

FILED - USDC - NDTX - AD
APR 13 2026 AM 11:00

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

UNITED STATES DISTRICT COURT
for the

Erick O. Lerma
Petitioner

v.

D-H-S
Respondent

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

Case No. 1:26-cv-174
(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: Erick Omar Lerma
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Bluebonnet Detention Center
(b) Address: _____
- (c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☒ Other - explain:
Immigration Detention
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)

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

- ☐ 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: Bluebonnet

ICE Detention Center TX

(b) Docket number, case number, or opinion number: _____

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): _____

(d) Date of the decision or action: 11/01/2025

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: _____

(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: N/A

8. **Second appeal**

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

☐ Yes ☒ No

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

(a) If "Yes," provide:

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

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(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: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(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

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

If "Yes," provide:

(1) Name of court:

N/A

(2) Case number:

(3) Date of filing:

(4) Result:

N/A

(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:

N/A

(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:

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:

11/01/2025

(b) Date of the removal or reinstatement order:

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

☐ Yes

☒ No

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

If "Yes," provide:

(1) Date of filing:

(2) Case number:

(3) Result:

(4) Date of result:

(5) Issues raised:

N/A

N/A

(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:

N/A

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:

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

N/A

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

N/A

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

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: Detained without a warrant or probable
Cause,
Violation of 5th Amendment.

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

The warrantless Violates 212.5(e)(2) and over
all process Violates 5th amendment Due process.

I was on my way to work when Detained
have no warrants or was I detained prior to.

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

☒ Yes

☒ No

GROUND TWO: Violation of NTA
Notice to Appear.

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

Violation of which requires Notice of
Change in time and place of proceedings.

@ USCS 1229(2)(A) Sub paragraph B.
NTA Dated 11/15/2028

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

☒ Yes

☒ No

GROUND THREE: Violation of 4th Amendment

I was Detained and my Vehicle was Searched.
and a window was broken by detaining ICE Office

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

4th Amendment
The right of the people to be secure in their
persons, houses, papers and effects against
Unreasonable Searches and Seizures.

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

☒ Yes

☒ No

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

GROUND FOUR: Violation of DT Parole.

Class: DT Parole (humanitarian parole)

I was admitted inspected and paroled in to the US

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

Revocation of parole 8 CFR 221.5(a)(2).

The charging document is will constitute written notice of termination of parole.

My parole is still active!!

(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:

to be released from custody and continue my process, I have lost my home and I have 2 kids that are US Citizens, one is in high school and the other is a US Marine.

I have no one to help me financially to pay for any process that might require the use of money. I am self employed and have used all the money I had in the 5 months I have been detained.

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

Declaration Under Penalty Of Perjury

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

4/6/2026

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:

03/30/2026

Lerma Erick

Signature of Petitioner

Signature of Attorney or other authorized person, if any

CERTIFICATE OF SERVICE

I ERICK O LERMA DO HEREBY CERTIFY THAT I HAVE MAILED A COPY OF THIS HABEAS CORPUS AND
MONEY ORDER PAYABLE TO CLERK US DISTRICT COURT ON 04/07/2026 AT

P.O. BOX 1218

ABILENE TX 79604

Lerna - Castro, Erick
[REDACTED]
BDU 400 2nd St
Anson, Tx 79501

RECEIVED

APR 13 2026

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

quadrant
FIRST CLASS MAIL
\$002.72
04/17/2025 2:55 PM CDT
6403100755061



X-PR

U.S. District Court
Northern District of Texas
Court Clerk
PO Box 1218
Anson, Tx 79504

U.S. District Court
Northern District of Texas
Court Clerk
PO Box 1218
Anson, Tx 79504