

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

DENIS JOSE ZELEDON RAMIREZ,

Case No. 0:26cv60573

Petitioner,

v.

MARCOS CHARLES, Immigration and Customs
Enforcement (ICE) Enforcement and Removal
Operations (ERO) Acting Executive Associate
Director;

JUAN AGUDELO, Interim Miami Field Office Director.

CHARLES WALL, Principal Legal Advisor for ICE's
Office of the Principal Legal Advisor;

PAMELA BONDI, U.S. Attorney General;

KRISTI NOEM, U.S. Secretary of the Department
of Homeland Security;

TODD M. LYONS, Senior Official Performing the
Duties of the Director of US Immigration and
Customs Enforcement;

JOHN DOE, Warden of the Broward Transitional Center.

Respondents.

_____ /

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

INTRODUCTION

1. Petitioner Denis Jose Zeledon Ramirez (“Petitioner” or “Mr. Zeledon Ramirez”) brings this Petition for a Writ of *Habeas Corpus* pursuant to 28 U.S.C. § 2241 to challenge his ongoing unlawful detention and to seek enforcement of his rights as a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.).
2. Petitioner is currently in the physical custody of Respondents at the Broward Transitional Center (“BTC”).
3. Mr. Zeledon Ramirez now faces unlawful detention because the Department of Homeland Security (“DHS”) and the Executive Office of Immigration Review (“EOIR”) continue to detain him under a statutory interpretation that federal courts have rejected. Further, Respondents have failed to comply with binding federal court orders issued in *Maldonado Bautista*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.). In *Maldonado Bautista*, the United States District Court for the Central District of California certified a nationwide Bond Eligible Class, granted partial summary judgment, issued declaratory relief holding that detention under 8 U.S.C. § 1225(b)(2) was unlawful for class members, entered Final Judgment, and subsequently granted a Motion to Enforce Judgment expressly vacating *Matter of Yajure Hurtado* as contrary to law under the Administrative Procedure Act (hereinafter, “APA.”) *See Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal. Nov. 20, 2025; Dec. 18, 2025; Feb. 18, 2026). *See Exhibit 1* (copies of all relevant court orders).
4. Petitioner has remained detained without being provided an individualized bond hearing, based on Respondents’ continued misapplication of detention standards that the Courts, including the Southern District of Florida, have already determined to be inconsistent with the governing statutory framework. *See e.g., Aguilar Merino v. Ripa*, No. 25-23845-CIV-MARTINEZ, 2025 WL 2941609, at *3, 8 (S.D. Fla. Oct. 15, 2025)(“section 1226(a), not section 1225(b)(2), governs Petitioner’s detention”); *Gil Paulino v. Sec’y of the U.S. Dep’t of Homeland Sec.*, 25-24292-CIV-WILLIAMS, ECF No. 41 (S.D. Fla. Oct, 2025)(“Section 1226 governs Petitioner’s detention); *Hernandez*

Alvarez v. Acting Warden Roger Morris, et al., Case No. 25-24806-CIV-WILLIAMS, ECF No. 6 (S.D. Fla. Oct. 27, 2025)(agreeing with petitioner that “detention is governed by 8 U.S.C. section 1226(a), which allows for the release of noncitizens on bond ... not section 1225(b)(2), applicable to noncitizen “applicant[s] for admission” to the United States.)

5. *Habeas corpus* is fundamentally “a remedy for unlawful executive detention.” *Munaf v. Geren*, 553 U.S. 674, 693 (2008). A writ may be issued to a petitioner who demonstrates that he is being held in custody in violation of the constitution or federal law. *See* 28 U.S.C. section 2241(c)(3). The Court’s jurisdiction extends to challenges involving immigration-related detention. *See Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).
6. Accordingly, this Court should grant Mr. Zeledon Ramirez’s petition for a writ of *habeas corpus* and order Respondents to release him immediately.

JURISDICTION

7. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Broward Transitional Center (“BTC”) in Pompano Beach, Florida.
8. This Court has jurisdiction under 28 U.S.C. § 2241(c)(3) (*habeas corpus*), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).
9. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.
10. Mr. Zeledon Ramirez is detained in the custody of Respondents at BTC, where he has remained continuously confined since November 2025.
11. Jurisdiction is proper under 28 U.S.C. § 2241 because Petitioner is in custody under the authority of the United States and challenges the lawfulness of his detention. Congress has preserved judicial review of challenges to civil immigration detention. *See Jennings v. Rodriguez*, 138 S. Ct. 830, 841 (2018).
12. Petitioner has now been detained for over three (3) months. He previously filed a motion for bond. The Immigration Court reviewed the motion but denied it for lack of jurisdiction pursuant to *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025), on the

ground that he is an “applicant for admission” subject to mandatory detention under INA § 235; *See Exhibit 2.*

13. Petitioner’s continued confinement, without an individualized bond hearing, constitutes unreasonably prolonged civil detention in violation of the Due Process Clause of the Fifth Amendment.

VENUE

14. Venue is proper in the Southern District of Florida pursuant to 28 U.S.C. § 1391 because Petitioner is physically detained at BTC in Broward County, Florida. He has remained in immigration custody continuously since November 2025.
15. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493–500 (1973), venue lies in the United States District Court for the Southern District of Florida, the judicial district in which Petitioner is currently detained and has remained in custody since November 2025.
16. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Southern District of Florida.

REQUIREMENTS OF 28 U.S.C. § 2243

17. *Habeas* relief is warranted forthwith. *Habeas corpus* is intended to provide a swift and imperative remedy for unlawful restraint. *Fay v. Noia*, 372 U.S. 391, 400 (1963). Petitioner’s detention has already been adjudicated as unlawful for class members under *Maldonado Bautista*, and further delay exacerbates ongoing constitutional harm.

PARTIES

18. Respondents are detaining Mr. Zeledon Ramirez at BTC in Pompano Beach, Florida, pending removal proceedings.
19. Respondent **Kristi Noem** is the Secretary of the United States DHS and is responsible for the administration of immigration laws, 8 U.S.C. § 1103(a). Secretary Noem is a legal custodian of Petitioner and is named in her official capacity.
20. Respondent **Todd M. Lyons** is the ICE Director, responsible for the overall administration of all ICE detention facilities, including BTC.
21. Respondent **Juan Agudelo** is the Interim Field Office Director for the Miami ICE Field Office and has administrative jurisdiction over Petitioner's case.
22. Respondent **Pamela Bondi** is the Attorney General of the United States and the senior official in the DOJ. She delegates authority over removal cases to the Executive Office for Immigration Review (hereinafter, "EOIR"), which administers the Immigration Courts and the Board of Immigration Appeals (hereinafter, "BIA"). She is named in her official capacity.
23. Respondent **Marcos Charles** is the Acting Executive Associate Director of ICE ERO. In this capacity, he leads the division responsible for the identification, arrest, detention, and removal of noncitizens. He has direct authority over the ERO policies that govern Petitioner's detention and is a legal custodian of the Petitioner;
24. Respondent **Charles Wall** is the Principal Legal Advisor for ICE. In this capacity, he leads the Office of the Principal Legal Advisor (hereinafter, "OPLA"), which serves as the exclusive representative of DHS in immigration court proceedings. He has final authority over the legal positions taken by ICE attorneys regarding Petitioner's custody and removal. He is a legal custodian of the Petitioner and is named in his official capacity.
25. Respondent **John Doe** is the Warden of BTC and is Petitioner's immediate custodian. As Warden, Respondent **John Doe** exercises day-to-day control over Petitioner's physical custody and is therefore a proper respondent in this *habeas* action.
26. Each of these Respondents is a legal custodian of Petitioner and is named in his/her official capacities.

FACTUAL AND PROCEDURAL HISTORY

27. Mr. Zeledon Ramirez is a native and citizen of Nicaragua, born on [REDACTED] in Managua, Nicaragua. *See Exhibit 3.*
28. Petitioner entered the United States on **October 17, 2023**, through Miami International Airport (MIA) under the Nicaraguan Humanitarian Parole Program (NHP), with authorized stay until **October 15, 2025**. *See Exhibit 4 and Exhibit 5.* His spouse, Angelica Maria Mendoza Rayo, and their two (2) minor children, [REDACTED] [REDACTED] (currently age 10) and [REDACTED] (currently age 16), entered with him under the same program
29. Petitioner was issued an Employment Authorization Document (EAD) and a Florida Driver's License, and resided continuously with his family in Key West, Florida, since his arrival. *See Exhibit 6 (EAD); Exhibit 7 (Florida Driver's License).*
30. On or before **December 23, 2024**, Petitioner filed an Application for Asylum and Withholding of Removal (Form I-589) with USCIS, Receipt Number [REDACTED] based on political opinion, membership in a particular social group, and the Convention Against Torture (hereinafter, "CAT."). His spouse and two (2) minor children are included as derivatives on that application. That application remains pending before the Miami Asylum Office. *See Exhibit 8 (Form I-589); Exhibit 9 (Receipt Notice I-797C).*
31. Petitioner's asylum claim is based on credible and well-documented persecution [REDACTED]
[REDACTED]
October 2023 fearing torture and death. *See Exhibit 10 (Sworn Declaration of Denis Jose Zeledon Ramirez).*
32. On **November 24, 2025**, Petitioner was detained at the Naval Air Station in Boca Chica, Key West, Florida, when he appeared to renew a federal identification card required for his employment performing maintenance work inside Navy housing facilities. Petitioner had been instructed the prior Friday to return on Monday regarding his identification. Upon his arrival, two (2) individuals who were not wearing uniforms approached him and placed him under arrest. Petitioner did not commit any crime nor was he arrested for any criminal issue.

33. Petitioner was then transported to the Key West immigration office and held there overnight. On **November 25, 2025**, he was transferred to the Monroe County Detention Center ("MCDC") in Key West, Florida, where he was held without any charges and where he remained detained for approximately twenty-one (21) or twenty-two (22) days. He was subsequently transferred to BTC, where he remains in DHS custody.
34. On **November 24, 2025**, DHS issued a Notice to Appear (hereinafter, "NTA"), charging Petitioner as removable under INA § 212(a)(7)(A)(i)(I). *See Exhibit 11* (NTA, Form I-862). On that same date, DHS also issued a Warrant for Arrest of Alien (Form I-200) and a Notice of Custody Determination (Form I-286), detaining Petitioner without bond. *See Exhibit 12* (Warrant for Arrest, Form I-200); *Exhibit 13* (Notice of Custody Determination, Form I-286).
35. DHS has issued inconsistent charging documents regarding Petitioner's admission classification. In one Notice to Appear, DHS alleges that Petitioner was not admitted or paroled, while in another charging document DHS asserts that Petitioner was admitted but removable. These contradictory classifications further underscore the arbitrary and legally unsupported basis for Respondents' continued detention under 8 U.S.C. § 1225(b)(2).
36. The NTA ordered Petitioner to appear before the Immigration Court at Krome North Service Processing Center, 18201 SW 12th Street, Miami, Florida 33194, on **December 22, 2025**.
37. The petitioner requested a custody redetermination hearing before the Immigration Court. The Immigration Judge denied bond, concluding that under 8 U.S.C. § 1225(b)(2)(A), the Court lacked jurisdiction to conduct a bond hearing because Petitioner was classified as an "applicant for admission," pursuant to *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025). *See Exhibit 2* (Immigration Judge's Order Denying Bond for Lack of Jurisdiction).
38. At the time of his arrest and detention, Petitioner had a pending asylum application, a valid EAD, and had fully complied with all conditions of his humanitarian parole status.
39. Petitioner has no criminal history in the United States or any other country.

40. Petitioner has remained continuously detained at BTC, in Pompano Beach, Florida, since **November 2025**, now for over three (3) months, without having received a meaningful, individualized bond hearing.
41. As a result of that determination, Petitioner remains detained without having received a meaningful individualized custody determination under the correct statutory framework.
42. Petitioner brings this *habeas* action solely to challenge the lawfulness of his continued detention. He does not seek review of the merits of his removal proceedings, but only judicial review of the statutory and constitutional basis for his confinement.

LEGAL ARGUMENTS: PETITIONER IS BEING UNLAWFULLY DETAINED

A. Exhaustion of Administrative Remedies: Petitioner has exhausted his remedies before the Immigration Courts and the lack of appeal to the BIA should be excused as futile.

Petitioner has exhausted his remedies before the Immigration Court, and any failure to appeal to the Board of Immigration Appeals (“BIA”) should be excused as futile. The exhaustion requirement under 8 U.S.C. § 1252(d)(1) “is not jurisdictional,” but rather prudential. *Kemokai v. U.S. Att’y Gen.*, 83 F.4th 886, 891 (11th Cir. 2023) (acknowledging the abrogation of prior Eleventh Circuit precedent interpreting § 1252(d)(1) as jurisdictional following *Santos-Zacaria v. Garland*, 598 U.S. 411, 413 (2023)). Administrative exhaustion is not required where no genuine opportunity for adequate relief exists or where an administrative appeal would be futile. *Lindfors v. United States*, 673 F.2d 332, 334 (11th Cir. 1982). Here, Petitioner requested a bond hearing, which was denied for lack of jurisdiction by the IJ based on *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). In *Yajure Hurtado*, the BIA rejected the precise argument Petitioner raises here, concluding that noncitizens present in the United States without admission are applicants for admission under 8 U.S.C. § 1225(b)(2)(A) and must be detained for the duration of their removal proceedings. However, subsequent to the Immigration Judge’s ruling in this case, the United States District Court for the Central District of California, in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.), granted a Motion to Enforce Judgment and expressly vacated *Matter of Yajure Hurtado* as contrary to law under the Administrative Procedure Act.

See Order Granting Motion to Enforce Judgment (Feb. 18, 2026). Thus, the very precedent relied upon by the Immigration Judge has been declared unlawful and vacated. Even prior to its vacatur, multiple district courts had already found that appealing to the BIA would be futile given the binding nature of *Yajure Hurtado*. See, e.g., *Puga v. Assistant Field Dir., Krome N. Serv. Processing Ctr.*, No. 25-24535, 2025 WL 2938369, at *3–6 (S.D. Fla. Oct. 15, 2025); *Mosqueda v. Noem*, 2025 WL 2591530, at *7 (C.D. Cal. Sept. 8, 2025).

B. Relevant Immigration Statutes: Section 1226 governs Petitioner’s detention, this Court should order his immediate release.

Two (2) statutes principally govern the detention of noncitizens: 8 USC section 1225 and 1226.

I. 8 U.S.C 1225

Section 1225 governs the inspection and detention of applicants for admission. See 8 U.S.C. § 1225 et seq. Detention under § 1225(b) is mandatory for individuals properly classified as applicants for admission. See *Jennings v. Rodriguez*, 583 U.S. 281, 287–89 (2018).

II. 8 U.S.C 1226

Federal immigration law “also authorizes the Government to detain certain aliens *already in the country* pending the outcome of removal proceedings.” *Jennings*, 583 U.S. at 289 (emphasis added). Section 1226(a) provides that when a noncitizen has been “arrested and detained pending a decision on whether the alien is to be removed from the United States,” the Attorney General may either continue to detain the individual or release them on bond or conditional release. See 8 U.S.C section 1226(a). The statute thus “establishes a discretionary detention framework.” *Gomes*, 2025 WL 1869299, at *2.

III. Section 1226 Applies to Mr. Zeledon Ramirez

The primary issue before this Court is whether 8 U.S.C. § 1225 or § 1226 governs Petitioner’s detention.

Petitioner was paroled into the United States on **October 17, 2023**, through Miami International Airport pursuant to the Nicaraguan Humanitarian Parole Program. He was lawfully inspected and permitted to enter the interior of the United States, where he has remained since that time. He subsequently filed an application for asylum, which remains pending. He has not committed any crime nor has he ever been arrested in the United States or anywhere else in the world.

Despite his lawful entry under parole and physical presence within the United States, DHS now asserts that Petitioner is subject to mandatory detention under § 1225(b)(2)(A) as an “applicant for admission.” That position is inconsistent with the statutory framework and with the growing body of district court authority holding that once a noncitizen has been paroled into the United States and placed in removal proceedings under 8 U.S.C. § 1229a, detention is governed by § 1226(a), not § 1225(b).

The Immigration Judge (hereinafter, “IJ”); therefore, erred as a matter of law in concluding that § 1225(b)(2)(A) stripped the court of jurisdiction to conduct a bond hearing. Petitioner’s detention is governed by § 1226(a), which entitles him to an individualized custody determination.

Countless courts have uniformly rejected the Government’s expansive interpretation of § 1225 and similar post hoc reclassification efforts. *See e.g., Gil-Paulino v. Sec’y of the U.S. Dep’t of Homeland Sec.*, 25-cv-24292, DE 41, (S.D. Fla. Oct. 10, 2025) (respondent’s interpretation of the INA “directly contravenes the statutes” and “disregards decades of settled precedent”); see also *Pizarro Reyes*, 2025 WL 2609425, at *7 (“Finally, the BIA’s decision to pivot from three decades of consistent statutory interpretation and call for *Pizarro Reyes*’ detention under section 1225(b)(2)(A) is at odds with every District Court that has been confronted with the same questions of statutory interpretation.”) *Puga*, No. 25-24535, 2025 WL 2938369, at *3-6; *Merino v. Ripa*, No. 25-23845, 2025 WL 2941609, at *3 (S.D. Fla. Oct. 15, 2025); *Lopez v. Hardin*, No. 25-cv-830, 2025 WL 2732717, at *2 (M.D. Fla. Sept. 25, 2025); *Harsh Patel v. Crowley*, No. 25-11180, 2025 U.S. Dist. LEXIS 209958, at *9-12 (N.D. Ill. Oct. 24, 2024); *Esquivel-Ipina v. Larose*, No. 25-cv-2672, 2025 U.S. Dist. LEXIS 210275, at *9-12 (C.D. Cal. Oct. 24, 2025); *Carmona v. Noem*, No. 25-cv-1131, 2025 U.S. Dist. LEXIS 209629, at *14-17 (W.D. Mich. Oct.

24, 2025); *Lopez v. Hyde*, 25-12680, 2025 U.S. Dist. LEXIS 209916, at *4-5 (D. Mass. Oct 24, 2025); *Guerra v Joyce*, No. 25-cv-00534, 2025 WL 2986316, at *3 (D. Me. Oct. 23, 2025); *Lomeau v. Soto*, 25-cv-16589, 2025 WL 2981296, at *7-8 (D.N.J. Oct. 23, 2025); *Maldonado v. Cabezas*, No. 25-13004, 2025 WL 2985256, at *4 (D.N.J. Oct. 23, 2025); *Aparicio v. Noem*, 2025 U.S. Dist. LEXIS 208898, at *12-13 (D. Nev. Oct. 23, 2025); *Loa Caballero v. Baltazar*, No. 25-cv-03120, 2025 WL 2977650, at *5-6 (D. Colo. Oct. 22, 2025).

C. Petitioner's Continued Detention Violates Due Process

Procedural due process requires, at minimum, that a person deprived of liberty receive notice and a meaningful opportunity to be heard before a neutral decisionmaker. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976). Where detention becomes prolonged, due process demands an individualized hearing at which the Government bears the burden of justifying continued confinement. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

Here, Petitioner has been detained since **November 2025**, for over three (3) months, without ever receiving a meaningful, individualized custody determination. On **January 2, 2026**, the IJ declined to conduct a bond hearing based solely on a statutory classification under INA § 235(b)(2)(A), without considering any of Petitioner's individual circumstances. The Court made no finding as to whether Petitioner poses a flight risk or a danger to the community.

No neutral adjudicator has ever weighed his lawful entry into the United States in 2023 pursuant to humanitarian parole, his compliance with immigration authorities, his pending asylum application, his lack of criminal history, or his substantial family ties in the United States. This complete absence of any individualized procedural safeguard constitutes a violation of Petitioner's right to procedural due process. Petitioner has been denied the very process that the Constitution requires before the Government may continue to deprive him of his liberty.

II. Substantive Due Process

Substantive due process prohibits government action that is arbitrary or grossly disproportionate to any legitimate government interest. *County of Sacramento v. Lewis*, 523 U.S. 833, 846 (1998). Civil detention that is excessive or punitive in effect violates substantive due

process even when authorized by statute. *Zadvydas*, 533 U.S. at 690. Petitioner entered the United States in October 2023 pursuant to humanitarian parole and has remained in the United States since that time. He has no criminal convictions, poses no danger to the community, and presents no risk of flight. Despite these undisputed facts, he remains confined without an individualized bond determination.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF – Violation of Fifth Amendment Procedural Due Process.

43. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
44. Petitioner Mr. Zeledon Ramirez has been subjected to prolonged civil immigration detention without a meaningful and individualized bond hearing, in violation of the Due Process Clause of the Fifth Amendment. Although Petitioner filed a motion for bond, the Immigration Court denied jurisdiction pursuant to *Matter of Yajure-Hurtado*, thereby refusing to conduct any individualized assessment of whether Petitioner's continued detention is justified under INA § 236(a). The absence of a meaningful custody determination renders Petitioner's detention unconstitutional.

SECOND CLAIM FOR RELIEF – Violation of Fifth Amendment Substantive Due Process

45. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
46. Petitioner's continued detention is excessive, arbitrary, and punitive in effect, and bears no reasonable relationship to any legitimate governmental purpose. Immigration detention is civil in nature, yet Respondents have imposed prolonged confinement without individualized justification, in violation of Petitioner's substantive due process rights under the Fifth Amendment.

THIRD CLAIM FOR RELIEF – Unlawful Detention Beyond Statutory Authority

47. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
48. Respondents lack statutory authority to detain Petitioner under INA §§ 1225(b)(1), 1226(c), and 1231. Petitioner's detention is governed, if at all, by INA § 236(a), which requires an individualized custody determination and eligibility for release on bond. By continuing to detain Petitioner without providing such a determination, Respondents are acting beyond their statutory authority and in violation of federal law.

FOURTH CLAIM FOR RELIEF – Arbitrary and Unreasonable Detention

49. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
50. Petitioner's continued detention is arbitrary and unreasonable, lacking any individualized finding of flight risk or danger to the community. Such detention violates fundamental principles of due process and exceeds the bounds of lawful civil confinement.

FIFTH CLAIM FOR RELIEF – Violation of the INA: Request for Relief Pursuant to *Maldonado Bautista*.

51. Petitioner repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.
52. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for release under 8 U.S.C section 1226(a).
53. The order granting summary judgment in *Maldonado Bautista* holds that Respondents violated the INA in applying the mandatory detention statute at section 1225(b)(2) to class members. The order granting class certification in *Maldonado Bautista* further orders that “[w]hen considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.” Respondents are parties to *Maldonado Bautista* and bound by the Court's judgment.

54. By asserting that the Petitioner is subject to mandatory detention under section 1225(b)(2), Respondent violated Petitioner's statutory rights under the INA and the Court's judgment in *Maldonado Bautista*.
55. On **November 20, 2025**, the district court granted partial summary judgment in favor of the named plaintiffs, and on **November 25, 2025**, certified a nationwide class and extended declaratory relief to the certified class. *See Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment); *id.* at *9 (order certifying the proposed nationwide Bond Eligible Class and extending declaratory relief). The court determined that members of the Bond Eligible Class are detained under 8 U.S.C. § 1226(a), and therefore may not be denied consideration for release on bond under 8 U.S.C. § 1225(b)(2)(A). *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861, at 11 (C.D. Cal. Nov. 20, 2025). On **December 18, 2025**, the court entered final judgment granting classwide declaratory relief consistent with its prior orders.
56. Following his apprehension, Mr. Zeledon Ramirez was placed in removal proceedings pursuant to 8 U.S.C. § 1229a and charged as inadmissible under 8 U.S.C. § 1182(a)(7)(A)(i)(I). Respondents are bound by the judgment issued in *Maldonado Bautista*.
57. However, Petitioner has not received the bond consideration to which he is entitled as a member of the Bond Eligible Class and remains detained without an individualized custody determination as required by law.

SIXTH CLAIM FOR RELIEF – Attorney's Fees Under the Equal Access to Justice Act

58. If Petitioner prevails in this action, he respectfully requests an award of reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412, as amended, as Petitioner is the prevailing party and the Government's position would not be substantially justified.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Mr. Zeledon Ramirez respectfully requests that this Honorable Court:

1. Exercise jurisdiction over this Petition for Writ of *Habeas Corpus* pursuant to 28 U.S.C. § 2241;
2. Declare that Respondents' continued detention of Petitioner without a meaningful and individualized bond hearing violates the Due Process Clause of the Fifth Amendment and the Immigration and Nationality Act;
3. Order Respondents to immediately release Petitioner from DHS custody;
4. Order Respondents to cease detaining Petitioner in violation of the Constitution and laws of the United States;
5. Retain jurisdiction to ensure compliance with the Court's order; and
6. Grant such other and further relief as the Court deems just and proper.

EXHIBITS

- **Exhibit 1** – Final Judgment and Order Granting Motion to Enforce Judgment in *Maldonado Bautista v. Santacruz*;
- **Exhibit 2**-Immigration Judge's Order Denying Bond for Lack of Jurisdiction;
- **Exhibit 3**- A copy of the passport del Petitioner, Denis Jose Zeledon Ramirez;
- **Exhibit 4**-I-94 / Proof of Parole Entry (October 17, 2023);
- **Exhibit 5**-Humanitarian Parole Approval Documentation (NHP);
- **Exhibit 6**- Employment Authorization Document (EAD);
- **Exhibit 7**-Florida Driver's License;
- **Exhibit 8**-Form I-589 (Asylum Application);
- **Exhibit 9**- I-797C Receipt Notice for I-589;
- **Exhibit 10**-Sworn Declaration of Denis Jose Zeledon Ramirez;
- **Exhibit 11**- Notice to Appear (Form I-862);
- **Exhibit 12**-Warrant for Arrest of Alien (Form I-200);
- **Exhibit 13** -Notice of Custody Determination (Form I-286);

Dated: February 20, 2026.

Respectfully submitted,

By: /s/ Magdalena Cuprys, Esq.

FL Bar No.: 22460

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Verification

I declare under penalty of perjury that the facts set forth in the foregoing Verified Petition for Writ of *Habeas Corpus* are true and correct to the best of my knowledge, information, and belief.

/s/ Denis Jose Zeledon Ramirez
Denis Jose Zeledon Ramirez

Dated: February 20, 2026.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 20, 2026, a true and correct copy of the foregoing was filed using the Court's CM/ECF system, which will send notice of electronic filing to all counsel of record.

Respectfully submitted,

February 20, 2026.

By: /s/ Magdalena Cuprys, Esq.

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