

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Jose Roldan RAMIREZ GOMEZ,

Petitioner,

v.

Donald J. TRUMP, in his official capacity as
President of the United States;

Russell HOTT, in his official capacity as Field
Office Director of Washington, Immigration and
Customs Enforcement;

Jeff CRAWFORD, in his official capacity as
Warden of Farmville Detention Center;

Todd LYONS, Acting Director,
U.S. Immigration and Customs Enforcement;

Kristi NOEM, in her official capacity as Secretary
of the United States Department of Homeland
Security;

Pamela BONDI, in her official capacity as Attorney
General, U.S. Department of Justice,

Respondents.

Case No. 1:25-cv-1443

**PETITION FOR
WRIT OF HABEAS CORPUS
AND COMPLAINT**

INTRODUCTION

1. Petitioner Jose Roldan Ramirez Gomez (“Petitioner” or “Mr. Ramirez Gomez”), is a 45 year-old Guatemalan national who is married and has four US citizen children. He is a resident of Maryland and has been living and working in the United States since 2003.

2. On or about August 28, 2025, Mr. Ramirez Gomez was arrested, abruptly and without warning by a group of masked men purporting to be ICE officers who performed what appears to be an illegal traffic stop on Georgia Ave, NW in Washington, DC. The purported

“officers” were in an unmarked blue Ford with Texas license plates.

3. Mr. Ramirez Gomez is in the United States lawfully, with a pending case for cancellation of removal for certain nonpermanent residents, has a work permit, and a valid driver’s license. Nevertheless, he was handcuffed without explanation and taken to ICE’s Washington Field Office in Chantilly, VA, where he was held for most of the day before, upon information and belief, before being transferred to the Farmville Detention Center.

4. There has been no stated reason for the unlawful arrest.

5. Upon information and belief, Mr. Ramirez Gomez is now detained at ICE’s Farmville, VA detention center.

6. Unlawful detention or removal without process or explanation violates the United States Constitution and the applicable statutory and administrative frameworks.

7. Mr. Ramirez Gomez thus petitions this Court for a Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241, to remedy his unlawful detention by Respondents.

PARTIES

8. Petitioner Jose Roldan Ramirez Gomez is a citizen of Guatemala and has been living in the United States since 2003.

9. Respondent Donald J. Trump is named in his official capacity as the President of the United States. In this capacity, he is responsible for the policies and actions of the executive branch, including the Department of State and Department of Homeland Security. Respondent Trump’s address is the White House, 1600 Pennsylvania Ave. NW, Washington, D.C. 20500.

10. Respondent Russell Hott is named in his official capacity as the Acting Field Office Director of the Washington Field Office for Immigration and Customs Enforcement (“ICE”) within the United States Department of Homeland Security. In this capacity, he is responsible for

the administration of immigration laws and the execution of detention and removal determinations and is a custodian of Petitioner. Respondent Hott's address is Washington ICE ERO Field Office, 14797 Murdock St., Chantilly, VA 20151.

11. Respondent Jeff Crawford is the warden of the Caroline Detention Center where, upon information and belief, Petitioner is or will be detained. Mr. Crawford is the highest ranking official at the Caroline Detention Center. In this capacity, he is responsible for the immediate execution of detention over Petitioner and is the immediate custodian of Petitioner. Respondent Crawford's address is Farmville Detention Center, 508 Waterworks Rd, Farmville, VA 23901.

12. Respondent Todd Lyons is the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in the Eastern District of Virginia; is legally responsible for pursuing any effort to remove the Petitioner; and as such is a custodian of the Petitioner. His address is ICE, Office of the Principal Legal Advisor, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.

13. Respondent Kristi Noem is named in her official capacity as the Secretary of Homeland Security in the United States Department of Homeland Security. In this capacity, she is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(a) (2007); routinely transacts business in the Eastern District of Virginia; is legally responsible for pursuing any effort to detain and remove the Petitioner; and as such is a custodian of the Petitioner. Respondent Noem's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528-0485.

14. Respondent Pamela Bondi is the Attorney General of the United States. In this capacity, she routinely transacts business in the Eastern District of Virginia; is responsible for the

administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(g) (2007); and as such is a custodian of the Petitioner. Respondent Bondi's address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530- 0001.

JURISDICTION & VENUE

15. This case arises under the United States Constitution. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), Art. I § 9, cl. 2 of the U.S. Constitution ("the Suspension Clause"), 28 U.S.C. § 1331 (federal question jurisdiction), Article III of the U.S. Constitution, the Administrative Procedure Act, 5 U.S.C. §701 et seq.

16. Federal district courts have jurisdiction to hear habeas claims by non-citizens challenging both the lawfulness and the constitutionality of their detention. *See, e.g., Zadvydas*, , 533 U.S. 678, 687 (2001); *Aguilar v. Lewis*, 50 F. Supp. 2d 539 (E.D. Va. 1999).

17. An actual and justiciable controversy exists between the parties under 28 U.S.C. § 2201, and this Court has authority to grant declaratory and injunctive relief. *Id.* §§ 2201, 2202. The Court has additional remedial authority under the All Writs Act, 28 U.S.C. § 1651.

18. Administrative exhaustion is unnecessary as it would be futile. *See, e.g., Aguilar*, 50 F. Supp. 2d at 542-43.

19. Venue is proper in this district and division pursuant to 28 U.S.C. § 2241(c)(3) and 28 U.S.C. § 1391(b)(2) and (e)(1) because a substantial part of the events or omissions giving rise to this action occurred and continue to occur at Farmville Detention Center in Farmville, Caroline County, Virginia within this district.

20. Upon information and belief, Mr. Ramirez Gomez is physically within the Commonwealth of Virginia.

21. Petitioner entered the United States on or about January 23, 2003 without inspection. He had been placed in removal proceedings at an unknown time and applied for asylum as well as cancellation of removal for non-permanent residents (“42B”).

22. Petitioner is married and has four US citizen children ranging from 4 to 19 years of age. He is a licensed “master plumber” and has no criminal record, and has a valid Maryland driver’s license and valid work permit not slated to expire until 2029.

23. Upon information and belief, Petitioner’s removal proceedings were “administratively closed” on or about November 12, 2015 by the Baltimore, Maryland immigration court.

24. On Thursday, August 28, 2025 Petitioner was a passenger in a work van being driven by a colleague heading to various job sites in Washington, DC. Around 10:10 AM after finishing their first job, the van headed to the next job on N St NW. The driver of the work van had noticed two cars with Texas license plates at their first job that had not moved for some time.

25. About 10 minutes into the drive on Georgia Ave. NW, the driver heard a patrol siren. Rear visibility being limited in the large work van, the driver could not tell whether the siren was for him or not. The siren sounded again, but it was from an unmarked blue Ford, not a patrol car.

26. The driver had not broken any traffic laws. Nevertheless, he pulled over at 4000 Georgia Ave. NW. The driver of the blue Ford took a long time to exit the vehicle.

27. As the driver and Petitioner waited, more unmarked cars, also with Texas license plates, began to show up, including one car that the driver had observed parked at the first job site. The driver then realized these cars had been following him the whole morning.

28. The driver of the blue Ford with Texas plates asked for Petitioner’s colleague’s

license and the registration. The driver asked why he was stopped, and was told something about “checking legal status and license.”

29. None of the purported officers who stopped Petitioner’s work van identified themselves as officers.

30. Another person who at one point may have been wearing a mask approached Petitioner in the passenger seat and asked him for his identification, telling him to roll down the window. Petitioner complied and handed over his license. This person asked what country Petitioner was from. Petitioner responded that all the information needed was on the driver’s license he handed over and that he would not answer any more questions.

31. The person ordered Petitioner out of the van, opened the door, grabbed him, and pulled him out of the van. They handcuffed him without explanation and led him to a gold-colored Ford Explorer, also with Texas plates.

32. After Petitioner was taken away, one of the purported “officers” returned the driver’s license of the work van driver, explaining that his legal status was in order. The driver overheard a conversation where one of the men asked about Petitioner, and responded that Petitioner “only had a work permit” which “wasn’t sufficient evidence” to let him go.

33. At no point during the encounter was any personal information or identification provided.

34. Petitioner was taken for processing at ICE-Chantilly and then after some hours moved to Farmville, VA where he, upon information and belief, is currently detained.

CLAIMS FOR RELIEF

FIRST CLAIM

Violation of the Due Process Clause of the Fifth Amendment to the United States Constitution

35. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

36. The Constitution establishes due process rights for “all ‘persons’ within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

37. The government’s detention of Mr. Ramirez Gomez is wholly unjustified. The government has not demonstrated that Mr. Ramirez Gomez—a business owner, father, husband, and taxpayer—needs to be detained. *See Zadvydas*, 533 U.S. at 690. There is no credible argument that Mr. Ramirez Gomez cannot be safely released back to his family.

38. Petitioner is neither a danger nor a flight risk. He was detained in a raid resulting from an illegal traffic stop, not any sort of checkpoint, without regard to their immigration history, assessed risk of flight or danger, and with no notice or due process.

39. Because Mr. Ramirez Gomez’s detention has been unaccompanied by the procedural protections that such a significant deprivation of liberty requires under the Due Process Clause of the Fifth Amendment to the U.S. Constitution, his continued detention is unlawful. *See Matthews v. Eldridge*, 424 U.S. at 332. Infringing upon a protected interest at the very least triggers a right to a hearing before that right is deprived. *See Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 569-70 (1972).

40. There is no order of removal, Petitioner has already been processed in removal proceedings, and a determination was made by ICE to not detain him, and his case was

administratively closed in 2015, and there is no criminal record or any indication of danger to society. To the contrary, Petitioner is a “master plumber” – a hard-earned title, and has several other licenses and certifications, is a loving father to his 4 US citizen children, a doting husband to his wife, and a well-liked member of his faith community.

41. For the foregoing reasons, Respondents’ abrupt detention of Petitioner violated his substantive and procedural due process rights.

SECOND CLAIM

Violation of the Immigration and Nationality Act (INA) and Implementing Regulations

42. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

43. The abrupt and unnecessary detention and potential removal of Mr. Ramirez Gomez by Immigration and Customs Enforcement where determinations have already been made with regard to his removability and no further documentation or notice laying out the basis for arrest and detention, violates the INA’s structure and purpose, and the constitutional and statutory right to seek immigration relief without undue government interference.

44. Respondent’s sudden detention of Mr. Ramirez Gomez, in the absence of any legal necessity, is arbitrary and capricious, contrary to law, and violative of statute and agency practice.

THIRD CLAIM

Violation of the Administrative Procedure Act

45. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

46. Under the APA, “final agency action for which there is no other adequate remedy

in a court [is] subject to judicial review.” 5 U.S.C. § 704. The reviewing Court “shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law,” or “unsupported by substantial evidence.” 5 U.S.C. §§ 706(2)(A), (E).

47. The decision to detain Mr. Ramirez Gomez, who already had been encountered by ICE, placed in removal proceedings, and had his case administratively closed nearly ten years ago, allowing him to continue to build his life in the United States must be reviewed by this Court and found to be “arbitrary, capricious, an abuse of discretion and not in accordance with the law.” 5 U.S.C. §§ 706(2)(A), (E). Absent this Court’s intervention, Mr. Ramirez Gomez does not have any “remedy” to challenge the decision of Respondents.

48. Under 8 C.F.R. § 241.13(i), Petitioner has, at minimum, a regulatory right to a detailed explanation for the reasons for his detention. At a minimum, ICE has a duty to follow its own regulations. *See Accardi*, 347 U.S. at 226 (holding that BIA must follow its own regulations in its exercise of discretion); *Morton v. Ruiz*, 415 U.S. 199, 235 (1974) (“Where the rights of individuals are affected, it is incumbent upon agencies to follow their own procedures . . . even where the internal procedures are possibly more rigorous than otherwise would be required.”).

FOURTH CLAIM

Violation of the Fourth Amendment – Unlawful Seizure and Arrest

49. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

50. The Fourth Amendment to the United States Constitution guarantees the right of individuals to be secure in their persons against unreasonable searches and seizures. Warrantless

seizures are presumptively unconstitutional unless justified by probable cause or exigent circumstances.

51. On or about August 28, 2025, Petitioner was unlawfully seized during a purported traffic stop conducted by individuals in unmarked vehicles, who failed to identify themselves, and did not provide any legal justification or warrant for the seizure.

52. Petitioner was not engaged in any criminal conduct, was a passenger in a lawfully operated work van, and had valid identification and documentation. At no time was Petitioner informed of the reason for the stop or arrest, nor was he provided with any documentation reflecting the basis for his detention.

53. The manner of the stop, including the lack of identification by the officers, the absence of probable cause, the use of unmarked vehicles, and the forcible extraction and handcuffing of Petitioner, constituted an unreasonable seizure in violation of the Fourth Amendment.

54. Petitioner's continued detention, following this unlawful arrest, further compounds this constitutional violation and justifies habeas corpus relief and injunctive relief.

55. Accordingly, Respondents' actions in stopping, seizing, and detaining Petitioner violated his rights under the Fourth Amendment to the U.S. Constitution.

FIFTH CLAIM

Violation of 8 C.F.R. § 287.8 – Failure to Follow Required Arrest Procedures

56. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

57. Under 8 C.F.R. § 287.8, immigration officers are required to follow specific protocols when exercising arrest authority, including Identifying themselves as immigration officers (287.8(c)(1)), informing the subject of the reason for the arrest (287.8(c)(2)), and executing arrest authority only when based on reasonable suspicion or probable cause, and only by designated officers (287.8(b), (c))

58. On or about August 28, 2025, Petitioner was seized and arrested by individuals who failed to identify themselves, failed to state any lawful basis for the arrest, and may not have been properly authorized federal officers.

59. Even assuming they were ICE officers, their conduct blatantly violated 8 C.F.R. § 287.8, rendering the arrest unlawful under governing agency rules.

60. Federal agencies are bound by their own regulations. The U.S. Supreme Court has made clear that agencies must follow their internal procedures, even if those procedures exceed the minimum constitutional requirements. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954); *Morton v. Ruiz*, 415 U.S. 199, 235 (1974).

61. Because Respondents did not follow the arrest protocols mandated by regulation, including failure to identify themselves or provide justification for the arrest, Petitioner's detention is unlawful and must be remedied through habeas corpus and appropriate injunctive relief.

SIXTH CLAIM

Release on Bail Pending Adjudication

62. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Complaint-Petition as if fully set forth herein.

63. Under 28 U.S.C. § 2241, federal district courts are granted broad authority, "within

their respective jurisdictions,” 28 U.S.C. § 2241(a), to hear applications for writs of habeas corpus filed by persons claiming to be held “in custody in violation of the Constitution or laws or treaties of the United States.” *Timms v. Johns*, 627 F. 3d 525 (4th Cir. 2010).

64. Federal courts have inherent authority to grant bail pending the adjudication of a habeas petition. *See Mapp v. Reno*, 241 F.3d 221, 230 (2d Cir. 2001) (collecting cases); *see also United States v. Eliely*, 276 F. App’x. 270, 270 (4th Cir. 2008).

65. A Court may do so where the petitioner shows there are “substantial constitutional claims on which he has a high probability of success, and exceptional circumstances making a grant of bail necessary for the habeas remedy to be effective.” *Eliely*, 276 F. App’x. 270.

66. This petition raises numerous substantial constitutional and statutory claims challenging Mr. Ramirez Gomez’s detention. His detention and the apparent termination of the terms of his release without notice, an opportunity to be heard, or any shred of process is a clear violation of Mr. Ramirez Gomez’s constitutional rights and the statutory scheme. That it happened at an illegal traffic stop by unmarked cars and men who failed to identify themselves makes it all the more noxious to the Constitution. Moreover, the threatened removal of Mr. Ramirez Gomez and his unlawful detention constitutes an extraordinary circumstance such that his release is essential for the remedy of habeas to be effective. Finally, continued detention will prevent him from adequately preparing a legal defense.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this matter;
2. Enjoin Respondents from transferring the Petitioner from the jurisdiction of this District pending these proceedings;

3. Enjoin Respondents from removing Petitioner from the United States;
4. Order the immediate release of Petitioner pending these proceedings;
5. Order the release of Petitioner on bond;
6. Declare that Respondents' actions to arrest and detain Petitioner violate the unlawful searches and seizures clause of the Fourth Amendment, the Due Process Clause of the Fifth Amendment, the Immigration and Nationality Act and implementing regulations, and/or the Administrative Procedures Act;
7. Award reasonable attorneys' fees and costs for this action; and
8. Grant such further relief as the Court deems just and proper.

Dated: August 30, 2025
Sterling, Virginia

/s/Hassan Ahmad
Hassan Ahmad (VSB #83428)
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the CM/ECF system. I will furthermore mail a copy by USPS Certified Priority Mail with Return Receipts to each of the following individuals:

Jeff Crawford, Warden
Farmville Detention Center
508 Waterworks Dr,
Farmville, VA 23901

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Dated: August 30, 2025

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