

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the

JOSE CANEPA CASTELLANO
Petitioner

v.

Marcelo Villegas DHS
WARDEN, BLUEBONNET DETENTION CENTER
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 1:26-cv-133
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: JOSE CANEPA CASTELLANO
(b) Other names you have used: NONE
2. Place of confinement:
(a) Name of institution: BLUEBONNET DETENTION FACILITY
(b) Address: BLUEBONNET DETENTION FACILITY, 400 2ND ST
ANSON TX, 79501
(c) Your identification number: XXXXXXXXXX
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
DHS, ICE, Immigration
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: N/A
(b) Docket number of criminal case: N/A
(c) Date of sentencing: N/A
☒ Being held on an immigration charge
☐ Other (explain): N/A

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): N/A

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: US IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) DALLAS FIELD OFFICE
(b) Docket number, case number, or opinion number: UNKNOWN
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
N/A Failure to provide the proper Due Process
(d) Date of the decision or action: 11/23/2025

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: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not appeal: N/A

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: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a second appeal: N/A

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: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a third appeal: N/A

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: N/A

(2) Case number: N/A

(3) Date of filing: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

- (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: N/A

(2) Case number: N/A

(3) Date of filing: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: N/A

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 11/23/2025

(b) Date of the removal or reinstatement order: NONE

(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: N/A

(2) Case number: N/A

(3) Result: N/A

(4) Date of result: N/A

(5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: N/A

(2) Date of filing: N/A

(3) Case number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

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: N/A

(b) Name of the authority, agency, or court: N/A

(c) Date of filing: N/A

(d) Docket number, case number, or opinion number: N/A

(e) Result: N/A

(f) Date of result: N/A

(g) Issues raised: N/A

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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: the Petitioner is illegally detained in immigration custody in violation of his Fifth Amendment Due Process Clause.

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

The Petitioner has been detained in immigration authorities for a prolonged period without bond hearing, despite being in custody for an extended time. No immigration judge has determined whether continued detention is justified.

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

☐ Yes

☒ No

GROUND TWO: Petitioner has been in ICE custody for more than 103 ~~80~~ days after removal

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

Petitioner has the right to Due Process or release under Bond

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

☐ Yes

☐ No

GROUND THREE:

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

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

☐ Yes

☐ No

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GROUND FOUR:

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

(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:

these claims were not presented in immigration appeal because a habeas corpus petition is the proper and only AVAILABLE remedy to challenge the legality and constitutionality of immigration detention.

Request for Relief

15. State exactly what you want the court to do:

The petitioner respectfully request that the court order his immediate release from immigration detention, or in the alternative, order a immediate bond hearing before an immigration judge.

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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:

03/20/2026

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:

03/19/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Certificate of proof of Service For Habeas Corpus Petition

Proof of service

I Jose Canera Cadellano with  Certify that I have sent Habeas Corpus form to Respondents in my case on _____. To Warden of Bluebonnet Detention Center Marcelo Villegas. At address P.O Box 592 Anson, Texas 79501.

Certificate of proof of Service For Habeas Corpus Petition

Proof of service

- I Jose Canera Cadellano with [REDACTED] Certify that I have sent Habeas Corpus form to Respondents in my case on _____. To DHS Office in El paso Texas.

US POSTAGE

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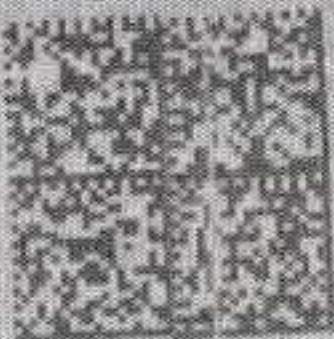
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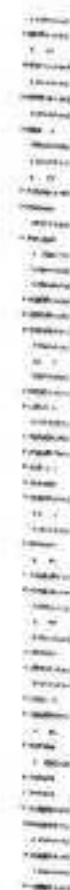
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