UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

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Maryury Adela Lopez Galvez

Petitioner,

v.

Kristy Noem, Head of the Department of Homeland Security; Troy Edgar, Deputy Secretary of U.S. Immigration and Customs Enforcement; Todd Lyon, Acting Director of U.S. Immigration and Customs Enforcement; Derek Gordon, Executive Associate Director of U.S. Immigration and Customs Enforcement.

Respondent's

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Docket No. _____

Verified Petition for Habeas Corpus

Judge: _____

Petitioner's Verified Petition for Habeas Corpus

JURISDICTION

1. Jurisdiction in this Habeas Corpus petition is pursuant to 28 U.S.C. 2241.

2. Venue in the Eastern District of New York is appropriate because Petitioner, Maryury Adela Lopez Galvez, lives in Freeport, NY.

3. Petitioner lives in [redacted].

PARTIES

4. Respondent, Kristy Noem, Head of the Department of Homeland Security, and, upon information and belief, has an office at 2801 Nebraska Avenue NW, Washington D.C. 20528.

5. Respondent, Troy Edgar, Deputy Secretary of U.S. Immigration and Customs Enforcement, and, upon information and belief, has an office at 2707 Martin Luther King Jr Avenue SE, Washington D.C. 20528-0525.

6. Respondent, Todd Lyon, Acting Director of U.S. Immigration and Customs Enforcement, and, upon information and belief, has an office at 500 12th Street SW, Washington D.C. 20536.

7. Derek Gordon, Executive Associate Director of U.S. Immigration and Customs Enforcement, and, upon information and belief, has an office 500 12th Street SW, Washington D.C. 20536.

FACTS

8. Petitioner is a native and citizen of Honduras.

9. She was deported from the United States sometime in the past.

10. She returned to the United States with no valid documents on or about August 25, 2023.

11. Petitioner has a daughter, [redacted] who was born in Honduras on [redacted]. [redacted] lives with her mother. Upon information and belief, [redacted] is under psychiatric care for severe phycological issues. [redacted] is seeking relief under Special Immigrant Juvenile Findings. Her mother will be Petitioning for her in Nassau County Family Court.

12. On or about August 21, 2024, Petitioner submitted an application for Withholding of removal, requesting a reasonable fear interview, to the respondent's at the Enforcement and Removal Operations located at 26 Federal Plaza, 9th Floor, Suite 9-110, New York, NY 10278

pursuant to the final order in Alfaro Garcia v. Johnson, 14-cv-01775-YGR (N.D.CA 2014) class action.

13. As a result, the Respondent, DHS issued a letter dated November 5, 2024, stating "The New York Asylum Office is currently not scheduling Reasonable Fear cases. When our office resumes rescheduling you will be notified by mail".

14. Upon information and belief, On June 2, 2025, the Petitioner received a text message stating "Your ice officer has requested for you to present yourself at the office for a review of your case this week. Please, arrive at the office Tuesday, 3rd or Wednesday the 4th of June. If you have any questions, don't doubt in contacting us."

15. On June 3, 2025, the Petitioner appeared in person for her appointment at ISAP located at 6851 Jericho Tpke, Suite 235, Syosset, NY 11791. On that same day she was given a future appointment for June 16, 2025, at the same location to review her case.

16. Upon information and belief, On June 3, 2025, petitioner was told by an ISAP officer that she had 30 days from that date to depart from the United States. She was told to get her things in order and make the arraignments she needed to take her daughter with her to her home country.

17. Petitioner was rescheduled to return to ISAP on June 16, 2025.

18. The Petitioner's removal from the United States will violate the federal court order in Alfaro Garcia.

19. The Respondents are refusing to allow other individuals to have an interview under Alfaro Garcia, Thus they are implementing a policy on a broad scale to intentionally violate the court order in Alfaro Garcia.

FIRST CLAIM

20. Petitioner repeats the factual claims in paragraph 1 through 19 and incorporates them into this claim.

21. The Respondents are pushing the Petitioner to leave the United States without allowing her the required interview according to the order in Alfaro Garcia.

22. The Respondents are violating the court order in Alfaro Garcia.

RELIEF REQUESTED

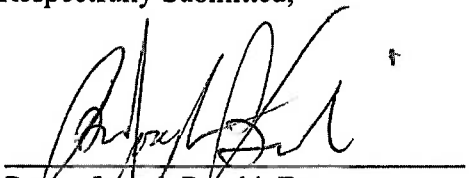
23. WHEREFORE, The Petitioner respectfully requests a stay of Removal to allow her to be present for her interview pursuant to Alfaro Garcia order and for such further relief as such court determines to be appropriate and for such further relief as to discourage respondents for violating court orders.

ATTORNEY VERIFICATION

I, Bruno Joseph Bembi, attorney at law, verify and affirm that the above factual allegations are true, except for those stated upon information and belief, and as to those statements, I have good reason to believe they are true.

June 9, 2025

Respectfully Submitted,



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