

FILED

AUG 12 2026

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

UNITED STATES DISTRICT COURT
for the

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CR DEPUTY

Anthony Jose Aldana

Petitioner

v.

Charlotte Collins, Warden of T. Don Hutto
Detention Center, et al.
(See attached list of additional respondents)

Respondent

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

Case No. **1:26CV02223** ABD
(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: Anthony Jose Aldana
(b) Other names you have used: _____
2. Place of confinement: T. Don Hutto Detention Center
(a) Name of institution: _____
(b) Address: 1001 Welch Street, Taylor, Tx, 76574
(c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently: Ant
☐ 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)

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ANTHONY JOSE ALDANA,
Petitioner,

Case No. _____

v.

CHARLOTTE COLLINS, et al.,
Respondents.

ATTACHMENT TO FORM AO-242

LIST OF ADDITIONAL RESPONDENTS

1.Charlotte Collins, Warden of the T. Don Hutto Residential Center.

2.Miguel Vergara, Field Office Director,
ICE Enforcement and Removal Operations, San Antonio Field Office.

3.David J. Venturella, Senior Official Performing the Duties of the
Director U.S. Immigration and Customs Enforcement

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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 Immigration and Customs Enforcement and Removal Operations (ERO), T. Don Hutto Detention Center.

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

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

Petitioner's proloner administrative detention by ICE without an individualized bond hearing or release on bond or parole, while his immigration proceedings remain pending before the Immigration Court.

(d) Date of the decision or action: 07/07/2026

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: Petitioner has not appealed or sought an administrative remedy because Immigration and ICE has not been provided a written custody determination or order final administrative decision. Therefore, no administrative appeal is available to him.

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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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:

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: 07/07/2026
- (b) Date of the removal or reinstatement order: n/a
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ 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: Petitioner did not file a second appeal because no prior administrative appeal was filed or legally available for this constitutional claim.

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: Petitioner did not file a third appeal because no prior administrative remedies or appeals were filed or available.

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) 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's continued immigration detention violates his right To Due Process

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

Petitioner was lawfully processed into the United States through CBP One, was granted parole, timely filed and application for asylum, and has active removal proceedings pending before the immigration Court. He has not criminal history, has family and employment ties in the United States, and continues to be detained by ICE despite having an active immigration case.

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

☐ Yes

☒ No

GROUND TWO: Petitioner's continued detention without an individualized justification violates the Due Process Clause of the Fifth Amendment.

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

ICE has not demonstrated that Petitioner poses a danger to the community or flight risk. Petitioner has no criminal history, has complied with the immigration process, timely filed his asylum application, has family ties in the United States, and is the primary financial provider for his wife and one-year-old child. Despite these circumstances and his pending immigration proceedings, Petitioner remains in ICE custody.

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

☐ Yes

☒ No

GROUND THREE: N/A

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

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

☐ Yes

☒ No

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GROUND FOUR: N/A

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

(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: Petitioner did not exhaust these constitutional claims administratively because the relief sought in this petition concerns the legality of Petitioner's continued detention . The Immigration Court cannot grant the Habeas Corpus relief requested in this action , and requiring further administrative exhaustion would not provide the relief sought.

Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully request that this Court review the legality of this continued detention, grant this Petition for Writ of Habeas Corpus, order Petitioner's release from ICE custody under appropriate conditions , if necessary, and grand such other relief as 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:

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: 07/28/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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ANTHONY JOSE ALDANA,
Petitioner,

Case No. _____

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CHARLOTTE COLLINS, et al.,
Respondents.

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of July, 2026, I caused a true and correct copy of the foregoing Petition for Writ of Habeas Corpus, together with all supporting documents, to be served by United States Mail upon the following:

Stephanie Rico
Civil Process Clerk
Office of the United States Attorney
for the Western District of Texas
601 N.W. Loop 410, Suite 600
San Antonio, Texas 78216-5597

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Charlotte Collins, Warden
T. Don Hutto Detention Center
1001 Welch Street
Taylor, Texas 76574

Miguel Vergara, Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
San Antonio Field Office
1777 NE Loop 410, Suite 1500
San Antonio, Texas 78217

David J. Venturella
Senior Official Performing the Duties of the Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Respectfully submitted,



Anthony Jose Aldana
Petitioner, Pro Se
A# 

Date: 07/28/2026