

1:26-CV-3031

EMERGENCY MOTION FOR IMMEDIATE RELEASE AND PETITION FOR WRIT OF HABEAS CORPUS

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW the Petitioner, Yohandri Correa Hernandez (A#), through supporting family member Ariadna Grasso, respectfully requesting emergency humanitarian relief and immediate release from immigration detention pursuant to 28 U.S.C. § 2241.

Petitioner has remained detained by Immigration and Customs Enforcement (ICE) at Winn Correctional Center for approximately six months. Despite a previously scheduled voluntary departure date of May 7, 2026, Petitioner remains detained without clear resolution.

Petitioner suffers from chronic asthma, a serious respiratory condition requiring continuous monitoring, medication access, and stable environmental conditions. Continued detention substantially increases medical risk and constitutes severe hardship.

Under the Fifth Amendment to the United States Constitution, prolonged civil immigration detention without adequate justification raises substantial due process concerns. Federal courts retain jurisdiction under 28 U.S.C. § 2241 to review the legality of detention that becomes excessive or unreasonable.

Petitioner further relies upon *Zadvydas v. Davis*, 533 U.S. 678 (2001), recognizing constitutional limitations on prolonged immigration detention.

WHEREFORE, Petitioner respectfully requests that this Court:

1. Order immediate humanitarian release from ICE custody;
2. Alternatively, order immediate execution of voluntary departure proceedings;
3. Grant expedited review due to urgent medical necessity; and
4. Grant all other relief the Court deems just and proper.

AFFIDAVIT OF ARIADNA GRASSO

I, Ariadna Grasso, being duly sworn, declare under penalty of perjury that I am the lawful spouse of Yohandri Correa Hernandez.

Mr. Correa Hernandez is currently detained at Winn Correctional Center in Winnfield, Louisiana. His detention has caused severe emotional, financial, and humanitarian hardship to our family.

My husband suffers from chronic asthma. I fear that continued detention may worsen his medical condition and place his health at serious risk.

I respectfully request that the Court grant immediate humanitarian relief and reunite our family.

I declare under penalty of perjury that the foregoing statements are true and correct.

Ariadna Grasso
Date: May 9, 2026

