

UNITED STATES DISTRICT COURT

for the
District of Arizona

Paulina Lopez Martinez

Petitioner

v.

Pamela Bondi, United States Attorney General;
Eric Rokosky Director Eloy Federal Contract Facility

Case No.

CV 26-01787-PHX-SHR-JZB
(Supplied by Clerk of Court)*Respondent*

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

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

Personal Information

1. (a) Your full name: Paulina Lopez Martinez
- (b) Other names you have used: N/A
2. Place of confinement:
 - (a) Name of institution: Eloy Federal Contract Facility (CoreCivic)
 - (b) Address: 1705 East Hanna RD. Eloy, AZ 85131
- (c) Your identification number: A 
3. Are you currently being held on orders by:

☒ Federal authorities
U.S Department of Homeland Security (ICE)

☐ State authorities

☐ Other - explain:
4. 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

5. 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)

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- ☐ 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: U.S Department of Homeland Security (DHS) U.S Immigration Customs Enforcement (ICE) Eloy Federal Contract Facility (CoreCivic), Eloy Arizona.
- (b) Docket number, case number, or opinion number: N/A
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): Continued immigration detention by ICE at the Eloy Federal Contract Facility.
- (d) Date of the decision or action: 12/27/2025

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: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- ☐ Yes
 ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: There is no available administrative appeal to challenge immigration detention without a meaningful bond hearing.

(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 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: _____

(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

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If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (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:

- (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:

- (b) Date of the removal or reinstatement order:

- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes☒ No

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If "Yes," provide:

(1) Date of filing:

(2) Case number:

(3) Result:

(4) Date of result:

(5) Issues raised:

(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:

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:

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: Unlawful and unnecessary immigration detention

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

Petitioner is being unlawfully detained by U.S. Immigration and Customs Enforcement at the Eloy Federal Contract Facility. Petitioner has significant ties to the United States, including three United States citizen children, and has lived in the United States for many years. Her continued detention is unnecessary and excessive under the circumstances and violates her right to due process.

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

☒ Yes

☐ No

GROUND TWO: Petitioner has pending immigration relief

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

Petitioner has a pending VAWA self-petition and an application for adjustment of status. Because Petitioner has viable immigration relief currently pending before USCIS her detention is unnecessary and unjustified while her immigration case is being processed.

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

☒ Yes

☐ No

GROUND THREE: Violation of due process rights

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

Petitioner's continued detention without adequate justification violates the Due Process Clause of the Fifth Amendment. Immigration detention must be reasonably related to a legitimate government purpose, and in this case continued detention serves no legitimate purpose where Petitioner has family ties, pending immigration relief, and poses no danger to the community.

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

☒ Yes

☐ No

GROUND FOUR: Petitioner is not a danger to the community or a flight risk(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

Petitioner has no serious criminal history and was taken into immigration custody following a minor traffic-related issue. Petitioner is not a danger to the community and is not a flight risk. She has strong family ties in the United States, including her United States citizen children, and would comply with any court or immigration proceedings if released.

(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: Petitioner respectfully requests that the Court order her immediate release from immigration detention or, in the alternative, order a prompt bond hearing before an immigration judge. Petitioner further requests that she not be transferred to another detention facility while this petition is pending. Due to the significant emotional distress and deteriorating health Petitioner is experiencing while detained, Petitioner respectfully requests expedited and emergency consideration of this petition.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

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:

03/12/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Paulina Lopez Martinez,
Petitioner,
A#: 

v.

Eric Rokosky, Warden, Eloy Federal Contract Facility, et al.,
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**PETITIONER'S SUPPLEMENTAL BRIEF IN SUPPORT OF PETITION FOR WRIT OF HABEAS
CORPUS**

I. INTRODUCTION

Petitioner respectfully submits this supplemental brief in support of her Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. Petitioner challenges the legality of her continued detention by U.S. Immigration and Customs Enforcement (ICE). Petitioner does not challenge the underlying immigration proceedings at this stage. Rather, she challenges her continued detention without a meaningful opportunity to seek release and without individualized review, in violation of the Due Process Clause of the Fifth Amendment.

II. BACKGROUND

Petitioner Paulina Lopez Martinez has lived in the United States for many years and is the mother of three U.S. citizen children. She has significant family ties in the United States and no history of violence.

Petitioner was taken into ICE custody after being detained by local authorities for a traffic-related matter involving a driver's license. After posting bond for the local matter, she was immediately taken into immigration custody.

Petitioner currently has a pending petition under the Violence Against Women Act (VAWA) and a related application for adjustment of status. Despite these pending humanitarian applications and her strong family ties, she remains detained at the Eloy Federal Contract Facility in Eloy, Arizona.

III. DETENTION RAISES SERIOUS DUE PROCESS CONCERNS

Petitioner's continued detention without a meaningful opportunity to seek release raises serious constitutional concerns. The Fifth Amendment protects individuals from deprivation of liberty without due process of law.

Petitioner has not been afforded a meaningful individualized determination regarding whether her detention is necessary. Continued detention without such review undermines the fundamental principles of due process.

IV. DETENTION IS CAUSING SIGNIFICANT HARM

Petitioner's continued detention is causing severe emotional and psychological distress. She has reported persistent illness, emotional anxiety, and sleep disturbances, including recurring nightmares.

Prolonged detention under these circumstances is causing unnecessary harm and further supports the need for prompt judicial review.

V. PRESERVATION OF THE COURT'S JURISDICTION

Petitioner respectfully requests that Respondents refrain from transferring her outside the District of Arizona while this matter remains pending before this Court. Transfer could interfere with this Court's jurisdiction and hinder meaningful review of this petition.

VI. REQUEST FOR RELIEF

For the foregoing reasons, Petitioner respectfully requests that this Court:

1. Grant the Petition for Writ of Habeas Corpus and order Petitioner's immediate release from immigration detention; or, in the alternative, order a prompt bond hearing before an Immigration Judge where the government bears the burden of justifying continued detention.
2. Order that Petitioner not be transferred to another detention facility outside the District of Arizona while this petition remains pending, in order to preserve this Court's jurisdiction.
3. Consider this matter on an expedited or emergency basis due to the significant emotional distress and health concerns Petitioner is experiencing while detained.
4. Permit service of future filings, responses, and court orders by electronic mail in order to ensure timely notice while this petition is pending. Petitioner respectfully requests that copies be sent to the following email address: [REDACTED]

Petitioner respectfully requests any additional relief that this Court deems just and proper.

Respectfully submitted,

Paulina Lopez Martinez
Petitioner, Pro Se A#: [REDACTED]

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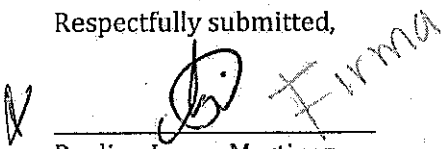
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