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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

BELTRAN SANCHEZ, Maria Teresa

A 

v.

VERNON LIGGINS, Acting Director of Baltimore
Field Office, U.S. Immigration and Customs
Enforcement;

TODD M LYONS, Acting Director, Immigration
and Customs Enforcement;

MARKWAYNE MULLIN, Secretary, Department
of Homeland Security;

TODD BLANCHE, Attorney General of
Of the United States

Respondents.

**PETITION FOR WRIT OF
HABEAS CORPUS**

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS
AND COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF
Oral Argument Requested

INTRODUCTION

1. This case challenges the unlawful detention of Maria Teresa Beltran Sanchez (“Petitioner” or “Ms. Beltran Sanchez”), who is currently in the custody of Immigration and Customs Enforcement (“ICE”) at the Baltimore ICE Hold Room, located at 31 Hopkins Plaza, 6th Floor, Baltimore, Maryland 21201. Petitioner is neither a flight risk nor a danger to the community.
2. On or about April 10, 2026 (or on a date to be precisely determined in discovery), after more than a year of compliance with an Order of Release on Recognizance (“OREC”) issued under section 236 of the Immigration and Nationality Act (“INA”), Petitioner was detained without prior notice or an opportunity to be heard when she appeared for a routine check-in with ICE in Baltimore, Maryland.
3. Petitioner had previously been found suitable for release on her own recognizance pursuant to INA § 236(a), 8 U.S.C. § 1226(a), and 8 C.F.R. § 236.1, after U.S. Customs and Border Protection (“CBP”) apprehended her near El Paso, Texas on May 30, 2024 and issued her a Notice to Appear (“NTA”) (Form I-862) charging her as removable under INA § 212(a)(6)(A)(i).
4. Following her release on OREC, Petitioner fully complied with all conditions of supervision, filed a timely and bona fide application for asylum, withholding of removal, and protection under the Convention Against Torture, and has an individual merits hearing currently scheduled for June 12, 2026 at 10:00 a.m. before Immigration Judge Gordon S. Vincent in the Baltimore Immigration Court.
5. Despite her compliance and the absence of any final order of removal, ICE suddenly revoked Petitioner’s OREC and arrested her at the Baltimore ICE check-in. ICE did so without notice, without affording her an individualized custody redetermination, without providing any explanation or evidence of changed circumstances justifying re-detention, and without affording her a hearing before a neutral decisionmaker.
6. Respondents-Defendants’ actions violate the Due Process Clause of the Fifth Amendment to the U.S. Constitution, the Immigration and Nationality Act and its implementing regulations, including 8 U.S.C. § 1226(a) and 8 C.F.R. § 236.1(c)(8)–(9), the Administrative Procedure Act (“APA”), 5 U.S.C. §§ 701–706, and the Accardi doctrine, which obligates administrative agencies to follow their own rules, procedures, and instructions.
7. Petitioner therefore brings this combined habeas corpus and civil action seeking her immediate release from immigration detention, restoration of her prior OREC conditions, and an order that her ongoing removal proceedings remain within the jurisdiction of the Baltimore Immigration Court.

JURISDICTION AND VENUE

8. This Court has jurisdiction over this habeas corpus petition pursuant to 28 U.S.C. § 2241, because Petitioner is in custody under color of the authority of the United States and in violation of the Constitution, laws, and treaties of the United States.
9. This Court has jurisdiction over Petitioner's claims for declaratory and injunctive relief pursuant to 28 U.S.C. § 1331 (federal question), as this action arises under the Constitution, the INA, and the APA, and pursuant to 28 U.S.C. §§ 2201–2202 (Declaratory Judgment Act).
10. Petitioner's detention arises under 8 U.S.C. § 1226(a) because she is a noncitizen arrested and placed in removal proceedings, not subject to a final removal order. Federal courts, including district courts within this Circuit, routinely exercise jurisdiction over challenges to the legality of detention under § 1226(a) and agency compliance with detention regulations and due process.
11. The limitations in 8 U.S.C. § 1252 do not bar this Court's habeas jurisdiction over Petitioner's challenge to the lawfulness of her detention and revocation of release conditions. Petitioner does not seek review of any removal order or discretionary decision to commence, adjudicate, or terminate removal proceedings; rather, she challenges the legality of her present physical custody and the process (or lack thereof) by which ICE revoked her OREC.
12. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(e) because Petitioner is detained within this District at the Baltimore ICE Hold Room, and at least one Respondent—including the Field Office Director for the Baltimore ICE Field Office—resides or performs official duties in this District. Furthermore, a substantial part of the events or omissions giving rise to this action occurred in this District, including the revocation of Petitioner's OREC and her re-detention at an ICE facility in Baltimore.

PARTIES

13. Petitioner, Ms. Maria Teresa Beltran Sanchez, is a native and citizen of Honduras. She entered the United States without inspection near El Paso, Texas, on or about May 30, 2024. She was apprehended by CBP, issued a Notice to Appear, and released under an OREC pursuant to INA § 236 and 8 C.F.R. part 236 after DHS determined she could be safely released on her own recognizance. Prior to her re-detention in 2026, Petitioner resided at [REDACTED] She is currently detained in ICE custody at the Baltimore ICE Hold Room at 31 Hopkins Plaza, 6th Floor, Baltimore, MD 21201.
14. Respondent-Defendant, Vernon Liggins, is sued in his official capacity as the Acting Field Office Director of the Baltimore Field Office of ICE Enforcement and Removal Operations ("ERO"). The Field Office Director is responsible for the custody, detention, and release

of noncitizens within the Baltimore Field Office's jurisdiction, including Petitioner, and for the implementation of ORECs and supervision decisions under § 236(a).

15. Respondent Todd M. Lyons is the Acting Director of ICE. He has supervisory authority over ICE detention and removal operations nationwide. He is sued in his official capacity.
16. Respondent-Defendant Markwayne Mullins is sued in his official capacity as Secretary of the Department of Homeland Security. He is responsible for the administration and enforcement of the immigration laws, including decisions regarding detention and release pending removal proceedings.
17. Respondent Todd Blanche is the Acting Attorney General of the United States. The Attorney General oversees immigration adjudications by the Executive Office for Immigration Review ("EOIR") and has ultimate responsibility for enforcement of the immigration laws. The Attorney General is sued in his official capacity.
18. Respondent-Defendant U.S. Department of Homeland Security is the federal agency responsible for immigration enforcement, including ICE, CBP, and USCIS. It is a proper respondent to Petitioner's APA and injunctive claims.
19. Respondent-Defendant U.S. Immigration and Customs Enforcement is the component agency within DHS primarily responsible for Petitioner's detention, supervision, and the revocation of her OREC. It is a proper respondent to Petitioner's habeas and injunctive claims.

FACTUAL ALLEGATIONS

Apprehension, Notice to Appear, and Release on OREC

20. Petitioner is a 26-year-old woman from Honduras who fled harm and persecution in her home country and sought protection in the United States.
21. On or about May 30, 2024, Petitioner entered the United States without inspection at or near El Paso, Texas, where she was apprehended by CBP officers.
22. On May 30, 2024, DHS served Petitioner with a Notice to Appear (Form I-862), charging her as removable under INA § 212(a)(6)(A)(i), 8 U.S.C. § 1182(a)(6)(A)(i), as an alien present in the United States without being admitted or paroled, or who arrived at a place and time not designated by the Attorney General.
23. On the same date, CBP issued a Notice of Custody Determination and an Order of Release on Recognizance for Petitioner pursuant to INA § 236 and 8 C.F.R. part 236. DHS determined that Petitioner was not a danger to the community and that her appearance at future proceedings could be assured by release on her own recognizance.

24. The May 30, 2024 OREC released Petitioner on her own recognizance with conditions including: (a) that she appear at any hearing or interview as directed by DHS or the Executive Office for Immigration Review ("EOIR"); (b) that she surrender for removal if so ordered; and (c) that she report in writing or in person to her assigned ICE officer as indicated on the OREC and any G-56 notice.
25. Petitioner was thus released from DHS custody under § 236(a) and placed into removal proceedings under INA § 240 before the immigration court.

Removal Proceedings and Asylum Application

26. After her release, Petitioner relocated to Maryland and, prior to her re-detention, resided at [REDACTED] where she lived in compliance with DHS's supervision requirements.
27. A removal case was initiated against Petitioner in immigration court. Her case was, at one point, docketed in Chicago, Illinois, before Immigration Judge Kristi Nelson, after which venue was changed to the Baltimore Immigration Court.
28. On May 29, 2025, Petitioner, through counsel, filed a completed Form I-589 Application for Asylum, Withholding of Removal, and protection under the Convention Against Torture with the Baltimore Immigration Court.
29. Petitioner's I-589 application was timely filed within one year of her arrival in the United States and is currently pending adjudication.
30. On or about September 9, 2025, Petitioner, through counsel, submitted written pleadings in her removal proceedings in which she (a) admitted the factual allegations in the NTA, (b) conceded removability under INA § 212(a)(6)(A)(i), and (c) designated her applications for asylum and withholding of removal as her forms of relief from removal.
31. EOIR has scheduled Petitioner's individual asylum merits hearing for June 12, 2026 at 10:00 a.m. before Immigration Judge Gordon S. Vincent at the Baltimore Immigration Court located at 31 Hopkins Plaza, Room 440, Baltimore, MD 21201.
32. Petitioner has appeared at all scheduled hearings and has fully complied with the instructions of the immigration court and DHS, evidencing her strong intent to pursue her case and comply with the law.

Compliance with OREC Conditions

33. From her release on May 30, 2024 until her re-detention at a routine check-in in Baltimore, Petitioner complied with all conditions of her OREC.

34. Petitioner timely reported to ICE as directed on her G-56 appointment notices, both in writing and in person as required.
35. Petitioner kept DHS apprised of her address and resided at [REDACTED] Frederick, Maryland. She remained in the Baltimore area to be close to the Baltimore Immigration Court adjudicating her asylum case.
36. Petitioner has no final order of removal, has no known history of violence, and there is no indication in the administrative record that she violated any state, local, or federal law while under DHS supervision or failed to comply with any condition of her OREC.
37. Petitioner has strong incentives to continue to appear at all immigration court hearings, including the opportunity to present her asylum and withholding claims and to obtain protection from persecution and torture in Honduras.

Revocation of OREC and Current Detention

38. On or about April 10, 2026, Petitioner appeared as required for a routine check-in with ICE in Baltimore, Maryland.
39. At that check-in, without prior written notice, without providing Petitioner any meaningful explanation, and without any opportunity to contest the decision before a neutral decisionmaker, ICE officers informed Petitioner that her prior OREC was being revoked and took her into custody.
40. Since that date, Petitioner has been continuously detained at the Baltimore ICE Hold Room, 31 Hopkins Plaza, 6th Floor, Baltimore, MD 21201, as confirmed by the ICE Online Detainee Locator as of April 13, 2026.
41. ICE has not provided Petitioner or her counsel with any written decision setting forth a lawful basis, such as specific findings of danger or flight risk supported by changed circumstances, for revoking her OREC under 8 C.F.R. § 236.1(c)(9).
42. ICE has not provided Petitioner with an opportunity to be heard before a neutral decisionmaker prior to or promptly after revoking her OREC and taking her into custody.
43. Petitioner has not received a bond hearing or any formal custody redetermination before an immigration judge pursuant to 8 C.F.R. §§ 236.1(d)(1), 1003.19 since ICE re-detained her in April 10, 2026.
44. There is no indication in the record that any of the limited officials authorized by 8 C.F.R. § 236.1(c)(9)—such as the Field Office Director or another senior DHS official—personally made a written determination that conditions had changed and that revocation of Petitioner's release was warranted.

45. Petitioner's detention is not in aid of any imminent removal. She is pursuing her asylum and withholding claims, and a scheduled individual hearing remains several weeks away. There is no outstanding final administrative order of removal.
46. The government's interest in detaining Petitioner—who has already been found suitable for release, has demonstrated compliance with supervision, and poses no articulable danger—is negligible, whereas the deprivation of Petitioner's liberty is severe.
47. Petitioner's re-detention under § 1226(a) without adherence to the governing regulations and without due process mirrors the circumstances in other recent federal cases where courts have ordered immediate release and restoration of prior OREC conditions.

CAUSES OF ACTION

COUNT I

Violation of the INA and Implementing Regulations (8 U.S.C. § 1226; 8 C.F.R. § 236.1(c)(8)–(9); Accardi doctrine)

48. Petitioner re-alleges and incorporates by reference paragraphs 1 through 47 as though fully set forth here.
49. Petitioner's custody is governed by INA § 236(a), 8 U.S.C. § 1226(a), and its implementing regulations at 8 C.F.R. part 236, because she is a noncitizen arrested and placed in removal proceedings, and not subject to a final order of removal.
50. Under 8 C.F.R. § 236.1(c)(8), DHS officers initially determine whether to detain or release a noncitizen on bond, conditional parole, or recognizance, and the noncitizen bears the burden of showing she is not a danger or flight risk.
51. Having previously determined on May 30, 2024 that Petitioner was neither a danger to the community nor a flight risk, DHS released her on an OREC.
52. Under 8 C.F.R. § 236.1(c)(9), only specific senior DHS officials may revoke a noncitizen's release and re-arrest her, and only where there has been a change of circumstances or other good cause that justifies revocation of release.
53. The Board of Immigration Appeals and federal courts have long recognized that revocation of release under § 236.1(c)(9) must be predicated on a material change in circumstances since the prior custody determination and must be supported by reasoned findings.
54. Respondents revoked Petitioner's OREC and took her into custody without making, documenting, or communicating any lawful finding of changed circumstances and without complying with the procedures set forth in § 236.1(c)(9).

55. Respondents further failed to provide Petitioner with access to a custody redetermination by an immigration judge under 8 C.F.R. § 236.1(d)(1).
56. Under the Accardi doctrine, agencies are required to follow their own regulations. Respondents' failure to comply with § 236.1(c)(9) and related regulations in revoking Petitioner's OREC renders the decision ultra vires, arbitrary, and unlawful.
57. Because Respondents have violated the INA and its implementing regulations governing detention, release, and revocation of an OREC, Petitioner's current detention is not authorized by law and must be terminated.

COUNT II

Violation of the Fifth Amendment Due Process Clause

58. Petitioner re-alleges and incorporates by reference paragraphs 1 through 57 as though fully set forth here.
59. The Due Process Clause of the Fifth Amendment applies to all "persons" within the United States, including noncitizens in immigration detention, and protects against deprivation of liberty without due process of law.
60. Petitioner has a constitutionally protected liberty interest in freedom from arbitrary civil detention and in the government's compliance with its own binding regulations when depriving her of liberty.
61. The government previously determined that Petitioner was not a danger to the community and that her appearance at future immigration proceedings could be reasonably ensured by supervision under an OREC.
62. Without notice, without any explanation of changed circumstances, and without providing her an opportunity to contest the decision before a neutral decisionmaker, ICE revoked Petitioner's OREC and re-detained her.
63. Applying the Mathews v. Eldridge balancing test, the procedures employed here were constitutionally inadequate:
 - a. Petitioner's private interest in avoiding physical detention is weighty.
 - b. The risk of erroneous deprivation is substantial where ICE unilaterally revokes ORECs without notice, without disclosing evidence of dangerousness or flight risk, and without any hearing; the value of additional safeguards, such as notice and a prompt hearing before a neutral adjudicator, is high.
 - c. The government's interest in detaining an individual already found suitable for release, who is not under a final removal order, and who has complied with all supervision conditions and is pursuing protection claims, is limited, and the fiscal and administrative burden of providing minimal process is low.

64. Detaining Petitioner under § 1226(a) without a bond or custody hearing, and without affording her a meaningful opportunity to contest revocation of her release, violates her Fifth Amendment right to procedural due process.
65. Respondents' conduct also constitutes arbitrary and capricious governmental action that shocks the conscience and violates substantive due process principles applicable to immigration detention.
66. Accordingly, Petitioner's continued detention is unconstitutional and she is entitled to immediate release and restoration of her prior OREC conditions, or at a minimum, a prompt custody hearing before an immigration judge at which the government bears a constitutionally appropriate burden of proof.

COUNT III
Violation of the Administrative Procedure Act
(5 U.S.C. §§ 702, 706)

67. Petitioner re-alleges and incorporates by reference paragraphs 1 through 66 as though fully set forth here.
68. The APA provides a cause of action for persons "suffering legal wrong because of agency action" and directs reviewing courts to set aside agency action that is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; in excess of statutory jurisdiction, authority, or limitations; or without observance of procedure required by law. 5 U.S.C. § 706(2).
69. Respondents' decision to revoke Petitioner's OREC and re-detain her constitutes final agency action for which there is no adequate alternative remedy, because it determines her legal right to be at liberty pending removal proceedings and results in her current detention.
70. Respondents acted contrary to law, including 8 U.S.C. § 1226(a) and 8 C.F.R. § 236.1(c)(9), and failed to observe procedures required by law when they revoked Petitioner's OREC without the requisite findings of changed circumstances or good cause and without the involvement of an authorized official.
71. Respondents failed to provide a reasoned explanation for Petitioner's re-detention, failed to consider important aspects of the problem such as her compliance history and pending asylum application, and treated her case in a manner inconsistent with agency precedent and practice requiring changed circumstances for revocation of § 236(a) release.
72. Respondents' actions were arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law, in violation of the APA.

73. This Court should therefore set aside the revocation of Petitioner's OREC and order her immediate release under the same or not more restrictive conditions as those set forth in the original May 30, 2024 OREC.

EXHAUSTION AND IRREPARABLE HARM

74. To the extent any exhaustion requirement applies, Petitioner has exhausted available administrative remedies, or exhaustion should be excused as futile or inadequate.
75. Petitioner remains detained without a bond determination from an immigration judge. She has no meaningful administrative mechanism to challenge ICE's revocation of her OREC or secure prompt judicial review of her detention.
76. Petitioner suffers ongoing irreparable harm from her unlawful detention, including the loss of liberty, emotional and psychological distress, and impediments to effectively preparing and presenting her asylum case before the Baltimore Immigration Court on June 12, 2026.
77. Money damages cannot remedy Petitioner's loss of liberty and the associated harms. Only immediate injunctive and habeas relief can avert further irreparable damage.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Assume jurisdiction over this matter;
- B. Issue a writ of habeas corpus under 28 U.S.C. § 2241 directing Respondents to immediately release Petitioner from ICE custody and restore her to supervised release status under the same conditions as the May 30, 2024 Order of Release on Recognizance (OREC), or other appropriate conditions of supervision under INA § 236(a);
- C. Issue declaratory relief stating that:
 - 1. Respondents violated the INA, its implementing regulations, and the Accardi doctrine by revoking Petitioner's OREC without making and documenting the required findings of changed circumstances in compliance with 8 C.F.R. § 236.1(c)(9);
 - 2. Respondents violated the Fifth Amendment Due Process Clause by re-detaining Petitioner without providing notice, a statement of reasons, and a prompt hearing before a neutral decisionmaker at which she could contest the revocation of her release; and
 - 3. Respondents' revocation of Petitioner's OREC and continued detention are arbitrary, capricious, and not in accordance with law, in violation of the Administrative Procedure Act;
- D. Issue injunctive relief ordering Respondents to:
 - 1. Immediately release Petitioner from ICE custody to the same OREC conditions that governed her prior release on May 30, 2024, or substantially similar conditions, including residence at [REDACTED] (or another lawful

- residence within the Baltimore Immigration Court's jurisdiction as approved by ICE); and
2. Refrain from re-detaining Petitioner absent compliance with 8 C.F.R. § 236.1(c)(9) and the Constitution, including written findings of changed circumstances and the provision of a prompt custody hearing before an immigration judge;
- E. In the alternative, if this Court declines to order immediate release under the existing OREC, order that Petitioner receive, within a very short, specified time frame, a bond/custody hearing before an immigration judge at which the government bears the burden to demonstrate by clear and convincing evidence that no set of conditions of release can reasonably assure Petitioner's appearance and the safety of the community;
- F. Order that Petitioner's removal proceedings remain within the jurisdiction of the Baltimore Immigration Court and that Respondents shall not transfer or remove Petitioner out of the District of Maryland until the conclusion of these proceedings absent further order of this Court;
- G. Award Petitioner costs and reasonable attorney's fees where authorized by law, including under the Equal Access to Justice Act, upon appropriate post-judgment application; and
- H. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Edward W. Neufville, III

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Attorney for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Maria Teresa Beltran Sanchez, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 13th day of April 2026.

/s/ Edward W. Neufville, III
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Attorney for Petitioner

CERTIFICATE OF SERVICE

I, Edward W. Neufville, III, hereby declare that, pursuant to Federal Rule of Civil Procedure 4(i), on April 13, 2026, I caused to be served the following documents in the above-captioned matter:

- Petition for Writ of Habeas Corpus; Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction; Application for Order to Show Cause; and
- Civil Cover Sheet

I caused the aforementioned documents to be served by USPS certified mail, return receipt requested, at the following addresses:

U.S. Attorney's Office
36 S. Charles Street 4th Floor
Baltimore, MD 21201

Vernon Liggins, Acting Director
Department of Homeland Security
Immigration and Customs Enforcement ERO
Baltimore Field Office
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Todd Lyons, Acting Director
Acting Director
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Markwayne Mullin, Secretary of Homeland Security
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Todd Blanche, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 13, 2026, at Silver Spring, Maryland.

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Dated: April 13, 2026