

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

ANABEL VASQUEZ TEJADA, Baltimore Hold
Room, ICE Enforcement and Removal
Operations, 31 Hopkins Plz., 6th Fl.,
Baltimore, MD 21201,

Petitioner,

v.

VERNON LIGGINS, *in his official capacity as
Field Office Director for Detention & Removal,*
U.S. Immigration and Customs Enforcement, 31
Hopkins Plz., 6th Fl., Baltimore, MD 21201;

TODD LYONS, *in his official capacity as
Director,* U.S. Immigration and Customs
Enforcement, 500 12th St. SW, Washington, DC
20536;

KRISTI NOEM, *in her official capacity as
Secretary,* U.S. Department of Homeland Security,
Washington, DC 20528; and

PAMELA BONDI, *in her official capacity as
Attorney General of the United States,* U.S.
Department of Justice, 950 Pennsylvania Ave.
NW, Washington, DC 20530,

Respondents.

**PETITION FOR A WRIT OF
HABEAS CORPUS**

Civil Action No. _____

PETITION FOR A WRIT OF HABEAS CORPUS

INTRODUCTION

1. The Petitioner, Anabel Vasquez Tejada (“the Petitioner”), who has lived in the United States for the last five years, won her immigration case on January 28, 2025. Exhibits A (ICE Detainee Locator Results) & B (Automated Case Information System Results). The Immigration Judge (“IJ”) determined that the Petitioner established she would more likely than not face threats to her life or freedom on account of a protected ground if she were to return to El Salvador and granted her withholding of removal under the Immigration and Nationality Act, as amended (“INA”), accordingly. *See* Exhibit B; *see also* 8 U.S.C. § 1231(b)(3)(A). The Department of Homeland Security (“DHS”) did not appeal the IJ’s decision. *See* Exhibit B (“No appeal was received for this case.”).
2. The statutorily prescribed period in which ICE could have removed the Petitioner expired ten months ago, on April 28, 2025. *See* Exhibit B; 8 C.F.R. § 1231(a)(1)(B)(i).
3. After she was granted withholding of removal under the INA, Immigration and Customs Enforcement (“ICE”) placed the Petitioner in the Intensive Supervision Appearance Program (“ISAP”). Initially, the Petitioner was required to check in with ICE every three months. In January 2026, ICE informed the Petitioner that she was now required to attend monthly ISAP check-ins.
4. At her ISAP check-in on March 3, 2026, ICE issued the Petitioner a Notice of Revocation of Release, detained her, and gave her a Notice of Removal stating that ICE intends to remove her to Guatemala because it is prohibited from removing her to El Salvador. *See* Exhibits A, C (Notice of Revocation of Release) & D (Notice of Removal). The Petitioner refused to sign all documents served on her. *See* Exhibits C, D & E (Warning for Failure to Depart).

5. The Petitioner is detained pursuant to 8 U.S.C. § 1231, which governs the detention of noncitizens with a final order of removal that has been withheld or deferred by an IJ due to a substantial risk of persecution or torture in their country of origin. The Petitioner's removal order and accompanying grant of relief are final because DHS never filed an appeal of the IJ's decision. *See* 8 C.F.R. § 1241.1; *see also* Exhibit B.
6. The Petitioner's continued detention is unlawful as her release was improperly revoked. 8 C.F.R. § 241.4 governs the detention of individuals granted withholding of removal and outlines the required procedures for their detention beyond the prescribed removal period. *See* 8 C.F.R. § 241.4(b)(3). Per the regulation, only the Executive Associate Commissioner or, in some instances the district director, may revoke an individual's release. *See id.* § 241.4(l)(2). Petitioner's revocation of release was apparently authorized by Nikita Baker—an individual who has been unaffiliated with ICE since at least January 21, 2026—a day *after* the Petitioner was served with the Notice of Revocation of Release. *See* Exhibit C (dated as served on March 3, 2026, but purportedly signed by Nikita Baker on March 4, 2026); *see also* *Amaya Rodriguez v. Baker*, 1:26-cv-00143-MJM, ECF No. 6 (Jan. 21, 2026) (“Vernon Liggins has recently been named Acting Field Office Director for the ICE Baltimore Field Office.”); Exhibit F (U.S. Department of Justice Press Release, Feb. 27, 2026) (stating Vernon Liggins is Acting Field Office Director for the ICE Baltimore Field Office). As neither the Executive Associate Commissioner nor a district director authorized the revocation of the Petitioner's release, her continued detention is unlawful.
7. The Petitioner's continued detention also violates 8 U.S.C. § 1231(a), as interpreted by the Supreme Court in *Zadvydas v. Davis*, 533 U.S. 678 (2001), because her removal is not reasonably foreseeable. She cannot be deported to her country of origin—El Salvador—

because she has been granted statutory withholding of removal to that country. *See* 8 U.S.C. § 1231(b)(3)(A); 8 C.F.R. § 1208.16. As such, ICE has decided to attempt to remove her to Guatemala, but ICE has yet to obtain any travel document for her. *See* Exhibit C. Further, the Petitioner’s Notice of Removal states only that ICE “intend [sic] to remove [her] to Guatemala;” it does not affirm that Guatemala has agreed to accept the Petitioner such that her removal is imminent. *See* Exhibit D. Absent the valid travel documents necessary to enter Guatemala and absent any assurance from Guatemala that it would accept the Petitioner, her detention is unreasonable and arbitrary under the *Zadvydas* framework because removal is not reasonably foreseeable. *Zadvydas*, 533 U.S. at 699.

8. The Petitioner hereby petitions this Court for a writ of habeas corpus to remedy her unlawful detention by the Respondents, and to enjoin the Petitioner’s continued unlawful detention by the Respondents. In support of this petition and complaint for injunctive relief, Petitioner alleges as follows:

CUSTODY

9. The Petitioner is in the physical custody of Respondents. *See* Exhibit A. She is detained at the ICE Baltimore Hold Room in Baltimore, Maryland. *See id.* The Petitioner is thus under the direct control of Respondents and their agents.

JURISDICTION

10. This action arises under the United States Constitution, 28 U.S.C. § 2241(c)(1), and the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101 et seq. This Court has subject matter jurisdiction under 28 U.S.C. § 2241; Art. I § 9, cl. 2 of the United States Constitution (“Suspension Clause”); and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of the authority of the United States, and such custody is in violation of the

Constitution, laws, or treaties of the United States. *See Zadvydas*, 533 U.S. at 688 (“We conclude that § 2241 habeas corpus proceedings remain available as a forum for statutory and constitutional challenges to post-removal-period detention.”); *INS v. St. Cyr*, 533 U.S. 289, 301 (2001) (“At its historical core, the writ of habeas corpus has served as a means of reviewing the legality of executive detention, and it is in that context that its protections have been strongest.”); *Clark v. Martinez*, 543 U.S. 371 (2005) (holding that *Zadvydas* applies to both inadmissible and removable noncitizens).

VENUE

11. Venue lies in the District of Maryland because Petitioner is currently detained in the territorial jurisdiction of this Court at the ICE Baltimore Hold Room. *See* Exhibit A; 28 U.S.C. 1391(b)(2); *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004) (interpreting 28 U.S.C. § 2241 to confirm the “general rule that for core habeas petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement”).

PARTIES

12. The Petitioner is a native and citizen of El Salvador who was granted withholding of removal on January 28, 2025. Exhibit G (Order of the Immigration Judge, Jan. 28, 2025). On March 3, 2026, she was detained by ICE officials when she attended her ISAP check-in at the ICE Baltimore Field Office; she has been in custody in there ever since. *See* Exhibits A & C.
13. Respondent Vernon Liggins is the Acting Field Office Director (“FOD”) for ICE’s Enforcement and Removal Operations (“ERO”) Baltimore Field Office, which has jurisdiction over the Baltimore Hold Room. He is responsible for enforcement and removal operations in Maryland. As far as counsel is aware, Petitioner is currently in the custody of

the Baltimore Field Office at the ICE Baltimore Hold Room. *Cf. Ozturk v. Trump*, No. 2:25-cv-374, 2025 WL 1145250, at *8 (D. Vt. Apr. 18, 2025) (finding that the FOD was plausibly petitioner’s immediate custodian because petitioner “was not at a prison or jail when the Petition was filed—she was in a vehicle begin transported to an ICE Field Office”). Respondent Liggins is the immediate legal custodian of the Petitioner. He is sued in his official capacity.

14. Respondent Jose Guerrero is the Assistant Field Office Director for ICE’s ERO Baltimore Field Office, which has jurisdiction over the Baltimore Hold Rooms and is responsible for enforcement and removal operations in Maryland. He is sued in his official capacity.
15. Respondent Marcos Charles is the Acting Executive Associate Director of ICE ERO. He is the head of the ICE office that carries out arrests of noncitizens and removals from the United States. He is sued in his official capacity.
16. Respondent Kristi Noem is the Secretary of DHS. DHS oversees ICE, which is responsible for administering and enforcing the immigration laws. Respondent Noem is the ultimate legal custodian of the Petitioner. She is sued in her official capacity.
17. Respondent Pamela Bondi is the Attorney General of the United States and is responsible for administering the Executive Office for Immigration Review (“EOIR”) within the Department of Justice. She is sued in her official capacity.

STATEMENT OF FACTS

18. The Petitioner is a native and citizen of El Salvador. *See* Exhibits G & H (Form I-862, Notice to Appear). She last entered the United States around October 2019 without inspection. *See* Exhibit H.

19. Seeking relief from removal, the Petitioner filed a Form I-598, Application for Asylum and For Withholding of Removal (“I-589”), on September 7, 2021. *See* Exhibit I (I-589).
20. An immigration judge granted the Petitioner’s application for withholding of removal under INA § 241(b)(3) on January 28, 2025. *See* Exhibit G; 8 C.F.R. § 1208.16(c)(4). Still, the Petitioner was placed into ISAP on February 28, 2025, and required to attend check-ins every three months. *See* Exhibit C. In January 2026, ICE increased the frequency of the check-ins to every month.
21. When the Petitioner appeared for her check-in on March 3, 2026, in compliance with the terms of her ISAP placement, the Respondents and their agents detained her and informed her they intend to remove her to Guatemala. The Petitioner did not sign any of the paperwork with which she was served by ICE. *See, e.g.*, Exhibits C-E.
22. ICE alleges it conducted an “informal interview” with the Petitioner to provide her an opportunity to respond to the reasons for her revocation of release on March 3, 2026. *See* Exhibits J (Alien Informal Interview); *see also* Exhibit K (Guidance Regarding Third Country Removals) (“Immigration officers will not affirmatively ask whether the alien is afraid of being removed to that country.”). ICE alleges the Petitioner stated only “please send me to Guatemala” in the interview. *See id.* The document was signed by an unidentified Deportation Officer; the Petitioner did not sign this document. *See id.*
23. As of the date of filing, the Petitioner remains in custody of Respondents at the Baltimore Hold Room in the Baltimore ICE Field Office.

CLAIMS FOR RELIEF

COUNT I
VIOLATION OF INA, 8 U.S.C. § 1231(a), AND OTHER REQUIRED PROCEDURES
FOR THE REVOCATION OF RELEASE OF A NONCITIZEN

24. The Petitioner realleges and incorporates by reference paragraphs 1–23.
25. The Petitioner’s detention is unlawful because ICE did not comply with the procedural requirements outlined in the regulations that govern the revocation of release of an individual.
26. 8 C.F.R. § 241.4 governs the detention of individuals granted withholding of removal and outlines the required procedures for their detention beyond the prescribed removal period. *See* 8 C.F.R. § 241.4(b)(3). Only the Executive Associate Commissioner or, in some instances the district director, may revoke an individual’s release. *See id.* § 241.4(1)(2).
27. The Petitioner’s Notice of Revocation of Release was purportedly signed by Nikita Baker, the former Acting Field Office Director for Baltimore who was replaced by Respondent Vernon Liggins sometime in January 2026. *See* Exhibits C & F. Nikita Baker apparently signed the Notice on March 4, 2026, at 6:01pm, the day *after* the document reflects the Petitioner was served with it. *See* Exhibit C. As neither the Executive Associate Commissioner nor a district director authorized the revocation of the Petitioner’s release, and as her detention was not authorized at the time she was detained, her continued detention is unlawful.
28. Given ICE’s failure to comply with its own regulations and procedural requirements, its actions should be presumed unlawful under the Accardi Doctrine. *United States ex. rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954) (explaining that the Accardi Doctrine “provides that when an agency fails to follow its own procedures or regulations, that agency’s actions are generally invalid”).
29. The Petitioner’s detention is unlawful because there is not a significant likelihood she will be removed in the reasonably foreseeable future.

30. 8 U.S.C. § 1231(a), as interpreted by the Supreme Court in *Zadvydas*, authorizes detention only for “a period reasonably necessary to bring about the [noncitizen’s] removal from the United States.” 533 U.S. at 689. The removal period, as defined by 8 U.S.C § 1231(a) expired, by all statutory definitions and otherwise, on April 28, 2025. Her detention is entirely outside the scope of any provision under 8 U.S.C. § 1231(a).
31. The *Zadvydas* Court explained that that there must be a temporal link between an individual’s post-removal-period detention and removal; the Court held that removal from the United States must be “reasonably foreseeable” in cases where individuals are detained beyond the expiry of the 90-day removal period. *Zadvydas*, 533 U.S. at 699.
32. The Petitioner cannot be deported to El Salvador, the only country of which she is a citizen, because she has a final grant of protection from removal there. Respondents therefore intend to deport her to Guatemala.
33. ICE has not obtained travel documents to permit the Petitioner entry into Guatemala and stated only that it intends to remove the Petitioner to Guatemala, not that she will be accepted there. *See* Exhibit C; *Zadvydas*, 533 U.S. at 702 (explaining that the reasonableness inquiry requires consideration of the “likelihood of successful future negotiations” for the individual’s removal). Her removal is not, therefore, reasonably foreseeable.
34. Further, the Petitioner is entitled to an opportunity to present claims for withholding of removal to Guatemala under the INA, a process which takes time—four years in the Petitioner’s case. *See D.V.D. v. U.S. Dep’t of Homeland Sec.*, 1:25-cv-10676-BEM, Doc. 241, at *48 (Feb. 25, 2026) (“As a matter of statute, the Court construes section 1231(b)(2) to require notice and an opportunity to present claims for statutory withholding of removal

under section 1231(b)(3).” Exhibits G & I. As she is entitled to go through the process to present a claim for withholding of removal to Guatemala, ICE will not be able to remove the Petitioner from the United States in the “reasonably foreseeable future,” so her detention violates 8 U.S.C. § 1231(a). *Zadvydas*, 533 U.S. at 701.

35. Because the Petitioner’s detention following her dutifully-attended ISAP check-in was not authorized and because her continued detention is unreasonable given the absence of a significant likelihood she will be removed in the reasonably foreseeable future, Respondents are detaining her unlawfully, and this Court should grant the instant petition.

PRAYER FOR RELIEF

WHEREFORE, the Petitioner respectfully requests that this Court:

- a. Assume jurisdiction over this matter;
- b. Declare that the Respondents' actions or omissions violate the Immigration and Nationality Act and/or the Due Process Clause of the Fifth Amendment to the U.S. Constitution.
- c. Order the Petitioner's immediate release from custody;
- d. Grant any other further relief this Court deems just and proper.

Dated: March 5, 2026

Respectfully submitted,

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