

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

YENNIRE MENDEZ GONZALEZ,
Petitioner,
v.

Case No. 1:26-cv-125

WARDEN, Bluebonnet Detention Facility,
DALLAS FIELD OFFICE DIRECTOR,
U.S. Immigration & Customs Enforcement (ICE ERO)
SECRETARY OF THE U.S. DEPARTMENT OF
HOMELAND SECURITY; and **PAMELA J. BONDI,**
Attorney General of the United States
In their official capacities,
Respondents.

**EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241
AND ORDER TO SHOW CAUSE, REQUEST FOR IMMEDIATE RELEASE**

I. INTRODUCTION

1. Petitioner Yennire Mendez Gonzalez, A# [REDACTED], a Venezuelan passport holder and mother of two minor children, who was paroled into the United States and granted 5-year Employment Authorization subject to her Application for Asylum and Withholding of Removal, and who has also registered for Temporary Protected Status (TPS) and remains prima facie eligible, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 challenging her warrantless arrest and ongoing civil immigration detention.
2. Petitioner arrived at a designated port of entry in El Paso, Texas, carrying her Venezuelan passport, was inspected, and then paroled into the United States on September 27, 2022 pursuant to 8 U.S.C. § 1182(d)(5). *See* Exhibits 1 and 2. She filed a Form I-589 Application for Asylum and Withholding of Removal within one year of arrival, registered with Social Security and was issued a C08 Employment Authorization Document under 8 C.F.R. § 274a.12(c)(8), valid through December 2, 2028. *See* Exhibits 3 and 4. She complied with

all ICE reporting obligations. For avoidance of doubt, her children were also paroled and included in her I-589 application and are derivatives to her case.

3. On March 3 or 4, 2026, Petitioner was a passenger in a vehicle stopped in Olney, Texas for a broken taillight. The local officer contacted ICE. Petitioner was arrested and transferred to immigration custody even though her parole had not been revoked, she had committed no crime, and had a 5-year unexpired Employment Authorization. A Notice to Appear (NTA) was issued on March 5, 2026, after she was already detained at Bluebonnet Detention Center in Anson, Texas. *See* Exhibit 5. At the time of arrest, no removal order existed and no warrant for revocation of parole had been executed. Her arrest and continued detention violates the Immigration and Nationality Act, the Administrative Procedure Act, and the Fifth Amendment Due Process Clause.

II. JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction under 28 U.S.C. § 2241(habeas), 28 U.S.C. § 1331 (federal question), Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause), authority to issue declaratory and injunctive relief under 28 U.S.C. § 1651 (All Writs Act), *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973), and the Administrative Procedure Act (APA). A district court may review a writ of habeas corpus if a petitioner is in federal custody in violation of the Constitution or federal law. 28 U.S.C. § 2241. “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.” *I.N.S. v. St. Cyr*, 533 U.S. 289, 301 (2001). Accordingly, a district court’s habeas jurisdiction includes challenges to the lawfulness of immigration-related detention. *See, e.g., Zadvydas v. Davis*, 533 U.S. 678, 687 (2001); *Demore v. Kim*, 538 U.S. 510, 516–17 (2003); *Baez*

v. Bureau of Immigr. & Customs Enft, 150 F. App'x 311, 312 (5th Cir. 2005) (unpublished); *Oyelude v. Chertoff*, 125 F. App'x 543, 546 (5th Cir. 2005) (unpublished).

5. Venue is proper in this District because Petitioner is confined within the Northern District of Texas. The immediate custodian (the Warden of Bluebonnet Detention Center) resides in this District. Habeas venue lies in the district of confinement at the time of filing. *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004); *Pack v. Yusuff*, 218 F.3d 448 (5th Cir. 2000).

III. REQUIREMENTS OF 28 U.S.C. § 2243

6. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents “forthwith,” unless Petitioner is not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court must require respondents to file a return “within *three days* unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.* (emphasis added).
7. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). This passage about habeas accurately describes the fundamental nature of habeas, and the speed and imperative character of relief under § 2243.

IV. PARTIES

8. Petitioner: Petitioner YENNIRE MARIA MENDEZ GONZALEZ (A# [REDACTED]) is a citizen of Venezuela. Petitioner's admission record reflects a paroled entry date of September 27, 2022. *See* Exhibit 2.
9. Respondents: (1) Warden, Bluebonnet Detention Center, the immediate custodian with day-to-day control of Petitioner; (2) Dallas Field Office Director, ICE ERO (3) DHS Secretary; (4) Pamela J. Bondi, U.S. Attorney General. All in official capacities.

V. CUSTODY AND EXHAUSTION

10. Petitioner is in custody for § 2241 purposes. Exhaustion is not a § 2241 statutory requirement for Petitioner. There is no requirement that an applicant persists in seeking government assistance when doing so would have been futile or would have subjected the applicant to further abuse. *Standard Language Addendum: Asylum, Withholding of Removal, And Relief Under the Convention Against Torture* at 18 and 29, citing *Orellana v. Barr*, 925 F.3d 145, 153 (4th Cir. 2019); *Matter of Acosta*, 19 I&N Dec. at 222; *see also Molina-Diaz v. Bondi*, 128 F.4th 568, 575–76 (4th Cir. 2025) (finding the “unable or unwilling” requirement remains binding in the Fourth Circuit) (*citing Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024) (overturning Chevron doctrine and finding that courts must decide “all relevant questions of law” arising on review of agency action)). *Orellana*, 925 F.3d at 145, 153 (“[A]ccess to a nominal or ineffectual remedy does not constitute meaningful recourse.”); *Diaz de Gomez v. Wilkinson*, 987 F.3d 359, 366 (4th Cir. 2021).

11. However, even under the interpretation required in the Northern District, Petitioner shows “proper” exhaustion of “prudential” remedies.¹

12. In Petitioner’s case, release by Respondents is *impossible* in their usage interpretation of the INA. Upon information and belief, Petitioner believes the government will argue that petitioner is detained under 8 U.S.C. § 1225(b) and must be detained for the remainder of proceedings. *Buenrostro-Mendez v. Bondi, et al*, Case No. 25-20496, February 6, 2026.

VI. STATUTORY FRAMEWORK

13. Under 8 U.S.C. § 1182(d)(5)(A), the Secretary of Homeland Security may parole into the United States temporarily under such conditions as prescribed for urgent humanitarian reasons or significant public benefit any applicant for admission.

14. Petitioner was examined and paroled. She is therefore physically present in the United States pursuant to lawful parole authority.

15. Once a noncitizen has been inspected and paroled into the United States and later arrested pending removal proceedings, detention authority defaults to 8 U.S.C. § 1226(a).

16. Section 1226(a) provides that on a warrant issued by the Attorney General, an alien may be arrested and detained pending a decision on whether the alien is to be removed. The

¹ [W]ithout “proper” exhaustion, citing *Woodford v. Ngo*, 548 U.S. 81, 90 (2006), and “[i]t is settled that habeas corpus is not to be used as a substitute for appeal.” *Stewart v. Dunn*, 363 F.2d 591, 597 (5th Cir. 1966); accord. *Bousley v. United States*, 523 U.S. 614, 621 (1998). “This case appears to simply be an appeal of the immigration judge’s custody determination, which is an improper use of habeas corpus.” *Stewart*, 363 F.2d at 597. Exhaustion of “prudential remedies: “It is clearly established that a “person seeking habeas relief must first exhaust available administrative remedies.” *Hinojosa v. Horn*, 896 F.3d 305, 314 (5th Cir. 2018). “But any exhaustion requirement is prudential,” when, as the parties here agree, no statutory requirement exists. *Cabanas*, 2025 WL 3171331, at *3. Where “Congress has not clearly required exhaustion, sound judicial discretion governs.” *McCarthy v. Madigan*, 503 U.S. 140, 144 (1992). The Court should require exhaustion, when appropriate, “because it serves the twin purposes of protecting administrative agency authority and promoting judicial efficiency.” *Id.* at 145. “Exceptions to the exhaustion requirement are appropriate where the available administrative remedies either are unavailable or wholly inappropriate to the relief sought, or where the attempt to exhaust such remedies would itself be a patently futile course of action.” *Fuller v. Rich*, 11 F.3d 61, 62 (5th Cir. 1994). But these exceptions apply only in “extraordinary circumstances” and upon “demonstrating the futility of administrative review.” *P. B. v. Bergami, et al*, Case No. 3:25-CV-02978-O.

statute expressly authorizes release on bond of at least \$1,500 or conditional parole. 8 U.S.C. § 1226(a)(2)(A).

17. The Fifth Circuit recently reaffirmed that § 1226(a) remains the INA's general detention statute governing aliens in general, including those who are not applicants for admission. *Buenrostro-Mendez v. Bondi*, Nos. 25-20496 & 25-40701, slip op. at 5 (5th Cir. Feb. 6, 2026).
18. *Buenrostro* explains that § 1226(a) is the default arrest-and-detention authority pending a removal decision and that it includes an operative bond regime implemented through 8 C.F.R. §§ 236.1(c)(8), 1236.1(d), and 1003.19. *Id.* at 5.
19. Section 1226 is not limited to applicants for admission and covers admitted or inspected populations who are later charged as removable. *Id.* at 5.
20. Petitioner was examined and paroled. Whether she is ruled to be legally detained or not, she therefore falls within § 1226(a), not § 1225(b).
21. Additionally, 8 U.S.C. § 1252(a)(2)(B) does not bar review of ultra vires agency action.
22. Courts retain jurisdiction to review legal and constitutional questions. *Zadvydas v. Davis*, 533 U.S. 678, 688 (2001).
23. Ultra vires actions remain reviewable. *Leedom v. Kyne*, 358 U.S. 184 (1958).
24. Additionally, agencies are not entitled to controlling deference after *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024).
25. While *Buenrostro* upheld *Hurtado* as to §1225(b), it certainly did not overrule *Loper*.
26. *Loper* held: "The Administrative Procedure Act requires courts to exercise their independent judgment in deciding whether an agency has acted within its statutory authority." *Loper*, 603 U.S. at 412.

27. That principle matters acutely here. Even though the *Buenrostro* court upheld *Hurtado*, it did not (and could not) overrule *Loper*, which rested its final analysis on principles first expounded in the *Federalist Papers*. “The interpretation of the laws is the proper and peculiar province of the courts.” *Federalist No. 78* (Alexander Hamilton). If executive officers exceed statutory arrest authority, it is the judiciary’s duty to say so. Federal courts are not secondary reviewers. They are the constitutional check.

VII. INCORPORATION BY REFERENCE

28. Petitioner attaches Exhibits in a separate attachment with Table of Contents within as listed immediately below, and Petitioner incorporates by reference all facts, declarations, and documentary evidence contained therein as if set forth fully herein:

- | | |
|------------|--|
| Exhibit 1 | Copy of Venezuelan passport biographical page. |
| Exhibit 2 | Form I-94 Arrival/Departure Record reflecting inspection and parole into the United States on September 27, 2022.

ICE reporting documentation reflecting compliance with September 10, 2025 check-in. |
| Exhibit 3 | Form I-589 Application for Asylum and Withholding of Removal
Form I-797C Receipt Notice confirming filing of Form I-589 Application for Asylum and Withholding of Removal. |
| Exhibit 4: | Form I-766 Employment Authorization Document valid for five years based on pending asylum application (C08)
Social Security registration documentation. |
| Exhibit 5: | Notice to Appear (Form I-862) dated March 5, 2026, shows custody at Bluebonnet |
| Exhibit 6: | Proof of Status as Venezuelan Police Officer |

Exhibit 7: ICE Internal Memoranda by Todd M. Lyons, Senior Official Performing the Duties of the Director, dated January 28, 2026

VIII. STATEMENT OF FACTS AND PROCEDURAL POSTURE

29. Petitioner is a Venezuelan citizen. See Exhibit 1
30. She is a former Police Officer in Venezuela who does not agree with the politics of the political party in power. *See* Exhibit 6.
31. On September 27, 2022, she was inspected and paroled into the United States pursuant to 8 U.S.C. § 1182(d)(5). *See* Exhibit 2.
32. Her parole has never been revoked.
33. She filed a Form I-589 Application for Asylum on April 29, 2023. *See* Exhibit 3
34. She was granted a C08 Employment Authorization Document valid through December 2, 2028 under 8 C.F.R. § 274a.12(c)(8). *See* Exhibit 4.
35. She received a Social Security number and maintained lawful employment. *See* Exhibit 4.
36. Petitioner filed for TPS with a Notice Date of January 26, 2025. The receipt notes that the fingerprints and biometrics already on file with USCIS are on file and eligible for re-use. This and fee paid make her prima facie eligible for TPS. *See* Exhibit 4.
37. She complied with ICE reporting requirements, appearing for check-ins on September 24, 2024 and September 10, 2025. Her next check-in was scheduled for September 10, 2026. *See* Exhibit 2.
38. On March 2 or 3, 2026, she was a passenger in a vehicle stopped for a broken taillight in Olney, Texas.
39. The local officer contacted ICE.
40. ICE officers arrested her without a judicial warrant.

41. She was transported to Bluebonnet Detention Facility.
42. Following her arrest and detention, a Notice to Appear was issued on March 5, 2026 alleging she was present without being admitted or paroled under INA § 212(a)(6)(A)(i), despite her documented parole and Employment Authorization.
43. No individualized finding of flight risk or danger was made prior to detention. She has no criminal history.
44. ICE's internal guidance governing warrantless civil immigration arrests is set forth in its Memorandum titled "Civil Immigration Arrest Authority: Administrative Arrest – Warrants and Warrantless Arrests," dated January 28, 2026. *See Exhibit 7 ICE Internal Memoranda* by Todd M. Lyons, Senior Official Performing the Duties of the Director, dated January 28, 2026 ("ICE Memo").
45. The Notice to Appear was issued after her arrest, underscoring the absence of prior lawful detention authority. *See Exhibit 5.*
46. Detaining a parolee without revocation of parole and without individualized justification exceeds statutory authority under 8 U.S.C. §§ 1182(d)(5) and 1226(a).
47. The Fifth Amendment requires that civil detention be reasonably related to a legitimate governmental objective and not excessive in relation to that purpose. *See Zadvydas*, 533 U.S. at 690; *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992).
48. Continued incarceration of a compliant, employed, non-criminal asylum applicant is excessive and punitive.
49. At the time of arrest, no removal order existed and no warrant for revocation of parole had been executed.

50. Petitioner is presently detained at the Bluebonnet Detention Facility within the Northern District of Texas, Abilene Division.

51. Her detention is governed by 8 U.S.C. § 1226(a), not 8 U.S.C. § 1225(b). She has not been afforded a constitutionally adequate bond hearing.

52. Her arrest and continued detention violates the Immigration and Nationality Act, the Administrative Procedure Act, and the Fifth Amendment Due Process Clause.

IX. CLAIMS FOR RELIEF

COUNT I: Unlawful Warrantless Arrest in Violation of 8 U.S.C. § 1357(a)(2)

53. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

54. Under 8 U.S.C. § 1357(a)(2), an immigration officer may conduct a warrantless arrest only if: (1) there is probable cause to believe the alien is removable; and (2) the alien “is likely to escape before a warrant can be obtained.”

55. The ICE Memo confirms that “the term ‘reason to believe’... means constitutionally required probable cause.” *ICE Memorandum*, Jan. 28, 2026, at 1–2.

56. The Memorandum further mandates that officers “must determine whether a warrantless immigration arrest is permissible” and that “[t]hese determinations must be made before a warrantless arrest is effectuated.” *Id.* at 2–3.

57. The Memorandum defines “likely to escape” narrowly and with immediacy: “The word escape indicates immediacy, and the plain meaning of the word is ‘to get away (as by flight).’” *Id.* at 3.

58. It identifies factors relevant to escape analysis, including refusal to follow commands, attempts to evade officers, suspicious behavior, mobility in a moving vehicle, presentation of fraudulent documents, or unverifiable information. *Id.* at 3–4. Petitioner:

- a. Was not evading officers;
- b. Did not refuse lawful commands;
- c. Presented valid documentation (valid C08 EAD);
- d. Had complied with ICE supervision;
- e. Had a scheduled future ICE check-in (*See* Exhibit 2);
- f. Had lawful employment authorization (*See* Exhibit 4 Employment Authorization C08).

59. The ICE Memo explicitly distinguishes likelihood of escape from generalized “flight risk,” stating that prior ICE practice equating the two “was incorrect.” *Id.* at 4.

60. Petitioner’s compliance history may be relevant to flight risk after arrest, but under ICE’s own policy it cannot substitute for the immediate “escape” requirement.

61. ICE officers did not and could not articulate any immediate escape risk before effectuating arrest, nor did they file a I-200 afterward to document same after the fact.

62. The arrest therefore violated both § 1357(a)(2) and ICE’s binding internal guidance.

COUNT II: Unlawful Detention Under 8 U.S.C. § 1226(a)

63. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

64. Following parole, detention authority is governed by 8 U.S.C. § 1226(a), which authorizes arrest “on a warrant” and provides for bond.

65. ICE policy states that immigration officers are “expected to ensure they obtain administrative warrants in advance of targeted enforcement operations.” *See* Exhibit 7 *ICE Internal Memoranda*, Jan. 28, 2026, at 5.

66. The ICE Memo emphasizes that warrantless arrests are limited exceptions.
67. ICE failed to obtain a Form I-200 administrative warrant before arresting Petitioner, and the Form I-200 issued as an NTA after the arrest and detention is a verifiably false and incorrect charge. *See* Exhibits 1, 2 and 4; *See also* Count V below.
68. Because the arrest did not satisfy § 1357(a)(2), subsequent detention under § 1226(a) is tainted by the unlawful seizure.
69. The Fifth Circuit has confirmed that § 1226(a) remains the general detention statute governing aliens in general. *Buenrostro-Mendez v. Bondi*, Nos. 25-20496 & 25-40701 (5th Cir. Feb. 6, 2026). *See also* Paragraphs 14-27 above.
70. Treating Petitioner as an arriving alien subject to mandatory detention contradicts statutory structure and current law. Detention predicated on an unlawful arrest exceeds statutory authority.

COUNT III: Improper Detention Under 8 USC § 1254a(4)(B)

71. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.
72. Under the TPS statute, an individual who is prima facie eligible for TPS is entitled to benefits “until a final determination with respect to the alien’s eligibility for such benefits [] has been made.” 8 USC § 1254a(4)(B). *See also* 8 CFR 244.1 (“*Prima facie* means eligibility established with the filing of a completed application for Temporary Protected Status containing factual information that if unrebutted will establish a claim of eligibility under section 244 of the Act.”). Therefore, absent a final determination that Petitioner is *not* eligible for TPS (which would need a basis), she is prima facie eligible

and may not be detained. She timely registered pursuant to the 2023 designation of TPS for Venezuela, which was subject to extension on January 17, 2025; she is not subject to continued detention merely as a result of USCIS processing delays.

COUNT IV: Fifth Amendment Due Process Violation

73. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

74. The Fifth Amendment applies to all persons physically present in the United States, including noncitizens. *Zadvydas*, 533 U.S. at 693.

75. Civil detention must bear a reasonable relation to legitimate governmental purpose. *Id.* at 690.

76. Detaining a compliant parolee with valid employment authorization and TPS is arbitrary and excessive.

77. Petitioner has been deprived of liberty without adequate procedural safeguards. *Mathews v. Eldridge*, 424 U.S. 319 (1976).

COUNT V: Defective Statutory Charging

78. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

79. The NTA alleges Petitioner was not admitted or paroled, that she did not have a valid passport.

80. Documentary evidence establishes both her passport and parole under 8 U.S.C. § 1182(d)(5). *See* Exhibits 1 and 2.

81. The charge under INA § 212(a)(6)(A)(i) is legally incompatible with parole status.

COUNT VI: Administrative Procedure Act (APA) 5 U.S.C. § 706(2)(A), (C), (D)

82. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

83. This Court has federal question jurisdiction under 28 U.S.C. § 1331.

84. The Administrative Procedure Act (“APA”) waives sovereign immunity for suits seeking non-monetary relief against federal agencies and officers acting in official capacity. 5 U.S.C. § 702.

85. Counts I, II, III, and V above detail violations of individual statutes and administrative procedures.

86. Review is authorized under 5 U.S.C. § 706. Petitioner seeks declaratory and injunctive relief only.

87. ICE’s decision to arrest and detain Petitioner constitutes final agency action within the meaning of 5 U.S.C. § 704 because it marks the consummation of the agency’s decision-making process and determines Petitioner’s legal status and custody.

88. The issuance of the Notice to Appear charging Petitioner as “not admitted or paroled” similarly constitutes final agency action affecting her legal rights and detention posture.

89. Under 5 U.S.C. § 706(2)(C), courts must set aside agency action taken “in excess of statutory jurisdiction, authority, or limitations.”

90. Under 5 U.S.C. § 706(2)(A), courts must set aside agency action that is arbitrary, capricious, or not in accordance with law.

91. Arresting a compliant parolee with valid federal employment authorization during a routine traffic stop, absent statutory predicates, is arbitrary and inconsistent with governing law.

92. Unexplained departure from binding internal procedures constitutes arbitrary and capricious agency action. *Dep't of Homeland Sec. v. Regents of the Univ. of Cal.*, 591 U.S. ____ (2020).
93. Issuing charges that contradict documented parole reflects failure to engage in reasoned decision-making. *Department of Homeland Security v. Regents of the University of California*, 591 U.S. ____ (2020) (agency action must reflect reasoned analysis and consideration of reliance interests).
94. Respondents may argue that 8 U.S.C. § 1252(a)(2)(B) bars review of discretionary decisions. That provision does not bar review of actions taken in excess of statutory authority or contrary to law. *Patel v. Garland*, 142 S. Ct. 1614 (2022) (distinguishing between discretionary determinations and legal questions). Ultra vires action remains reviewable. See *Leedom v. Kyne*, 358 U.S. 184 (1958).
95. Petitioner challenges the legality of agency authority, not a discretionary weighing of factors.

X. IRREPERABLE HARM; BURDEN ON GOVERNMENT

96. The loss of physical liberty constitutes irreparable injury. *Elrod v. Burns*, 427 U.S. 347, 373 (1976). Each additional day of unlawful detention compounds that harm. Petitioner has lost employment and income and suffers ongoing separation from her children and community.
97. When the Government seeks to curtail physical liberty, it should bear a heightened burden-clear and convincing evidence-because the risk of erroneous deprivation is grave. *Addington v. Texas*, 441 U.S. 418 (1979). Involuntary civil confinement requires “clear and convincing evidence” because liberty is at stake. “[T]he fundamental liberty interest

of natural parents in the care, custody, and management of their child does not evaporate simply because they have not been model parents.” *Santosky v. Kramer*, 455 U.S. 745, 753 (1982).

98. The Fourteenth Amendment does not tolerate civil incarceration by default; the Government must justify detention with specific, individualized proof that no lesser conditions will suffice, and the decisionmaker must consider ability to pay and alternatives.

99. There is no evidence on the record that this Petitioner is dangerous or a flight risk. There is no evidence why no lesser conditions would suffice.

100. Yet the liberty interests at stake here are concrete and severe: present physical confinement, prolonged separation from children, loss of family integrity, and impairment of counsel access. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.”); *Santosky*, 455 U.S. at 753.

XV. CONCLUSION

101. “The practice of arbitrary imprisonments have been, in all ages, the favorite and most formidable instruments of tyranny...The establishment of the writ of habeas corpus...are perhaps greater securities to liberty and republicanism than any [other provisions].” *Federalist No. 84* (Hamilton).

102. Petitioner pleads the better course is to grant the writ and order Petitioner released outright.

XVI. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the Court:

- A. Issue a Writ of Habeas Corpus;
- B. Declare that ICE's arrest and detention of Petitioner is action excess of statutory authority under 8 U.S.C. § 1357(a)(2);
- C. Declare that detention under improper statutory authority violates 8 U.S.C. § 1226(a);
- D. Set aside the unlawful arrest and detention under 5 U.S.C. § 706;
- E. Enjoin continued detention absent lawful statutory basis;
- F. Enjoin transfer or removal outside this District pending adjudication of this and all immigration claims;
- G. Order immediate release under reasonable supervision;
- H. Grant such further declaratory and injunctive relief the Court deems just and proper.

Dated: March 19, 2026

Respectfully submitted,

/s/ Sean P. Cordobés

Attorney for Petitioner

Admissions: Texas Bar No. 00792106 | New York Bar No. 4069282

US District Court for the Northern District of Texas

US District Court for the Southern District of Texas Fed. No. 3879286

US District Court for the Eastern District of Texas

US District Court for the Western District of Texas

US Court of Appeals for the Fifth Circuit

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ATTORNEY VERIFICATION

I, Sean P. Cordobés, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am counsel of record for Petitioner Yennire M. Mendez Gonzalez in the above-captioned matter.
2. Petitioner is currently detained at the Bluebonnet Detention Facility in Anson, Texas, approximately three hours from my principal office in Dallas, Texas.
3. Due to the urgent and emergent nature of this filing, and the geographic distance between counsel and the detention facility, it has not been practicable to obtain Petitioner's executed verification prior to filing.
4. The factual allegations contained in the Petition for Writ of Habeas Corpus are based upon:
 - a. My communications with Petitioner;
 - b. Documentary records including her parole documentation, Notice to Appear, and Employment Authorization Document;
 - c. ICE reporting documentation; and
 - d. Information and belief formed after reasonable investigation.
5. I make this verification in good faith to prevent further unlawful deprivation of Petitioner's liberty pending the Court's review.
6. Petitioner will execute a personal verification promptly upon reasonable access.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 19th day of March, 2026.

/s/Sean P. Cordobés
Counsel for Petitioner