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Attorney for Respondent
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
ADELANTO, CALIFORNIA DIVISION

Brayan Omar Cabrera Fuentes, *Petitioner,* v. Joseph B. Edlow as USCIS Director; Christopher Chestnut as Warden, CCCF, U.S. Immigration & Customs Enforcement (ICE), Department of Homeland Security (DHS), Kristi Noem, Secretary, Department of Homeland Security (DHS) *Respondents.*	**PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C § 2241 AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF** File No. A[redacted] Detained

COMPLAINT

Petitioner, **Brayan Omar Cabrera Fuentes** ("Petitioner"), A[redacted] by and through undersigned counsel, respectfully petitions this Court for a writ of habeas corpus under **28 U.S.C. § 2241**, challenging his unlawful and prolonged detention by ICE and requesting an order compelling a constitutionally adequate bond hearing.

I. JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to **28 U.S.C. § 2241** because Petitioner is being held in federal immigration custody in this District and seeks relief from unconstitutional detention.
2. This Court has federal-question jurisdiction pursuant to **28 U.S.C. § 1331**, as his claims arise under the Constitution of the United States, the Immigration and Nationality Act ("INA"), and federal common law.
3. Venue is proper in this District pursuant to **28 U.S.C. § 1391(e)** because Petitioner is detained at **California City Correctional Center**, located within this judicial district.

II. PARTIES

4. **Petitioner, Brayan Omar Cabrera Fuentes**, A[redacted] is a 19-year-old native and citizen of Honduras. He is currently detained at the **California City Correctional Center** under the custody of ICE.
5. **Respondent** Joseph B. Edlow is the Warden of California City Correctional Center and has physical custody over Petitioner.
6. **Respondent ICE** is the agency responsible for detaining Petitioner.
7. **Respondent DHS** oversees implementation of the immigration laws and maintains legal authority over Petitioner's detention.
8. **Respondent Secretary of DHS** Kristi Lynn Arnold Noem, oversees implementation of the immigration laws and maintains legal authority over Petitioner's detention and is the secretary of homeland security.

III. STATEMENT OF FACTS

8. Petitioner fled Honduras due to severe persecution, threats, and violence by [redacted] He faces serious danger, if returned.

9. Petitioner arrived in the United States seeking protection and promptly filed an I-589 Application for Asylum based on [redacted]. See Exhibit B, I-589 application, attached and incorporated herein. See also Exhibit E, Honduras country conditions, attached hereto and incorporated herein by reference.

10. In his asylum application, Petitioner detailed ongoing threats, extortion attempts, and targeted violence perpetrated against him [redacted]

11. Petitioner has a pending asylum claim, which constitutes a bona fide fear-based protection claim under U.S. immigration law.

12. Petitioner is only 19 years old, has no criminal history in the United States, and poses **no** risk to the community. Attached as Exhibits D through I are declarations from family members regarding Petitioner, incorporated herein by reference.

13. Petitioner has been detained at California City Correctional Center since November 2025, and his detention has become prolonged without a constitutionally sufficient hearing requiring the government to justify continued detention. See Exhibits A, detention records of Petitioner, Exhibit C, ICE denial of release.

14. Petitioner has never been afforded a hearing at which ICE was required to prove by clear and convincing evidence that he presents a danger or flight risk.

15. Petitioner has strong incentives to appear for all immigration proceedings due to his pending asylum application and fear of returning to Honduras.

16. Petitioner's ongoing detention is causing him physical, emotional, and psychological harm, particularly given his young age and trauma history.

IV. LEGAL CLAIMS

CLAIM 1: Violation of the Fifth Amendment – Prolonged Detention Without Due Process

17. The Fifth Amendment prohibits civil immigration detention from becoming punitive or unreasonably prolonged without adequate procedural safeguards.

18. Petitioner's detention has become unconstitutional because he has not been given a bond hearing where the government bears the burden of proving necessity of detention by clear and convincing evidence. Petitioner's situation is exacerbated by his young age.

19. The government's failure to provide such a hearing violates Due Process.

CLAIM 2: Entitlement to a Bond Hearing Under Constitutional Principles

20. Although certain INA detention provisions do not explicitly mandate bond hearings, the Constitution requires one when detention becomes unreasonably extended.

21. Petitioner's prolonged detention—especially given his youth, lack of criminal history, and strong asylum claim—triggers constitutional protections. See *Zadvydas v. Davis*, 533 U.S. 678 (2001)

CLAIM 3: Detention Is Not Reasonably Related to Its Purpose

22. Civil immigration detention must be reasonably related to its purpose: ensuring appearance at hearings and protecting the community.
23. Petitioner is not a danger, is not a flight risk, and has a pending asylum case—giving him every incentive to attend hearings.
24. Continued detention therefore serves no legitimate governmental interest.

V. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

1. Grant the writ of habeas corpus;
2. Order Respondents to provide a constitutionally adequate bond hearing before an immigration judge within 7 days, at which the government bears the burden of proving by clear and convincing evidence that detention is necessary;
3. In the alternative, order Petitioner's immediate release under reasonable conditions of supervision;
4. Declare Petitioner's continued detention unlawful;
5. Award attorney's fees and costs pursuant to the Equal Access to Justice Act (if applicable);
6. Grant any further relief the Court deems just and proper.

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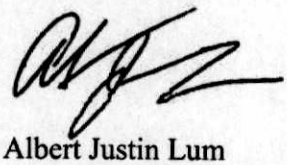
VI. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court issue the writ and order a bond hearing or immediate release.

Dated: December 12, 2025

Respectfully submitted,

LUM LAW GROUP



Albert Justin Lum
Attorney for Petitioner

VERIFICATION BY SOMEON ACTING ON PETTIONE'S BEHALF PURSUANT TO 28 U.S.C. § 2242

I am submitting this verification on behalf of the petitioner because I am the petitioner's attorneys. I have discussed with the petitioners the event described in the Petition. Based on those discussions, I hereby verify that the statements made in the attached Petition for the Writ of Habeas Corpus are true and correct to the best of my knowledge.

Date December 12, 2025

/s/ Albert Justin Lum
Albert Justin Lum