 U.S.C. § 2241, because Petitioner is in federal custody under ICE detention.
7. Petitioner's detention violates the United States Constitution and federal law, including due process protections and requirements of humane custody.

3. PARTIES

8. Petitioner: Angela Fernandez Perez, DOB: [redacted], citizen of Mexico, [redacted] tribe, Hidalgo.
9. Respondent ICE Detroit Field Office Director Raycraft is responsible for custody and detention decisions.
10. Respondent Kristy Noem, Secretary of the Department of Homeland Security, is responsible for DHS and ICE detention policy and custody authority.

4. FACTUAL BACKGROUND

11. Petitioner is a native of Mexico, and an indigenous person of the [redacted] from Hidalgo.
12. Petitioner has lived in the United States for over 20 years.
13. Petitioner is an elder and has helped in her community for many years, including assisting with farm, as community support, always helping the community not for pay only for helping and donating church and community.
14. Petitioner does not speak English and does not speak Spanish fluently. Her primary language is Otomi.
15. Petitioner cannot read or write well and relies on her and relies on her granddaughter//family for assistance.
16. Petitioner is detained under ICE custody and is unable to properly defend herself or apply for immigration relief.

LANGUAGE BARRIER / INDIGENOUS LANGUAGE – DUE PROCESS VIOLATION

Petitioner respectfully states that she is an Indigenous woman from Mexico and her primary language is not English and not fully Spanish. Petitioner speaks an Indigenous language and only limited Spanish. Due to this language barrier, Petitioner was unable to understand critical legal communications, police questioning, court proceedings, and her constitutional rights. The official police report in this matter confirms that there was a language barrier and translation problems. Specifically, the report states that the complainant's "primary language being Spanish" created a language barrier, and further confirms that law enforcement attempted to use informal translation methods. The report further states that law enforcement attempted to have Trooper Miniat translate for witness Salvador Lorenzo, but due to cellular service and limited understanding, Trooper Miniat "was unable to understand Lorenzo enough to translate his involvement or observations of the incident." This demonstrates that accurate communication was not possible and that translation was unreliable. Additionally, the report shows that law enforcement relied on a third-party relative over the phone (Santos Luciano) to translate for a witness. These facts show Petitioner did not receive a qualified interpreter in her true primary language, and therefore could not knowingly and intelligently participate in the proceedings, assist counsel, or understand her rights. As a result, Petitioner's due process rights were violated because the record does not reflect a knowing and intelligent waiver of her right to competent interpretation and meaningful access to the courts.

Because Petitioner did not have competent interpretation in her actual primary language, any statements attributed to Petitioner, any waiver of rights, and any proceedings based on these communications are constitutionally unreliable and violate fundamental fairness under the Due Process Clause.

EXHIBIT A

Angela Fernandez Perez
Petitioner, Pro Se

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Emergency Petition for Writ of Habeas Corpus was mailed to:

To the clerk of Western District Court

Date: 02.20.26

A.F.P

Angela Fernandez Perez, Pro Se