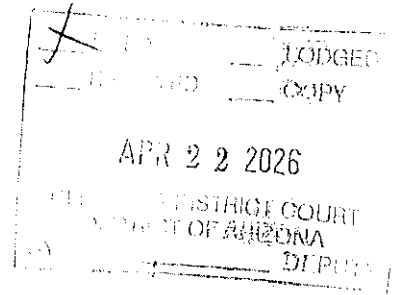


*Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241*

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA  
PHOENIX DIVISION**



**LUIS ALEJANDRO CHÁVEZ SEMPRÚN,**

Petitioner,

Case No. **CV26-02768-PHX-MJM--DMF**

v.

**PETITION FOR WRIT OF HABEAS  
CORPUS  
PURSUANT TO 28 U.S.C. § 2241**

WARDEN, FLORENCE CORRECTIONAL  
CENTER; et al.,  
Respondents.

(PRO SE PETITIONER)

**EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS  
CHALLENGING UNLAWFUL IMMIGRATION DETENTION, PUNITIVE CONDITIONS OF  
CONFINEMENT,  
AND THREATENED TRANSFER OR REMOVAL DURING PENDENCY OF THIS ACTION**

**PRELIMINARY STATEMENT**

Petitioner Luis Alejandro Chávez Semprún respectfully submits this Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 to challenge the lawfulness of his current immigration detention at Florence Correctional Center in Florence, Arizona. This case concerns a civil detainee who alleges that he was taken into immigration custody after local criminal custody had effectively ended, notwithstanding the posting of bond, and who further alleges that he has since remained confined under coercive, punitive, and medically unsafe conditions inconsistent with the Constitution and the limited purposes of civil immigration detention.

At its core, this case presents a straightforward constitutional proposition: civil detention may not be transformed into punishment by indefinite restraint, absence of meaningful procedural safeguards, deprivation of basic necessities, denial of adequate medical care, racially abusive treatment, overcrowded and unsanitary living conditions, and continuing fear that the detainee will be moved, isolated, or removed before a federal court can exercise meaningful review. The habeas power exists precisely to test whether custody is lawful in fact as well as in form.

Petitioner alleges that he is not a danger to the community, does not have a serious criminal record, and has substantial ties to the United States, including a minor child who has suffered materially and emotionally from the separation. He further alleges substantial physical and emotional deterioration during detention, including weight loss, anxiety, depressive episodes, food and water rationing, spoiled food, denial or delay of medical treatment, and verbal abuse with racial and xenophobic overtones by facility personnel. These allegations, taken together, describe detention that is not merely restrictive, but punitive and arbitrary.

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Petitioner therefore asks this Court to issue the writ, order his immediate release or, at minimum, order prompt constitutionally adequate process before a neutral decisionmaker, and preserve this Court's jurisdiction by prohibiting transfer or removal during the pendency of these proceedings.

## **I. JURISDICTION AND VENUE**

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody under or by color of the authority of the United States and challenges the legality of that custody. Federal district courts retain habeas jurisdiction to review the lawfulness of immigration detention, particularly where the petition raises constitutional claims, claims that detention has become arbitrary or punitive, and claims that no adequate substitute remedy exists.

Jurisdiction is further supported by the Suspension Clause and longstanding habeas doctrine recognizing that a detainee may invoke the writ to test executive detention, including immigration detention, where the challenge goes to the fact, duration, or constitutional character of confinement. See *Boumediene v. Bush*, 553 U.S. 723 (2008); *INS v. St. Cyr*, 533 U.S. 289 (2001).

Venue is proper in the District of Arizona because Petitioner is confined within this District, at Florence Correctional Center, and his immediate custodian is located here. See *Rumsfeld v. Padilla*, 542 U.S. 426 (2004). The District of Arizona maintains a Phoenix location and public contact information for the Phoenix Clerk's Office. Florence detention facilities are operated within ICE's Phoenix field structure, and ICE publicly identifies Central Arizona Florence Correctional Center as a detention facility in that field area.

cite: turn280729search2|turn280729search3|

## **II. PARTIES**

Petitioner is Luis Alejandro Chávez Semprún, A-Number [REDACTED] a native and citizen of Venezuela, born on [REDACTED]. He entered or was present in the United States on or about September 10, 2021, and is currently detained at Florence Correctional Center, 1100 Bowling Road, Florence, Arizona 85132. ICE publicly lists Central Arizona Florence Correctional Center as a detention facility in Florence, Arizona. cite: turn280729search3|

The principal Respondent is the Warden or official in charge of Florence Correctional Center, who exercises day-to-day custody over Petitioner. Additional Respondents may include the Field Office Director with authority over Petitioner's detention, the Secretary of Homeland Security, the Director of U.S. Immigration and Customs Enforcement, and any officer with authority to transfer, remove, or continue detaining Petitioner. Petitioner names such additional executive respondents to ensure complete relief and effective enforcement of any order this Court enters.

## **III. STATEMENT OF FACTS**

Petitioner alleges that he was first taken into custody by local police following an accident. According to the facts provided to this Petition, bond was posted by Petitioner's spouse, and Petitioner was thereby considered releasable from the local criminal matter. Rather than regaining liberty, however, Petitioner was held on the basis of an ICE detainer or hold and was then placed into immigration custody without a judicial warrant, without a criminal conviction justifying prolonged detention, and without any meaningful pre-deprivation process sufficient to test the necessity of confinement.

After being taken into immigration custody, Petitioner was reportedly housed first in another detention location identified as 'Aligeitor' for approximately three weeks before being transferred to Arizona, where he remains detained. The transfer history matters because it demonstrates the executive's practical power to move detainees from place to place, complicating family access, legal access, evidentiary development, and

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judicial review. Petitioner specifically fears that further transfer could be used to frustrate this Court's jurisdiction or punish him for seeking relief.

Petitioner asserts that he does not have any serious criminal record, that he does not pose a danger to the community, and that he is not a meaningful flight risk. He has substantial ties in the United States, including family relationships and ongoing responsibilities. He is the father of a minor child, eight years old, who has been deeply affected by his detention. Petitioner's family describes him as an emotional and economic pillar in the home, and his absence has produced concrete hardship, instability, and distress.

Petitioner alleges that detention conditions have been severe. He reports extreme rationing of food and water, repeated need to eat spoiled or decomposed food, overcrowding, unsanitary living conditions, verbal abuse by officers, racist and xenophobic ridicule, and denial or delay of medical care when he has reported illness or pain. He further reports major physical and emotional decline, including weight loss, anxiety, and depressive crises. Such allegations, if proven, are incompatible with the limited regulatory purpose of civil detention and suggest conditions tantamount to punishment.

Petitioner also fears that he may be removed from the United States, or even transferred to a third country, without adequate notice and without a meaningful chance to seek judicial protection. That fear is heightened by the current volatility in immigration custody decisions and by the practical reality that removal can moot important rights unless a court acts promptly. Petitioner's spouse has helped advance this request for relief because Petitioner fears retaliation, including punitive transfer or placement in isolation, if he seeks redress from inside the facility.

ICE publicly maintains detention-facility pages for Florence facilities, including Florence Service Processing Center and Central Arizona Florence Correctional Center, underscoring the federal-custody framework within which this Petition arises. [\[cite\]turn280729search1\[turn280729search3\]](#)

#### IV. PERSONAL EQUITIES AND HUMAN IMPACT OF DETENTION

| Category            | Supporting Allegations                                                                                                                                   |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Family ties         | Petitioner is the father of an eight-year-old child who has suffered emotional and economic hardship because of the sudden separation.                   |
| Danger assessment   | Petitioner alleges no serious criminal history and maintains he is not a danger to the community.                                                        |
| Flight risk         | Petitioner alleges strong ties in the United States and contends he is not a flight risk.                                                                |
| Health impact       | Petitioner reports weight loss, anxiety, depression, stress, and worsening physical well-being during detention.                                         |
| Facility conditions | Petitioner alleges rationed food and water, spoiled food, overcrowding, unsanitary conditions, abusive language, and denial of timely medical attention. |

Civil immigration detention is not supposed to sever family bonds without necessity, nor is it supposed to convert ordinary human dependency into collateral damage. Here, the consequences fall not only upon Petitioner but also upon his minor child, whose emotional security and financial stability have reportedly been significantly impaired. Family separation is not a rhetorical flourish; it is a concrete measure of the

excessiveness of confinement where detention is not shown to be genuinely necessary to secure presence or protect the public.

The Court may properly consider personal equities because the constitutional analysis of civil detention is not divorced from real-world facts. Excessive detention imposed on a non-dangerous individual with strong ties, in harmful conditions and without meaningful process, becomes increasingly difficult to justify under due process principles.

## **V. LEGAL FRAMEWORK**

Habeas corpus remains the traditional and indispensable vehicle to test executive detention. The Supreme Court has repeatedly recognized that immigration detention is subject to constitutional limits and that civil detention cannot be sustained merely by labeling it regulatory. See *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003); *Jennings v. Rodriguez*, 583 U.S. 281 (2018).

Although Congress has enacted detention provisions in the immigration statutes, those provisions must still be read and applied in a manner consistent with the Fifth Amendment. Even where detention is authorized in general terms, the Constitution forbids arbitrary detention, forbids punishment without due process, requires some reasonable relation between confinement and a legitimate governmental objective, and prohibits deliberate indifference to serious medical and human needs. See *Bell v. Wolfish*, 441 U.S. 520 (1979); *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Estelle v. Gamble*, 429 U.S. 97 (1976); *Farmer v. Brennan*, 511 U.S. 825 (1994).

Moreover, when detention becomes prolonged, indefinite in practical effect, or accompanied by conditions that are excessive in relation to civil purposes, habeas relief is an appropriate and sometimes necessary remedy. The legality of custody cannot be insulated from review by administrative inertia, by transfer among facilities, or by the threatened speed of removal.

## **VI. GROUND ONE - PETITIONER'S DETENTION IS ARBITRARY AND UNLAWFUL UNDER THE FIFTH AMENDMENT**

Petitioner alleges that after local custody had effectively concluded through the posting of bond, ICE assumed custody on the basis of an immigration hold and continued confinement without judicial warrant or constitutionally adequate process. Whatever the statutory mechanism asserted by Respondents, due process requires more than executive say-so to justify prolonged deprivation of liberty. The question is not simply whether officers possessed paperwork; it is whether the resulting detention is lawful, necessary, and accompanied by constitutionally meaningful safeguards.

Even in the immigration context, civil detention may not be arbitrary. A person may not be incarcerated merely because the executive prefers continued confinement over tailored supervision or release. Due process requires an individualized, rational basis tied to legitimate civil objectives. When a detainee is neither dangerous nor a flight risk, and when the government relies on broad administrative authority rather than particularized necessity, continued detention becomes constitutionally suspect.

The Supreme Court's immigration detention cases do not grant the government a blank check. In *Zadvydas*, the Court rejected an interpretation that would permit potentially indefinite detention and emphasized the constitutional avoidance principle in light of grave due process concerns. In *Demore*, the Court relied heavily on the assumption of a brief period of detention tied to removal proceedings. In *Jennings*, the Court left constitutional challenges intact. Those decisions together support, rather than undermine, the proposition that detention must remain connected to lawful process and legitimate purpose.

## **VI. GROUND TWO - PROLONGED CIVIL DETENTION WITHOUT A MEANINGFUL OPPORTUNITY TO SEEK RELEASE VIOLATES PROCEDURAL DUE PROCESS**

Procedural due process requires a meaningful opportunity to be heard at a meaningful time and in a meaningful manner. *Mathews v. Eldridge*, 424 U.S. 319 (1976). Where physical liberty is at stake, the weight of the private interest is at its apex. The risk of erroneous deprivation is especially grave when detention continues by default, when the detainee lacks meaningful access to evidence and counsel, and when no neutral adjudicator has been required to assess whether confinement remains necessary.

Under the *Mathews* balancing framework, Petitioner's liberty interest is extraordinary; the risk of error is substantial because detention decisions may rest on incomplete records, untested assumptions, or bureaucratic convenience; and the probable value of additional safeguards – including a prompt individualized custody hearing with a meaningful burden on the government – is considerable. The government's interest, while real, does not include any legitimate interest in needless detention of a person who can safely be supervised in the community.

Where civil detention persists without meaningful periodic review or realistic access to release, due process is not satisfied by formality alone. The Constitution demands substance. A hearing that places the burden on the detainee, ignores current conditions, or fails to consider alternatives to detention does not adequately protect liberty. At minimum, Petitioner seeks prompt constitutionally adequate process before a neutral decisionmaker; on this record, however, immediate release is the more appropriate remedy.

#### **VI. GROUND THREE - THE CONDITIONS OF CONFINEMENT DESCRIBED BY PETITIONER ARE PUNITIVE AND THEREFORE UNCONSTITUTIONAL IN CIVIL IMMIGRATION DETENTION**

Civil detainees may not be punished. *Bell v. Wolfish*, 441 U.S. 520 (1979). Restrictions or conditions that are excessive in relation to a legitimate regulatory purpose, or that amount in practice to punishment, violate due process. Petitioner alleges rationed food and water, spoiled food, overcrowded housing, poor hygiene conditions, racial and xenophobic verbal abuse, and threats or fear of retaliatory measures. These are not minor inconveniences; they go to the basic human necessities of safe housing, hydration, nutrition, dignity, and bodily integrity.

Food must be nutritionally adequate and sanitary. Water must be available in sufficient quantity. Housing must not be so overcrowded or unsanitary as to create unreasonable health risks. Civil detainees are entitled to conditions that are at least consistent with non-punitive confinement. When facility conditions predictably cause deterioration, humiliation, and illness, the constitutional problem is not incidental – it is structural.

The allegations of racially charged ridicule and xenophobic abuse are especially grave. Executive detention cannot be administered through degrading treatment aimed at a detainee's nationality or perceived foreignness. Even apart from equal-protection principles, such abuse is compelling evidence that confinement has taken on a punitive and coercive character inconsistent with civil detention.

#### **VI. GROUND FOUR - DELIBERATE INDIFFERENCE TO MEDICAL AND MENTAL-HEALTH NEEDS VIOLATES DUE PROCESS**

Petitioner alleges denial or delay of medical care when he experienced illness or pain, alongside significant weight loss and serious emotional decline, including anxiety and depression. Government officials may not be deliberately indifferent to serious medical needs. *Estelle v. Gamble*, 429 U.S. 97 (1976); *Farmer v. Brennan*, 511 U.S. 825 (1994). Although those cases arose in criminal-incarceration settings, the due process protection afforded to civil detainees is at least as strong, not weaker.

Where confinement itself contributes to worsening mental health, officials must respond reasonably to evident distress. Anxiety, depressive episodes, sleep disruption, panic, weight loss, and stress-related deterioration are not legally invisible simply because they occur in immigration detention. A civil detainee

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remains a human being in government custody, wholly dependent on the government for access to medical care, nutrition, safety, and protection from abuse.

Deliberate indifference can be shown not only by outright refusal of care, but also by systematic delay, failure to evaluate obvious symptoms, disregard of repeated requests, or maintenance of conditions that predictably aggravate medical vulnerability. On Petitioner's allegations, the Court should not wait for irreversible harm before acting.

**VI. GROUND FIVE - THREATENED TRANSFER, ISOLATION, OR REMOVAL RISKS FRUSTRATING THIS COURT'S JURISDICTION AND CAUSING IRREPARABLE HARM**

Petitioner alleges a genuine fear that he may be transferred to another detention location, placed in isolation, or removed from the United States before this Court can adjudicate his claims. That concern is neither speculative nor fanciful in the immigration detention context. Transfers can disrupt attorney-client communication, impede declaration gathering, sever family contact, complicate service, and create jurisdictional confusion. Removal can destroy the practical value of habeas relief altogether.

Federal courts possess authority to preserve their jurisdiction and to prevent mootness through interim relief where necessary. A habeas action would be hollow if the executive could defeat review by moving the body faster than the court can examine the lawfulness of custody. The requested protection against transfer or removal while this Petition is pending is therefore ancillary to, and necessary for, the effective exercise of habeas jurisdiction.

Petitioner also fears coercive pressure to accept removal or transfer to a third country without real consent. Courts should be especially vigilant where detention conditions themselves may be used as leverage to extract acquiescence. Civil confinement cannot lawfully become a tool of compelled surrender.

**VI. GROUND SIX - HABEAS RELIEF IS APPROPRIATE BECAUSE ALTERNATIVE REMEDIES ARE INADEQUATE, UNAVAILABLE, OR FUTILE UNDER THESE CIRCUMSTANCES**

The writ is particularly appropriate where ordinary administrative channels cannot timely address the constitutional injury. Petitioner challenges not merely a discretionary custody judgment in isolation, but the cumulative unlawfulness of executive detention as presently imposed: arbitrary confinement, absence of meaningful process, punitive living conditions, inadequate medical care, and threatened interference with judicial review.

Any suggestion that Petitioner must await further deterioration, additional transfer, or actual removal before seeking federal relief misunderstands the function of habeas corpus. The Constitution does not require a detainee to endure escalating harm in order to perfect a record of suffering. Nor must he rely on internal detention complaints that may expose him to retaliation or prove ineffective in securing prompt relief.

To the extent administrative review theoretically exists, it is inadequate here because the harms are ongoing, immediate, and constitutional in nature. The Supreme Court has repeatedly emphasized the continuing vitality of habeas in immigration cases where liberty is restrained by executive action. See *St. Cyr*, 533 U.S. 289; *Boumediene*, 553 U.S. 723.

**VII. EXHAUSTION, INADEQUACY OF ALTERNATIVE REMEDIES, AND FUTILITY**

To the extent any Respondent argues that Petitioner should first pursue additional administrative remedies, such exhaustion should be excused. Habeas exhaustion in immigration detention cases is prudential rather than jurisdictional in many contexts, especially where constitutional claims predominate and where available processes cannot provide timely and effective relief.

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Exhaustion should be excused here for several independent reasons. First, Petitioner challenges the legality and constitutional character of his detention itself, not merely an isolated discretionary determination. Second, the harms are ongoing and irreparable: weight loss, mental-health deterioration, denial of adequate care, unsafe conditions, and threatened transfer or removal cannot be meaningfully undone after the fact. Third, Petitioner fears retaliation for pressing grievances from within detention. Fourth, the relief sought from this Court - habeas release or immediate judicial intervention to preserve jurisdiction - is not realistically obtainable through routine internal channels.

Accordingly, any further exhaustion requirement would serve delay rather than justice and would undermine the historic office of the writ.

#### **VIII. SELECTED AUTHORITIES SUPPORTING RELIEF**

- *Boumediene v. Bush*, 553 U.S. 723 (2008) - reaffirming the fundamental constitutional role of habeas corpus as a means to test executive detention.
- *INS v. St. Cyr*, 533 U.S. 289 (2001) - recognizing the continuing availability and importance of habeas review in immigration matters.
- *Rumsfeld v. Padilla*, 542 U.S. 426 (2004) - addressing the proper respondent and venue considerations in habeas cases involving physical custody.
- *Zadvydas v. Davis*, 533 U.S. 678 (2001) - holding that immigration detention is subject to due process limitations and cannot be effectively indefinite.
- *Demore v. Kim*, 538 U.S. 510 (2003) - upholding brief detention in a narrow context while underscoring the temporal assumptions relevant to constitutional analysis.
- *Jennings v. Rodriguez*, 583 U.S. 281 (2018) - leaving constitutional challenges to immigration detention available notwithstanding statutory holdings.
- *Bell v. Wolfish*, 441 U.S. 520 (1979) - prohibiting punitive conditions for persons held in civil or pretrial confinement.
- *Mathews v. Eldridge*, 424 U.S. 319 (1976) - providing the framework for procedural due process balancing.
- *Estelle v. Gamble*, 429 U.S. 97 (1976) - condemning deliberate indifference to serious medical needs.
- *Farmer v. Brennan*, 511 U.S. 825 (1994) - clarifying deliberate indifference to substantial risks of serious harm.

#### **IX. NEED FOR IMMEDIATE JUDICIAL INTERVENTION**

The need for immediate judicial intervention is substantial. Petitioner alleges ongoing exposure to unsafe and degrading conditions, deterioration of physical and mental health, inability to care for or support his minor child, and persistent fear of transfer or removal before meaningful judicial review can occur. Each passing day magnifies the injury.

Delay would prejudice both liberty and the Court's ability to render effective relief. Once removed, transferred, or psychologically broken by detention conditions, Petitioner's rights cannot be fully restored through retrospective declarations alone. Habeas is designed for precisely this kind of urgent restraint on unlawful executive custody.

#### **X. RELIEF REQUESTED**

- Assume jurisdiction over this matter and order Respondents to show cause why the writ should not issue;
- Issue a writ of habeas corpus declaring Petitioner's detention unlawful as applied to the facts and constitutional violations alleged herein;

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- Order Petitioner's immediate release from immigration detention under appropriate conditions, if any, that this Court deems just and reasonable;
- In the alternative, order a prompt, individualized custody hearing before a neutral decisionmaker with procedures sufficient to satisfy due process and with meaningful consideration of release, family ties, health, detention conditions, non-dangerousness, and alternatives to detention;
- Enter interim relief preserving this Court's jurisdiction by prohibiting transfer of Petitioner outside this District, prohibiting punitive segregation in retaliation for litigation activity, and prohibiting removal from the United States - including removal to any third country - while this Petition remains pending, absent prior order of this Court;
- Order Respondents to ensure immediate access to adequate food, potable water, sanitary living conditions, medical evaluation, necessary treatment, and protection from retaliatory or discriminatory abuse while this action is pending;
- Grant such other and further relief as law and equity require.

**XI. VERIFICATION AND DECLARATION**

I, Luis Alejandro Chávez Semprún, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in this action; that I have reviewed this Petition to the extent possible under the circumstances of detention; that the factual allegations contained herein are true and correct to the best of my knowledge, information, and belief; and that this Petition is submitted in good faith to challenge unlawful custody and to seek protection from ongoing constitutional violations.

Executed on 4/17/26, 2026, at Florence, Arizona.



\_\_\_\_\_  
LUIS ALEJANDRO CHÁVEZ SEMPRÚN, Pro Se Petitioner

A-Number: 

Florence Correctional Center

1100 Bowling Road

Florence, Arizona 85132

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

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Instructions

1. **Who Should Use This Form.** You should use this form if
  - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
  - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
  - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
  - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
  - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
  - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and \_\_\_\_\_ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

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

UNITED STATES DISTRICT COURT

for the  
District of Arizona

Luis Alejandro Chavez Semprun

*Petitioner*

v.

Warden, Florence Correctional Center, et al.

Case No. \_\_\_\_\_

*(Supplied by Clerk of Court)*

*Respondent*

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

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

Personal Information

1. (a) Your full name: Luis Alejandro Chavez Semprun
- (b) Other names you have used: None
2. Place of confinement:
  - (a) Name of institution: Florence Correctional Center, et al.
  - (b) Address: 1100 Bowling Rd, Florence, Arizona 85132
  - (c) Your identification number: A 
3. Are you currently being held on orders by:  
☒ Federal authorities    ☐ State authorities    ☐ Other - explain: \_\_\_\_\_
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)

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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*):

6. Provide more information about the decision or action you are challenging:
- (a) Name and location of the agency or court: U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Florence Correctional Center, Florence, Arizona
- (b) Docket number, case number, or opinion number:
- (c) Decision or action you are challenging (*for disciplinary proceedings, specify the penalties imposed*):  
 Petitioner challenges his unlawful and prolonged immigration detention without a judicial warrant or meaningful due process, including continued custody after release from local criminal custody, punitive and unconstitutional conditions of confinement, denial of adequate medical care, and the risk of transfer or removal before judicial.
- (d) Date of the decision or action: 02/02/2026

#### 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:
- (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: Administrative remedies were not pursued because they are inadequate and cannot provide immediate relief or prevent ongoing harm; therefore, exhaustion should be excused.

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:

(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 file a second appeal: Administrative remedies are inadequate and ineffective; further appeal would not provide timely or meaningful relief.

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:

(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 file a third appeal: Further administrative appeals would be futile and cannot prevent ongoing harm or provide immediate relief.

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:
- (2) Case number:
- (3) Date of filing:
- (4) Result:
- (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:
- (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: 28 U.S.C. § 2255 is inapplicable because Petitioner is not challenging a federal criminal conviction or sentence, but rather unlawful immigration detention; therefore, relief is properly sought under 28 U.S.C. § 2241.

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 02/02/2026
- (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

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If "Yes," provide:

- (1) Date of filing:
- (2) Case number:
- (3) Result:
- (4) Date of result:
- (5) Issues raised:

(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:

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:

- (c) Date of filing:
- (d) Docket number, case number, or opinion number:
- (e) Result:
- (f) Date of result:
- (g) Issues raised:

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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:** Petitioner is being held in unlawful and prolonged immigration detention without a judicial warrant or meaningful due process.

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

Petitioner was taken into immigration custody after local criminal custody had effectively ended despite bond being posted. He has remained detained without an individualized hearing or meaningful opportunity to challenge his continued detention. He is not a danger to the community and not a flight risk, yet continues to be held without justification.

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

☐ Yes

☒ No

**GROUND TWO:** Petitioner is subjected to punitive and unconstitutional conditions of confinement.

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

Petitioner has been subjected to overcrowding, unsanitary living conditions, lack of adequate food and water, and verbal abuse. Conditions are degrading and inconsistent with civil detention, causing physical and emotional harm.

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

☐ Yes

☒ No

**GROUND THREE:** Petitioner has been denied adequate medical and mental health care.

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

Petitioner has experienced physical and emotional deterioration, including weight loss, anxiety, and depression, and has not received timely or adequate medical attention despite requests for care.

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

☐ Yes

☒ No

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**GROUND FOUR:** Petitioner faces risk of transfer or removal before meaningful judicial review, which would cause irreparable harm.

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

Petitioner fears being transferred to another facility or removed from the United States before this Court can review his claims. Such actions would interfere with his ability to pursue relief, maintain family contact, and access the court, effectively depriving him of meaningful judicial review.

(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 grounds were not presented through administrative remedies because such remedies are inadequate, ineffective, and incapable of providing timely relief from ongoing unlawful detention and constitutional violations.

#### Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully requests that the Court grant this Petition for Writ of Habeas Corpus, order his immediate release from immigration detention, or in the alternative, order a prompt individualized bond hearing before a neutral decisionmaker. Petitioner further requests protection from transfer or removal while this petition is pending, and any other relief the Court deems just and proper.

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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:

04/16/2026

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: 04/16/2026

Luis Alejandro Chavez Semprun

*Signature of Petitioner*

*Signature of Attorney or other authorized person, if any*

March 17, 2026

To Whom It May Concern / Immigration Judge:

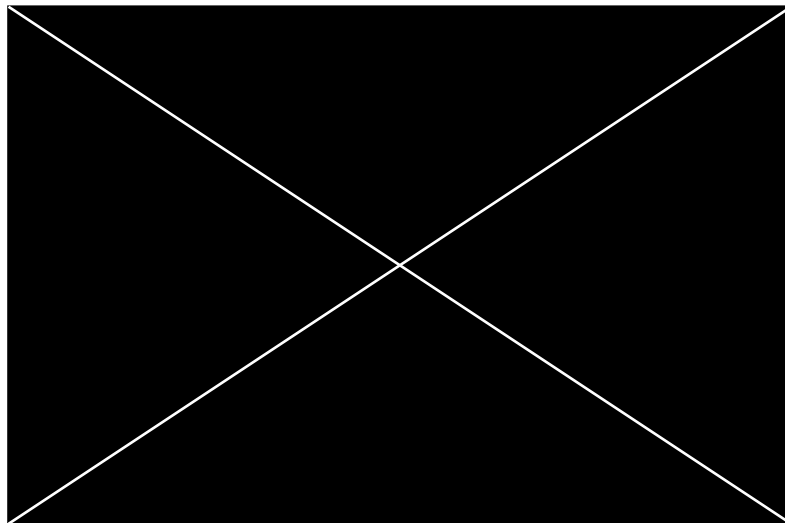
My name is Frank Rodriguez, and I am a resident of Belle Isle, Florida. I am writing this letter in strong support of Luis Alejandro Chávez Semprún. I have known Luis for several years, and during that time I have come to know him as a man of integrity, strong values, and deep commitment to his family. He is respectful, honest, and consistently hardworking. At no point have I ever known him to be a threat to anyone or involved in harmful behavior. On the contrary, Luis is a peaceful and responsible individual who contributes positively to those around him and to his community. I have personally seen Luis act as a caring father, a dependable worker, and a respectful member of society. He takes his responsibilities seriously and always strives to do the right thing. As a professional hairstylist, he works diligently to support himself and his family, demonstrating discipline and dedication in his daily life. Luis is also the father of a young child who depends on him for emotional support, guidance, stability, and financial care. His presence in his child's life is essential, and separating him from his family would cause significant emotional and financial hardship.

From my personal experience, Luis is someone who genuinely wants to continue building a stable and honest life in the United States. He is a good person who deserves the opportunity to remain with his family while his immigration case is being resolved. For these reasons, I respectfully ask that you take into consideration his character, his role as a father, and the positive life he has built in this country. Allowing him to remain in the United States during this process would support the well-being of his family and reflect his true character. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Sincerely,

Frank Rodriguez

Belle Isle, FL

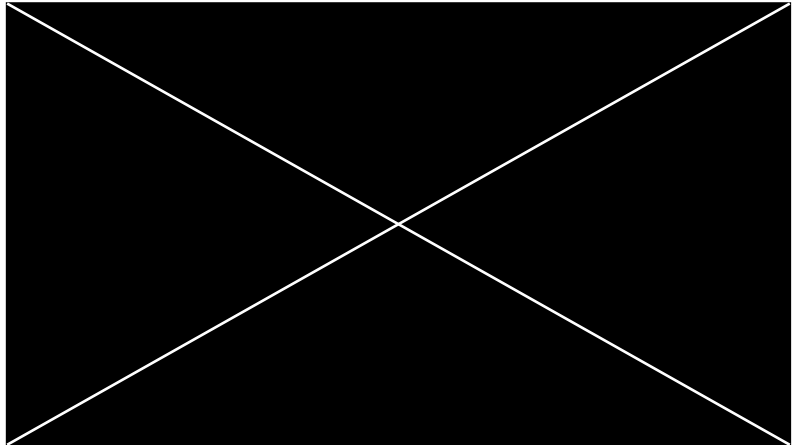


March 10, 2026

To Whom It May Concern / Immigration Judge:

My name is Danay Suarez, and I am a United States citizen residing in Miami, Florida. I am writing this letter in support of Luis Alejandro Chávez Semprún, who has been my hairstylist for several years. During this time I have had the opportunity to know him not only as my stylist but also as a person of excellent character. Luis Alejandro Chávez Semprún is a hardworking, honest, and respectful individual. Throughout all the time I have known him, he has always demonstrated good conduct and has never had any problems. He is a responsible professional who works with dedication and integrity. He is also the father of a young child who depends on him for support, guidance, and stability. His presence in his child's life is extremely important both emotionally and financially. From my personal experience, Luis Alejandro Chávez Semprún is a trustworthy person and a positive member of the community. He is a professional hairstylist who works hard to support himself and his family. For these reasons, I respectfully ask that he be given the opportunity to remain with his family while his immigration case is being resolved. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Danay Suarez  
Miami, FL



## Character Reference Letter

Date: 03/11/2026

Honorable Judge,

I am writing this letter to respectfully provide a character reference for Mr. Luis Alejandro Chaves Semprun, born on 

I have had the opportunity to know Luis Alejandro and can confidently say that he is a respectful, responsible, and hardworking individual. Throughout the time I have known him, he has demonstrated good moral character and a strong sense of responsibility in both his personal and professional life.

Luis Alejandro is someone who treats others with kindness and respect. He values family, community, and maintaining positive relationships with the people around him. In my experience, he has always shown integrity and a willingness to work hard to improve his life and contribute positively to society.

I truly believe that he deserves consideration and the opportunity to continue moving forward in a positive direction. I respectfully ask the Court to take his character and personal qualities into account.

Thank you for taking the time to read this letter and for your consideration.

Respectfully,

Name:

Rafael Marquez

Signature:



Address:

Phone Number:



**UNITED STATES DISTRICT COURT**

**DISTRICT OF ARIZONA**

**PHOENIX DIVISION**

**PROOF OF SERVICE**

I, LUIS ALEJANDRO CHÁVEZ SEMPRÚN, hereby certify under penalty of perjury that a true and correct copy of the foregoing Petition for Writ of Habeas Corpus, Motion for Immediate Release, Motion to Expedite, Temporary Restraining Order, Stay of Removal, and supporting documents were served on the following parties by U.S. Mail on this date:

**1. United States District Court – District of Arizona (Phoenix Division)**

Sandra Day O'Connor U.S. Courthouse  
401 West Washington Street, Suite 130  
Phoenix, AZ 85003

**2. United States Attorney's Office – District of Arizona**

United States Attorney's Office  
Two Renaissance Square  
40 North Central Avenue, Suite 1800  
Phoenix, AZ 85004

**3. Department of Homeland Security (DHS)**

Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, DC 20528

**4. U.S. Immigration and Customs Enforcement (ICE) – Enforcement and Removal Operations (ERO)**

ICE Enforcement and Removal Operations  
2035 North Central Avenue  
Phoenix, AZ 85004

**5. Office of the Principal Legal Advisor (OPLA) – ICE**

Office of the Principal Legal Advisor  
2035 North Central Avenue, Suite 200  
Phoenix, AZ 85004

**6. Warden – Florence Correctional Center**

Florence Correctional Center  
1100 Bowling Road  
Florence, AZ 85132

I certify that service was completed via U.S. Mail, properly addressed and postage prepaid. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4/17/26

A handwritten signature in black ink, appearing to read "Luis Chavez", is written over a horizontal line.

LUIS ALEJANDRO CHÁVEZ SEMPRÚN

Pro Se Petitioner