

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

UNITED STATES DISTRICT COURT  
SOUTHERN JUDICIAL DISTRICT OF  
CALIFORNIA

WILLI GALINDO MORALES HERNANDEZ

Petitioner,

v.

Thomas GILES, Field Office Director of  
Enforcement and Removal Operations, San  
Diego Field Office, Immigration and Customs  
Enforcement; Mark Wayne MULLIN,  
Secretary, U.S. Department of Homeland  
Security; U.S. DEPARTMENT OF  
HOMELAND SECURITY; Todd BLANCHE,  
U.S. Attorney General; EXECUTIVE OFFICE  
FOR IMMIGRATION REVIEW; Jeremy  
CASEY, Facility Administrator, Imperial  
Regional Adult Detention Center.

Respondents.

Case No. '26CV2543 AGS DDL

**PETITION FOR WRIT OF  
HABEAS CORPUS**

1 INTRODUCTION

2 1. Petitioner Willi Galindo Morales Hernandez brings this petition for a writ of  
3 habeas corpus to seek enforcement of his rights as a member of the Bond Denial Class certified  
4 in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.) Petitioner is in  
5 the physical custody of Respondents at the Imperial Regional Adult Detention Center, Calexico,  
6 CA. He now faces unlawful detention because the Department of Homeland Security (DHS) and  
7 the Executive Office for Immigration Review (EOIR) have refused to abide by the declaratory  
8 judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

9 2. On November 20, 2025, the district court granted partial summary judgment on  
10 behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and  
11 extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-  
12 CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at \*11 (C.D. Cal. Nov. 20, 2025)  
13 (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista*  
14 *v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at \*9  
15 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond  
16 Eligible Class, incorporating and extending declaratory judgment from Order Granting  
17 Petitioners' Motion for Partial Summary Judgment). See Exhibit A

18 3. The declaratory judgment held that the Bond Denial Class members are detained  
19 under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on bond under  
20 § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at \*11.

21 4. On December 18, 2025, the court in *Maldonado Bautista* declared class members'  
22 detention authority and rights and vacated the federal policy that was being used to deny bond  
23 hearings nationwide. In essence, the court Declared the class is detained under INA § 236(a) (8

1 U.S.C. § 1226(a)—not INA § 235(b)(2) (8 U.S.C. § 1225(b)(2)), meaning the class can be  
2 considered for bond eligibility under § 1226(a) and is not subject to mandatory detention under §  
3 1225(b)(2). It further Declared class members are entitled to bond consideration and—if not  
4 released by ICE—a custody redetermination (bond) hearing before an immigration judge, and  
5 vacated DHS’s July 8, 2025 “Interim Guidance Regarding Detention Authority for Applicants  
6 for Admission” under the APA as unlawful (Exhibit B)

7 5. Nonetheless, the Executive Office for Immigration Review and its subagency, the  
8 Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to  
9 abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the  
10 opportunity to be released on bond.

11 6. Petitioner Willi Galindo Morales Hernandez is a member of the Bond Eligible  
12 Class, as he:

13 a. does not have lawful status in the United States and is currently detained at the  
14 Imperial Regional Adult Detention Center, Calexico, CA.

15 b. Was not apprehended upon arrival

16 c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231. (Exhibit C)

17 7. DHS has charged Petitioner as being inadmissible under 8 U.S.C. §  
18 1182(a)(6)(A)(i), as someone who entered the United States without inspection.

19 8. The Court should expeditiously grant this petition.

20 9. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full  
21 “force and effect of a final judgment.” 28 U.S.C. § 2201(a). Nevertheless, Respondents continue  
22 to flagrantly defy the judgment in that case and continue to subject Petitioner to unlawful  
23  
24

1 detention despite his clear entitlement to consideration for release on bond as a Bond Eligible  
2 Class member.

3 10. Immigration judges have informed class members in bond hearings that they have  
4 been instructed by “leadership” that the declaratory judgment in *Maldonado Bautista* is not  
5 controlling, even with respect to class members, and that instead IJs remain bound to follow the  
6 agency’s prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

7 11. Because Respondents are detaining Petitioner in violation of the declaratory  
8 judgment issued in *Maldonado Bautista*, the Court should accordingly order that within one day,  
9 Respondent DHS must release Petitioner.

10 12. Alternatively, the Court should order Petitioner’s release unless Respondents  
11 provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

#### 12 JURISDICTION

13 11. Petitioner is in the physical custody of Respondents. Petitioner is detained at the  
14 Imperial Regional Adult Detention Center, Calexico, California.

15 12. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C.  
16 § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the  
17 Suspension Clause).

18 13. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment  
19 Act, 28 U.S.C. § 2201 *et seq.*, and the All-Writs Act, 28 U.S.C. § 1651.

#### 20 VENUE

21 14. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484,  
22 493- 500 (1973), venue lies in the United States District Court for the Southern District of  
23 California, the judicial district in which Petitioner currently is detained.

1 15. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because  
2 Respondents are employees, officers, and agencies of the United States, and because a  
3 substantial part of the events or omissions giving rise to the claims occurred in the Southern  
4 Judicial District of California.

5  
6 **REQUIREMENTS OF 28 U.S.C. § 2243**

7 16. The Court should grant the petition for writ of habeas corpus “forthwith,” as the  
8 legal issues have already been resolved for class members in *Maldonado Bautista*.

9 17. Habeas corpus is “perhaps the most important writ known to the constitutional  
10 law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or  
11 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the  
12 writ usurps the attention and displaces the calendar of the judge or justice who entertains it and  
13 receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208  
14 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

15 **PARTIES**

16 18. Petitioner Willi Galindo Morales Hernandez is a citizen of Guatemala who has  
17 been in immigration detention since on or about January 07, 2026. After Petitioner was arrested,  
18 ICE did not set bond, and Petitioner requested review of his custody by an Immigration Judge.  
19 Petitioner was unable to have his custody re-determination request heard by an Immigration Judge  
20 at the Imperial, California court because the Court found he had no jurisdiction to hear the  
21 application.

22 19. Respondent Gregory J Archambeault is the Director of the San Diego Field  
23 Office of ICE’s Enforcement and Removal Operations division having jurisdiction over  
24

1 Calexico, California. As such, Gregory J Archambeault] is Petitioner's immediate custodian and  
2 is responsible for Petitioner's detention and removal. He is named in his official capacity.

3 20. Respondent Mark Wayne Mullin is the acting Secretary of the Department of  
4 Homeland Security. He is responsible for the implementation and enforcement of the  
5 Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's  
6 detention. Mr. Mullin has ultimate custodial authority over Petitioner and is sued in his official  
7 capacity.

8 21. Respondent Department of Homeland Security (DHS) is the federal agency  
9 responsible for implementing and enforcing the INA, including the detention and removal of non  
10 citizens.

11 22. Respondent Todd Blanche is the Attorney General of the United States. He is  
12 responsible for the Department of Justice, of which the Executive Office for Immigration Review  
13 and the immigration court system it operates is a component agency. He is sued in his official  
14 capacity.

15 23. Respondent Executive Office for Immigration Review (EOIR) is the federal  
16 agency responsible for implementing and enforcing the INA in removal proceedings, including  
17 for custody redetermination in bond hearings.

18 24. Respondent Jeremy Casey is employed as the Facility Administrator of the  
19 Imperial Regional Adult Detention Center, where Petitioner is detained. He has immediate  
20 physical custody of Petitioner. He is sued in his official capacity.

21 **CLAIM FOR RELIEF**  
22 **Violation of the INA:**  
23 **Request for Relief Pursuant to *Maldonado Bautista***  
24

1 25. Petitioner repeats, re-alleges, and incorporates by reference each and every  
2 allegation in the preceding paragraphs as if fully set forth herein.

3 26. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for  
4 release on bond under 8 U.S.C. § 1226(a).

5 27. The order granting partial summary judgment in *Maldonado Bautista* holds that  
6 Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class  
7 members.

8 28. The order granting class certification in *Maldonado Bautista* further orders that  
9 “[w]hen considering this determination with the MSJ Order, the Court extends the same  
10 declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.”

11 29. The Court in *Maldonado Bautista* has issued a final judgment in favor of  
12 plaintiffs and all class members.

13 30. Respondents are parties to *Maldonado Bautista* and bound by the Court’s  
14 declaratory judgment, which has the full “force and effect of a final judgment.” 28 U.S.C.  
15 § 2201(a).

16 31. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is  
17 subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner’s statutory  
18 rights under the INA and the Court’s judgment in *Maldonado Bautista*.

19  
20  
21  
22  
23  
24  
**PRAYER FOR RELIEF**


WHEREFORE, Petitioner prays that this Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Issue a writ of habeas corpus requiring that within one day, Respondents release  
Petitioner;

- 1 a. Alternatively, issue a writ of habeas corpus requiring Respondents to release  
2 Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within  
3 seven days;
- 4 b. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act  
5 (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under  
6 law; and
- 7 c. Grant any other and further relief that this Court deems just and proper.

8  
9 DATED: April 22, 2026

10 Attorneys for Petitioner

11  
12  
13  
14   
15 Frances Ruiz, Esq.  
16 Ruiz Law Group, P.C.  
17 3272 Steinway Street, Suite 502  
18 Astoria, NY 11103  
19 Phone: (718) 505-3400

20  
21  
22  
23  
24 *Mariana L. Hanna*  
Mariana L. Hanna, Esq.  
Law Offices of Mariana L. Hanna  
402 West Broadway, Ste. 1730  
San Diego, CA 92101  
Phone: (619) 234-3635