

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

YOHAN ANTONIO AGUILAR-GRATEROL)

A#

Petitioner,

Vs.

WARDEN / FACILITY ADMINISTRATOR,)

Northwest Detention Center,

Respondent.

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Case No. MAR 23 2026

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BY

DEPUTY

PETITION FOR WRIT OF HABEAS CORPUS
UNDER 28 U.S.C. § 2241
(CHALLENGING ONLY IMMIGRATION DETENTION)

1. Petitioner, Yohan Antonio Aguilar-Graterol, proceeding pro se, respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.
2. Petitioner is currently in the custody of the Department of Homeland Security ("DHS"), through its agency Immigration and Customs Enforcement ("ICE") and is detained at the Northwest Detention Center in Tacoma, Washington.
3. This Petition challenges only the legality of Petitioner's continued immigration detention and does not seek review of any final order of removal, but instead challenges the constitutionality of his detention under the Due Process Clause of the Fifth Amendment to the United States Constitution.
4. Petitioner's continued detention is unlawful because it is predicated on materially false, unreliable, and unverified information, including inaccurate statements regarding his immigration history and alleged fear of return, as well as unsupported and unsubstantiated allegations of gang affiliation that lack any credible evidentiary basis.
5. As a result of these constitutional violations, Petitioner is being deprived of his liberty without due process of law.
6. Petitioner respectfully requests that this Court grant the writ of habeas corpus and order his immediate release from custody, or in the alternative, order a prompt and constitutionally adequate custody hearing before an immigration judge.

JURISDICTION AND VENUE

7. This Court has subject-matter jurisdiction over this Petition pursuant to 28 U.S.C. § 2241 because Petitioner is in custody under the authority of the United States and challenges the legality of his continued detention.
8. Petitioner is currently detained at the Northwest Detention Center in Tacoma, Washington, within the Western District of Washington. Accordingly, this Court has jurisdiction over Petitioner's immediate custodian, who exercises immediate custody and control over Petitioner.
9. Jurisdiction is proper because Petitioner challenges the constitutionality of his continued immigration detention under the Due Process Clause of the Fifth Amendment to the United States Constitution. Petitioner alleges that his detention is unlawful because it is based on materially false, unreliable, and unverified information, and therefore violates Petitioner's rights under the Due Process Clause.
10. This Court has authority to grant the requested relief pursuant to 28 U.S.C. § 2241(c)(3), which provides that the writ of habeas corpus shall extend to a prisoner who is in custody in violation of the Constitution or laws or treaties of the United States.
11. Petitioner does not seek review of any final order of removal, nor does he challenge the validity of any removal proceedings. Instead, Petitioner challenges only the legality of his present physical detention. Accordingly, this Court retains jurisdiction over this Petition.
12. Venue is proper in this District pursuant to 28 U.S.C. § 1391(e)(1) because Petitioner is detained within this District and Respondent is located within this District.
13. To the extent that any exhaustion requirement may apply, exhaustion should be excused because any administrative remedies are inadequate, ineffective, or futile to address the constitutional violations at issue, and requiring exhaustion would result in irreparable harm due to Petitioner's ongoing unlawful detention.

PARTIES

14. **Petitioner**, Yohan Antonio Aguilar-Graterol, is a noncitizen currently in the custody of the Department of Homeland Security ("DHS"), through its agency Immigration and Customs Enforcement ("ICE"), and is detained at the Northwest Detention Center in Tacoma, Washington.
15. **Respondent** is the Warden (or Facility Administrator) of the Northwest Detention Center, who is the official with immediate custody and control over Petitioner. Respondent is the proper respondent in this action because he or she is the person with the authority to produce Petitioner before this Court and to comply with any order this Court may issue granting habeas relief.

FACTUAL BACKGROUND

16. Petitioner Yohan Antonio Aguilar-Graterol, is a native and citizen of Venezuela currently detained by Immigration and Customs Enforcement ("ICE") at the Northwest

Detention Center in Tacoma, Washington.

17. Petitioner has remained in continuous ICE custody since February 18, 2026.

18. On March 10, 2026, Petitioner appeared before the Immigration Court in Tacoma, Washington, seeking a redetermination of his custody status. The Immigration Judge declined jurisdiction over bond and determined that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b), relying on *Matter of M-S-*, *Matter of Q. Li*, and *Matter of Yajure Hurtado*. (*See Exhibit A – Immigration Court Custody Determination Order dated March 10, 2026*).

19. As a result of that determination, Petitioner has been denied any opportunity for release on bond and remains subject to continued detention without any individualized custody determination.

20. Petitioner is currently in ongoing removal proceedings and does not have a final order of removal.

21. Petitioner's individual hearing is scheduled for March 31, 2026. Absent judicial intervention, Petitioner will remain detained through that hearing without having been afforded a meaningful opportunity to challenge the basis of his detention.

22. Petitioner has significant family ties in the United States. The record reflects that his spouse and minor child are currently present in the United States and are pursuing asylum proceedings before the Executive Office for Immigration Review. Petitioner has maintained communication with his family throughout his detention.

23. The government's custody determination relies, in substantial part, on information contained in Department of Homeland Security records, including Form I-213. (*See Exhibit B – Form I-213*).



25. However, the government's own records further reflect that multiple law enforcement database checks—including CIS, EARM, IAFFIS, NCIC, and TECS—returned “unknown results,” and do not provide any confirmed or verified basis for such an allegation.

26. The record further reflects that Petitioner's criminal history consists solely of minor traffic-related infractions, including citations for driving-related offenses, none of which involve violence, controlled substances, or conduct suggesting a threat to public safety.

27. Petitioner has expressed a fear of returning to Venezuela and has indicated his intent to seek protection in the United States. (*See Exhibit C – Evidence of Pending Asylum Application, Employment Authorization, and Social Security documentation*).

28. At no point has Petitioner been afforded a meaningful opportunity to challenge the accuracy or reliability of the information relied upon by the government in maintaining his detention.

29. Petitioner remains detained based on unverified and uncorroborated allegations, without any individualized assessment of necessity or risk, and without the procedural safeguards required by the Due Process Clause.

LEGAL STANDARD

30. A writ of habeas corpus under 28 U.S.C. § 2241 is the appropriate mechanism for an individual in federal custody to challenge the legality of that detention. Federal courts retain jurisdiction to determine whether continued immigration detention violates the Constitution, laws, or treaties of the United States.

31. Noncitizens in immigration detention are entitled to the protections of the Due Process Clause of the Fifth Amendment. Civil detention must be reasonably related to its purpose and may not be arbitrary, excessive, or otherwise unconstitutional. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

32. Although Congress has authorized certain forms of immigration detention, such detention remains subject to constitutional limitations. The Supreme Court has made clear that the Due Process Clause imposes meaningful constraints on the government's authority to detain noncitizens. *Jennings v. Rodriguez*, 583 U.S. 281 (2018).

33. At a minimum, due process requires that detention be supported by reliable evidence and that the noncitizen be afforded a meaningful opportunity to challenge the factual basis for that detention before a neutral decisionmaker.

34. Where detention is premised on unverified, unreliable, or uncorroborated allegations, and where no meaningful procedural safeguards have been provided, continued detention violates the Due Process Clause of the Fifth Amendment.

GROUND FOR RELIEF

35. GROUND I

Violation of the Due Process Clause of the Fifth Amendment

(Detention Without Meaningful Procedural Safeguards)

- A. Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment because it is not supported by reliable evidence and has been imposed without constitutionally adequate procedural safeguards.
- B. Civil immigration detention is subject to strict constitutional limitations and must bear a reasonable relation to a legitimate governmental purpose. At a minimum, due process requires that detention be supported by reliable evidence and that the noncitizen be afforded a meaningful opportunity to challenge the factual basis for that detention before a neutral decisionmaker.
- C. Those fundamental requirements have not been satisfied here.
- D. Petitioner has been detained since February 18, 2026, without any meaningful opportunity to contest the basis for his continued detention. Although Petitioner

sought a redetermination of custody before the Immigration Court, the Immigration Judge declined jurisdiction over bond and determined that Petitioner is subject to mandatory detention, thereby foreclosing any individualized custody determination.

- E. As a result, Petitioner has been deprived of any forum in which to challenge the government's factual allegations, present evidence, or demonstrate that his continued detention is unwarranted.
- F. The absence of any individualized custody determination is constitutionally significant, particularly where, as here, the government's detention decision relies on unverified and uncorroborated allegations.
- G. The record reflects that the government has relied on allegations of criminal affiliation that are not supported by confirmed or reliable evidence. At the same time, Petitioner has no history of violent conduct and has maintained family ties in the United States.
- H. Despite these facts, Petitioner remains detained without any meaningful opportunity to present evidence, rebut the government's claims, or obtain a neutral determination regarding the necessity of his detention.
- I. Detention under these circumstances is arbitrary and fundamentally unfair. The Constitution does not permit the government to deprive an individual of liberty based on untested, unreliable, or uncorroborated allegations, without affording a meaningful opportunity to be heard.
- J. THIS deprivation of liberty, imposed without meaningful process and without reliable evidentiary support, is constitutionally impermissible and violates the Due Process Clause of the Fifth Amendment.

36. GROUND II

Detention Based on Unreliable, Unverified, and Uncorroborated Evidence *(Improper Reliance on Form I-213)*

- A. Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment because it is premised on unreliable, unverified, and uncorroborated allegations contained in Department of Homeland Security records, including Form I-213.
- B. Although Form I-213 may be admissible in immigration proceedings, its use as a basis for continued detention must still satisfy fundamental requirements of reliability, accuracy, and fairness. Detention may not be sustained on the basis of unsupported or speculative allegations.
- C. Here, those requirements have not been satisfied.
- D. [REDACTED] However, that allegation is not supported by any verified, corroborated, or objectively reliable evidence.

- E. To the contrary, the government's own records reflect that multiple law enforcement database checks—including CIS, EARM, IAFFIS, NCIC, and TECS—returned “unknown results,” providing no confirmed basis for any alleged criminal affiliation.
- F. This internal inconsistency is dispositive. The absence of corroboration, combined with the government's reliance on inconclusive database results, renders the allegation inherently unreliable.
- G. The unreliability of the government's records is further demonstrated by additional material inaccuracies concerning Petitioner's immigration history. Government records indicate that Petitioner has no pending immigration applications or proceedings, when in fact Petitioner has an active asylum application, has sought employment authorization, and possesses a Social Security number issued in connection with his pending immigration status. (*See Exhibit C*).
- H. These material inaccuracies further undermine the reliability of the government's records and demonstrate a broader pattern of unverified and erroneous information being used to justify Petitioner's detention.
- I. Despite this lack of evidentiary support, the government has relied on these unverified allegations to justify Petitioner's continued detention.
- J. Detention based on such unsupported assertions is constitutionally impermissible. The Due Process Clause does not permit the government to deprive an individual of liberty on the basis of speculation, untested claims, or allegations lacking objective evidentiary support.
- K. Where, as here, detention is predicated on information that is internally inconsistent, unverified, and unsupported by any reliable evidence, such detention is arbitrary and fundamentally unfair.
- L. The government's reliance on these allegations is particularly problematic because Petitioner has not been afforded any meaningful opportunity to challenge or rebut them.
- M. Accordingly, because Petitioner's detention rests on unreliable and uncorroborated allegations contained in Form I-213, his continued confinement violates the Due Process Clause of the Fifth Amendment.

37. GROUND III

Unlawful Detention Without an Individualized Custody Determination

(Violation of Due Process and Arbitrary Civil Detention)

- A. Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment because it has been imposed and maintained without any individualized determination of necessity, risk of flight, or danger to the community.
- B. Civil immigration detention is constitutionally permissible only to the extent that it is reasonably related to a legitimate governmental purpose. The Supreme Court has

repeatedly emphasized that civil detention must not be excessive in relation to its purpose and must be accompanied by adequate procedural safeguards.

- C. Even where detention is initially authorized by statute, the Constitution requires that its continued enforcement be justified by individualized findings based on reliable evidence.
- D. Here, no such individualized determination has been made.
- E. Petitioner has been detained since February 18, 2026, and remains in custody without any meaningful evaluation of whether his continued detention is necessary to ensure his appearance or to protect the community.
- F. The Immigration Court declined jurisdiction over bond and concluded that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b), thereby eliminating any opportunity for an individualized custody assessment.
- G. However, the application of mandatory detention in this case—without any mechanism to evaluate Petitioner’s actual risk—results in detention that is arbitrary and constitutionally excessive.
- H. The Constitution does not permit the government to detain an individual based solely on categorical classifications where such detention is not supported by individualized findings.
- I. This is particularly true where, as here, the record reflects that:
 - Petitioner has no history of violent conduct;
 - Petitioner’s record reflects only minor traffic-related infractions;
 - Petitioner has strong family ties in the United States, including a spouse and minor child;
 - Petitioner has expressed a clear intent to pursue lawful immigration relief; and
 - Petitioner has no demonstrated risk of danger to the community.
- J. Despite these factors, Petitioner remains detained solely on the basis of a statutory classification, without any assessment of his individual circumstances.
- K. Such detention is not reasonably related to any legitimate governmental purpose and therefore violates due process.
- L. Moreover, the absence of any mechanism to obtain an individualized custody determination renders Petitioner’s detention fundamentally unfair.
- M. Due process requires, at a minimum, that an individual be afforded a meaningful opportunity to demonstrate that detention is not warranted in his particular case.
- N. Petitioner has been denied that opportunity.
- O. Accordingly, because Petitioner’s continued detention has been imposed and maintained without any individualized determination of necessity, his confinement violates the Due Process Clause of the Fifth Amendment.

REQUEST FOR RELIEF

38. WHEREFORE, Petitioner respectfully requests that this Court grant the following relief:

- A. Issue a writ of habeas corpus** directing Respondent to show cause for Petitioner's continued detention.
- B. Order Petitioner's immediate release from custody**, on the ground that his continued detention violates the Due Process Clause of the Fifth Amendment;
- C. In the alternative**, order Respondent to provide Petitioner with a **prompt individualized bond hearing** before a neutral decisionmaker, at which:
 - I.** The government bears the burden of proof;
 - II.** The government must establish, by clear and convincing evidence, that Petitioner poses a risk of flight or a danger to the community; and
 - III.** Petitioner is afforded a meaningful opportunity to present evidence and challenge the government's allegations;
- D.** Declare that Petitioner's continued detention without a meaningful opportunity to challenge the factual basis of his confinement violates the Due Process Clause of the Fifth Amendment;
- E.** Grant such other and further relief as this Court deems just and proper.
- F. Retain jurisdiction over this matter** to ensure compliance with the Court's order.

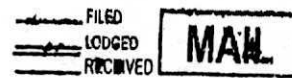
VERIFICATION

I, **Yohan Antonio Aguilar-Graterol**, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in the above-captioned matter, that I have read the foregoing Petition for Writ of Habeas Corpus, and that the facts stated therein are true and correct to the best of my knowledge.

Executed on March 19, 2026, at Tacoma, Washington.

Yohan Aguilar
YOHAN ANTONIO AGUILAR-GRATEROL
A# 
Petitioner, Pro Se

c/o **YERLIBETH MUENTES**

MAR 23 2026

AT SEATTLE
CLERK U.S. DISTRICT COURT
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