

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WILFREDO RAMIREZ RIVERO

Petitioner-Plaintiff,

v.

KRISTI NOEM et al.,

Respondents-Defendants.

Case No. 3:25-cv-01702-D-BK

**MOTION FOR PRELIMINARY INJUNCTION ORDERING RELEASE PENDING
FINAL JUDGMENT**

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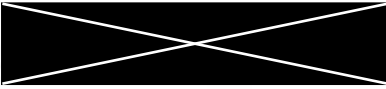
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INTRODUCTION

Petitioner, Wilfredo Ramirez Rivero, respectfully requests this Court exercise its authority under the All Writs Act, 28 U.S.C. § 1651, the habeas corpus statute, 28 U.S.C. § 2241, and its inherent equitable authority to issue a preliminary injunction directing Respondents to release him during the pendency of these proceedings.

Mr. Ramirez, a lawful permanent resident without any criminal history, is currently in custody at the Prairieland Detention Center located at 1209 Sunflower Lane, Alvarado, Texas 76009.

FACTUAL BACKGROUND

Mr. Ramirez was born in Venezuela on  App. at 7 (Exh. 2, Mr. Ramirez's Biographic Passport Page). Mr. Ramirez entered the United States as a B-2, Visitor for Pleasure, on January 27, 2015, and was given authorization to stay in the United States until July 26, 2015. App. at 8 (Exh. 3, I-94). Mr. Ramirez remained in the United States beyond the authorized period, and was subsequently charged by the Department of Homeland Security ("DHS" or the "Government") with removability pursuant to the Immigration and Nationality Act ("INA") § 237(a)(1)(B), 8 U.S.C. § 1227(a)(1)(B), as an alien who, after admission as a nonimmigrant, remained in the United States for a time longer than permitted. App. at 13 (Exh. 5, Second Notice to Appear).

On March 20, 2025, Immigration and Customs Enforcement ("ICE")/ Enforcement Removal Operations ("ERO"), Homeland Security Investigations ("HSI"), Alcohol Tobacco and Firearms ("ATF"), Florida Highway Patrol ("FHP"), Okaloosa County Sheriff's Office ("PCSO"), and the Florida Department of Law Enforcement ("FDLE") went to Mr. Ramirez's home located at 630 Lloyd St., Fort Walton Beach, FL 32547 on the suspicion that Petitioner

was part of Tren de Aragua. App. at 10-11 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien). Officers and agents waited for Mr. Ramirez to leave his home to then conduct a vehicle stop and detain him. *Id.* at 10.

Following his arrest, DHS issued the initial Notice to Appear (“NTA”) on March 20, 2025, which an Immigration Judge at La Salle Immigration Court dismissed on April 7, 2025, for being insufficient. App. at 16, n.2 (Exh. 6, Memorandum of Custody Redetermination). Petitioner’s counsel believes that the initial NTA contained only a charge of removability pursuant to INA §237(a)(1)(B), 8 U.S.C. §1227(a)(1)(B), as listed in the I-213, Record of Deportable/Inadmissible Alien. *See* App. at 12 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien). However, Petitioner’s counsel does not have access to the initial NTA to confirm the initial charge of removability and there is reference to other names that are not Mr. Ramirez, such as “MARTINEZ” and “MOLINA”, which bring into question the accuracy of the document. *See* App. at 11, 12 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien). On April 7, 2025, DHS issued a second NTA with a charge of removability pursuant to INA §237(a)(1)(B), 8 U.S.C. § 1227(a)(1)(B), as an alien who remained in the United States longer than permitted after being admitted as a nonimmigrant. App. at 13 (Exh. 5, Second Notice to Appear).

On April 10, 2025, Petitioner was granted bond, however, he remained in detention because DHS appealed the Custody Redetermination decision issued by Immigration Judge Jennifer A. May at the LaSalle Immigration Court. *See* App. at 16 (Exh. 6, Memorandum of Custody Redetermination); App. at 20 (Exh. 7, Screenshot from ECAS System Demonstrating Appeal of Bond). The alleged affiliation with Tren de Aragua was addressed at the bond hearing, where Mr. Ramirez testified that he is not a member of Tren de Aragua, and DHS “failed to

provide any additional evidence to support [] allegations [that Mr. Ramirez is affiliated with Tren de Aragua].” App. at 17 (Exh. 6, Memorandum of Custody Redetermination). In the Immigration Judge’s memorandum and order granting bond, the Immigration Judge found that Mr. Ramirez was not a danger to the community and not a flight risk. *Id.* at 17, 18.

On or about April 15, 2025, Mr. Ramirez was moved from LaSalle Detention Facility located at 830 Pinehill Road, Jena, LA 71342, to Bluebonnet Detention Facility located at 400 E 2nd Street, Anson, TX 79501. *See* App. at 21 (Exh. 8, I-830E, Notice to EOIR: Alien Address).

On May 29, 2025, Mr. Ramirez presented his case in support of his Application for Cancellation of Removal for Certain Nonpermanent Residents under INA § 240A(b)(1), 8 U.S.C. §1229b (b)(1), (“42B Application”) where he was subject to cross-examination by DHS. *See* App. at 22 (Exh. 9, Order of the Immigration Judge); App. at 2 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero). On May 29, 2025, Mr. Ramirez was granted residency by Immigration Judge Michael Pleters at El Paso SPC Immigration Court, pursuant to an approval of Mr. Ramirez’s 42B Application. *See* App. at 22 (Exh. 9, Order of the Immigration Judge). DHS waived appeal of the May 29, 2025, decision granting Mr. Ramirez residency. *Id.* at 25. Following the grant of residency, Mr. Ramirez was issued an approval notice from U.S. Citizenship and Immigration Services (“USCIS”) on June 3, 2025. App. at 26 (Exh. 10, I-797, Notice of Action – Approval Notice from USCIS).

On June 16, 2025, DHS issued a third NTA, charging Mr. Ramirez with removability pursuant to INA § 237(a)(1)(A), 8 U.S.C. §1227(a)(1)(A), as an alien who at the time of entry or adjustment of status was within one or more classes of inadmissibility, and inadmissibility pursuant to INA § 212(a)(6)(C)(i), 8 U.S.C. §1182(a)(6)(C)(i), as an alien who by fraud or willful misrepresentation of a material fact procured a visa, other documentation or admission

into the U.S. or other benefit provided under the INA. App. at 28 (Exh. 11, Third Notice to Appear). The factual allegations on the NTA state that Mr. Ramirez “procured [his] admission, visa, adjustment, or other documentation or benefit by fraud or by willfully misrepresenting a material fact, to wit: failing to disclose Tren de Aragua membership on application(s) for relief.” *Id.* However, Mr. Ramirez is not a member of Tren de Aragua; Mr. Ramirez has testified that he is not a member of Tren de Aragua and maintains that he is not a member of Tren de Aragua. App. at 1 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero); App. at 17 (Exh. 6, Memorandum of Custody Redetermination).

On or about June 25, 2025, Mr. Ramirez was moved to the Prairieland Detention Center located at 1209 Sunflower Lane, Alvarado, Texas 76009. App. at 2 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero); App. at 34 (Exh. 13, ICE Detainee Locator). Mr. Ramirez currently has a Master Hearing scheduled for July 24, 2025, before the Executive Office for Immigration Review (“EOIR”) at the El Paso SPC Immigration Court. App. at 32 (Exh. 12, Notice of Internet-Based Hearing).

There has been no change in the underlying facts or circumstances between the date of Mr. Ramirez’s Individual Hearing, where he prevailed before the EOIR, and the issuance of the third NTA that would justify or explain the government’s decision to issue it. *See* App. at 2 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero).

LEGAL STANDARD

“To obtain a preliminary injunction, a movant must establish: (1) a substantial likelihood of success on the merits, (2) a substantial threat of irreparable injury if the injunction is not issued, (3) that the threatened injury if the injunction is denied outweighs any harm that will result if the injunction is granted, and (4) that the grant of an injunction will not disserve the

public interest.” *Garcia v. Jones*, 910 F.3d 188, 190 (5th Cir. 2018) (citing *Jones v. Tex. Dep’t of Criminal Justice*, 880 F.3d 756, 759 (5th Cir. 2018) (quoting *Byrum v. Landreth*, 566 F.3d 442, 445 (5th Cir. 2009))).

Additionally, for a petitioner to be released pending habeas review, they must demonstrate that they have “raised substantial constitutional claims upon which he has a high probability of success,” and that “extraordinary or exceptional circumstances exist which make the grant of bail necessary to make the habeas remedy effective.” *Calley v. Callaway*, 496 F.2d 701, 702 (5th Cir. 1974). This rule has been applied in the Fifth Circuit to immigration detention circumstances. *See Davis v. Bragg*, 298 Fed. Appx. 301, 302 (5th Cir. 2008); *Hanna v. I.N.S.*, 102 F.3d 549, 549 (5th Cir. 1996).

ARGUMENT

A. Mr. Ramirez’s Petition Raises Substantial Claims that Are Likely to Succeed on the Merits.

a. Mr. Ramirez’s detention is a violation of his right to procedural due process.

To determine whether administrative procedures are constitutionally sufficient, the Court must weigh three factors (1) the private interest that will be affected by the official action, (2) the risk of erroneous deprivation of that interest through the available procedures, and (3) the Government’s interest. *See Matthews v. Eldridge*, 424 U.S. 319, 335 (1976). All of these factors weigh in Mr. Ramirez’s favor.

Freedom from imprisonment, including government detention, is central to the liberty protected by the Fifth Amendment. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Mr. Ramirez’s has a substantial personal interest given that his interest is his freedom from government detention, the liberty that “lies at the heart of the [Due Process] Clause protects”. *See id.*

The risk of erroneous deprivation of Mr. Ramirez's liberty interest is extremely high, given that an Immigration Judge has already determined that Mr. Ramirez does not pose a danger to society and is not a flight risk, which renders his detention unnecessary. *See App.* at 17, 18 (Exh. 6, Memorandum of Custody Redetermination). Furthermore, Mr. Ramirez was granted lawful permanent residency while in detention and both parties, Mr. Ramirez and the Government, waived their right to appeal, making the order from the Immigration Judge granting residency final. *See App.* at 22 (Exh. 9 Order of the Immigration Judge). Despite this, Mr. Ramirez remained in custody and a third Notice to Appear was filed by the Department of Homeland Security in an attempt to justify the further detention of Mr. Ramirez. *See App.* at 28 (Exh. 11, Third Notice to Appear). The factual basis of the Notice to Appear is "fail[ure] to disclose Tren de Aragua membership", however, Mr. Ramirez is not and has never been a member of Tren de Aragua. *See App.* at 28 (Exh. 11, Third Notice to Appear). *But see App.* at 1 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero).

Mr. Ramirez is not and has never been a member of or affiliated with Tren de Aragua. *App.* at 1 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero). This has not changed since the grant of his residency. *Id.* Mr. Ramirez is a lawful permanent resident with no criminal history. *App.* at 1 (Exh. 1, Sworn Declaration of Wilfredo Ramirez Rivero), *see App.* at 22 (Exh. 9, Order of the Immigration Judge). The Government suspected Mr. Ramirez of affiliation even before his arrest and detention, giving it ample time to gather and present evidence: both before and after his arrest, during his custody redetermination hearing, and at his individual hearing. *See App.* at 10-11 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien). Yet, at every stage, the Government failed to present any evidence to support its baseless allegations. By issuing a third

Notice to Appear, the Government is now seeking to relitigate issues it has already had multiple opportunities to prove but has repeatedly failed to do.

In the present case, Mr. Ramirez's detention was found to be unnecessary, but the Department of Homeland Security appealed the Custody Redetermination, which automatically prevents the Immigration Judge's Custody Redetermination Order from going into effect. *See* 8 C.F.R. § 1003.19(i)(2); App. 20, (Exh. 7, Screenshot of ECAS System Demonstrating Appeal of Bond). Mr. Ramirez lacks any opportunity to be meaningfully heard because there is no way to further contest Mr. Ramirez's confinement because he has already been granted bond and granted relief. *See Mathews*, 424 U.S. at 333 (explaining that "[t]he fundamental requirement of due process is the opportunity to be heard 'at a meaningful time and in a meaningful manner'")

The Department of Homeland Security has created a situation that has removed Mr. Ramirez's opportunities to be heard by continuing to detain him after being granted bond and relief for removal. When Mr. Ramirez was granted bond, the Department of Homeland Security appealed the decision, which automatically prevents the Immigration Judge's Custody Redetermination Order from going into effect. *See* 8 C.F.R. § 1003.19(i)(2). Then, Mr. Ramirez was granted Lawful Permanent Resident status, removing any lawful basis for his detention. The INA grants the Government the power to detain aliens pursuant to following: § 232, 8 U.S.C. §1222, which concerns detention for physical and mental examinations; § 235, 8 U.S.C. §1225, which requires detention of aliens applying for admission; § 236, 8 U.S.C. §1226, which allows for detention pending a decision on removability; § 236A, 8 U.S.C. §1226a, which requires detention of suspected terrorists; § 238, 8 U.S.C. §1228, which concerns the detention of aggravated felons; §241, 8 U.S.C. §1231, which concerns detention of aliens ordered removed; §252, 8 U.S.C. §1282, which allows for the detention of aliens that are not bona fide crewmen;

and § 287, 8 U.S.C. §1357, which concerns detention of aliens with controlled substance violations. None of these provisions apply to the present case.

Given that Mr. Ramirez is a lawful permanent resident, with no criminal history, and no affiliation to Tren de Aragua, the risk of an erroneous deprivation of his liberty is extremely high. This risk is further amplified by the previous finding that Mr. Ramirez is not a danger to society and is not a flight risk. *See App. at 17, 18 (Exh. 6, Memorandum of Custody Redetermination).*

Further, the Government's interest is minimal. The Government cannot claim a legitimate ongoing interest in pursuing allegations it has repeatedly failed to substantiate. Respondents will likely argue that the Government has a national security interest given its suspicion of Petitioner's affiliation. *See App. at 12 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien).* However, this claim is unsupported given that the Government has had numerous opportunities to argue Petitioner's affiliation to Tren de Aragua and has repeatedly failed. The Government suspected Mr. Ramirez of an affiliation with Tren de Aragua prior to his arrest, affording it more than sufficient time to collect and present any supporting evidence. *Id.* Despite these multiple opportunities—before his arrest, during his custody redetermination hearing, and at his individual hearing—the Government failed to produce anything to suggest that Petitioner has any affiliation with the Tren de Aragua. Following the Custody Redetermination Hearing, the Immigration Judge identified the deficiencies in DHS's case, effectively placing the Government on notice and affording it ample time to remedy those shortcomings before the Individual Hearing. *See App. at 17 (Exh. 6, Memorandum of Custody Redetermination).* This was not the result of any procedural safeguard, but rather a matter of circumstance that benefitted the Government. Nevertheless, the Government failed to address its unsubstantiated claims

regarding Tren de Aragua at the Individual Hearing and ultimately waived its right to appeal the decision granting Mr. Ramirez lawful permanent residency. *See App.* at 25 (Exh. 9, Order of the Immigration Judge). The Government's interest is more accurately described as an interest in securing a predetermined outcome despite repeated failures, which is simply improper and unconstitutional.

Given Mr. Ramirez's weighty interest in his liberty, the high risk of erroneous deprivation of that liberty, and the low weight of the Government's interest, it is evident that Mr. Ramirez has raised a substantial claim that his continued confinement violates his procedural due process rights.

b. Mr. Ramirez's detention is a violation of his right to substantive due process.

Given that Mr. Ramirez has only ever been in civil proceedings, there is no punitive purpose, instead the goals of civil detention are to ensure attendance at future immigration proceedings and to prevent danger to the community. *See Zadvydas*, 533 U.S. at 690. An Immigration Judge has already determined that Mr. Ramirez does not pose a danger to society and is not a flight risk, which renders his detention unnecessary. *See App.* at 17, 18 (Exh. 6, Memorandum of Custody Redetermination). 8 C.F.R §1236.1(c)(8) also requires that the alien demonstrate to the satisfaction of the Immigration Judge or officer that the alien would not pose a danger to society and that the alien would appear at any future proceedings.

In Mr. Ramirez's Custody Redetermination Hearing, he demonstrated by clear and convincing evidence that he is not a danger to the community. *App.* at 17 (Exh. 6, Memorandum of Custody Redetermination). Mr. Ramirez has no criminal history. *Id.* at 18. While the Department of Homeland Security alleges that Mr. Ramirez is affiliated with Tren de Aragua, Mr. Ramirez testified under oath that he is not a member of Tren de Aragua. *Id.* at 17. The

Department of Homeland Security failed to present any evidence to substantiate its claim beyond the I-213, Record of Deportable/Inadmissible Alien, which itself is unreliable: listing multiple names that do not belong to Mr. Ramirez, such as “MOLINA” and “MARTINEZ”. *Id.* at 17. *See* App. at 11, 12 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien). This calls into question the accuracy of the I-213, which further undermines the Government’s unsubstantiated allegation.

Preventing flight, which refers to avoiding removal in immigration cases, is not a concern in this case given that Mr. Ramirez is a Lawful Permanent Resident with no criminal history; there is no legal basis for his removal or his removal proceedings. Nevertheless, Mr. Ramirez demonstrated that he is not a flight risk through his application for relief, his strong family ties to the U.S., his consistent employment, and his lack of a criminal record. App. at 18 (Exh. 6, Memorandum of Custody Redetermination). Given that Mr. Ramirez does not pose a threat to the community and he is not a flight risk, Mr. Ramirez’s detention appears to be purely for punitive purposes. The Government’s continued detention of Mr. Ramirez suggests an attempt to penalize Mr. Ramirez for winning on the merits of his case or to shift the consequences of its own litigation choices, i.e. not present evidence of the alleged affiliation and waiving appeal.

Although the Department of Homeland Security appealed the grant of Mr. Ramirez’s bond, Mr. Ramirez has since won his residency, making DHS’s appeal of the bond determination moot. *See Board of Immigration Appeals Practice Manual*, Chapter 7.4 - Mootness. Given that an Immigration Judge has already found that Mr. Ramirez poses no threat of danger to the community or flight risk that would justify such a detention and Mr. Ramirez has since been granted relief from removal, Mr. Ramirez’s continued detention is for an improper purpose, which violates his substantive due process rights.

B. Equitable Considerations Strongly Support Immediate Preliminary Relief, and the Petition Demonstrated Extraordinary Circumstances Warranting Relief.

a. The remaining factors favor the grant of a preliminary injunction.

The remaining factors favoring the grant of a preliminary injunction are: a substantial threat of irreparable injury if the injunction is not issued; that the threatened injury if the injunction is denied outweighs any harm that will result if the injunction is granted; and that the grant of an injunction will not disserve the public interest. *See Garcia*, 910 F.3d at 190 (citing *Jones*, 880 F.3d at 759 (quoting *Byrum*, 566 F.3d at 445)).

An injury can only be considered “irreparable” if it cannot be undone through monetary remedies. *Deerfield Medical Center v. City of Deerfield Beach*, 661 F.2d 328, 338 (5th Cir. 1981). In the present case, Mr. Ramirez’s harm cannot be undone through monetary remedies. “[T]he loss of constitutional freedoms ‘for even minimal periods of time ... unquestionably constitutes irreparable injury.’” *See BST Holdings, L.L.C. v. Occupational Safety & Health Admin.*, 17 F.4th 604, 618 (5th Cir. 2021) (citing *Elrod v. Burns*, 427 U.S. 347, 373 (1976)). Mr. Ramirez is currently enduring an unlawful detention in violation of his Fifth Amendment rights to both procedural and substantive due process. This deprivation of his constitutional liberty even for a brief period, constitutes irreparable harm, as the Government has no lawful authority to continue detaining him.

The hardships and public interest “factors merge when the Government is the opposing party.” *Nken v. Holder*, 556 U.S. 418, 435 (2009). In the present case, an Immigration Judge has already evaluated the Government’s interest in Mr. Ramirez’s detention and found that release is warranted. *See App.* at 18 (Exh. 6, Memorandum of Custody Redetermination). Additionally, because Mr. Ramirez’s detention is in violation of the Constitution, the Government’s only remaining interest is in detaining him unconstitutionally, which amount to “no harm at all”. *See*

McDonald v. Longley, 4 F.4th 229, 255 (5th Cir. 2021). Petitioners will likely argue that the Government's interest is relation to national security due to its concerns about Tren de Aragua. *See App.* at 12 (Exh. 4, I-213, Record of Deportable/Inadmissible Alien). However, these concerns were known to DHS prior to the Individual Hearing, where the Government waived appeal; in fact, these concerns were known to the Government prior to Mr. Ramirez's arrest. *Id.* Had there been any support to the Government's baseless allegations, it could have to addressed them at the Individual Hearing and could have elected to further address them before the BIA in the form of an appeal, as it did with the Custody Redetermination decision. The Government's issuance of a third NTA is merely an attempt to justify the continued detention of a Lawful Permanent Resident with no criminal record, whose only alleged connection to Tren de Aragua is his Venezuelan nationality. This comes despite the Government having had multiple opportunities to present *any* evidence to support its unfounded allegations and failing to do so at every stage. The issuance of a third Notice to Appear seems to be an effort to revisit and relitigate claims the Government has consistently been unable to prove.

b. Extraordinary circumstances exist which make the grant of release necessary to make the habeas remedy effective.

In assessing whether exceptional circumstances exist, the central question is whether granting bail is necessary to ensure that the habeas remedy remains effective. *Calley*, 496 F.2d at 702. In the present case, Mr. Ramirez was awarded Cancellation of Removal for Certain Nonpermanent Residents under INA § 240A(b)(1), 8 U.S.C. §1229b (b)(1). This relief from removal requires that an applicant be physically present in the U.S. for at least ten years immediately preceding the filing of the application; be of good moral character both statutorily and as a matter of discretion; not have been convicted, as defined by the INA, which includes dispositions that would not normally be considered a "conviction", of a disqualifying crime; and,

most importantly, must establish that removal would result in “exceptional and extremely unusual hardship” to a qualifying relative, which is a U.S. Citizen or lawful permanent resident spouse, parent, or child. INA § 240A(b)(1), 8 U.S.C. §1229b (b)(1).

Cancellation of Removal for Certain Nonpermanent Residents is an extraordinary and rare relief both due to its difficult-to-reach requirements and infrequency of approvals. The Congressional Research Service reported that in the 2024 fiscal year, only about 6% of all initial case decisions issued by the Executive Office for Immigration Review (“EOIR”) were granted relief, which includes relief other than Nonpermanent Resident Cancellation, such as asylum. App. at 37 (Exh. 14, FY 2024 Immigration Court Data: Case Outcomes from CRS). The EOIR reported that thus far in 2025, the same figure is at approximately 5%. App. at 40 (Exh. 15, EOIR Adjudication Statistics). It is difficult and rare to win Cancellation of Removal for Certain Nonpermanent Residents, but Mr. Ramirez has. That figure must become even more vanishingly small when limited to those who not only won Cancellation of Removal for Certain Nonpermanent Residents but were later re-charged through a new Notice to Appear.

Mr. Ramirez has already proven, through a prior grant of Cancellation of Removal for Certain Nonpermanent Residents, that his removal would result in exceptional *and* extremely unusual hardship to his severely autistic, U.S. Citizen son. *See* App. at 22 (Exh. 9, Order of the Immigration Judge). That same level of hardship persists today, as Mr. Ramirez’s continued detention has deprived his son of his daily presence, care, and support, resulting in ongoing harm that mirrors the very hardship that previously warranted relief under the law.

Given these facts, extraordinary circumstances exist, particularly in light of the Mr. Ramirez’s attainment of residency through a grant of his 42B Application, that compel the grant of release to preserve the effectiveness of the habeas remedy, as Mr. Ramirez’s continued

detention serves no lawful purpose, exacerbates irreparable harm, and violates the fundamental constitutional rights at stake

CONCLUSION

For the foregoing reasons, the Court should grant this Motion for Preliminary Injunction Ordering Release Pending Final Judgment, and order Respondents to release Mr. Ramirez pending the resolution of this case on the merits.

Respectfully submitted,

/s/ Kenia Garcia

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Dated: July 16, 2025

CERTIFICATE OF SERVICE

I certify that on July 16, 2025, a true and correct copy of this document was mailed to
counsel of record for Respondents-Defendants at:

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Dated this 16th day of July 2025.

s/Kenia Garcia
Kenia Garcia

CERTIFICATE OF CONFERENCE

I certify that on July 15, 2025, Kenia Garcia for Petitioner-Plaintiff and Ann Cruce-Haag
for Respondents-Defendants conferred via email. Respondents-Defendants are opposed.

Dated this 16th day of July 2025.

s/Kenia Garcia
Kenia Garcia