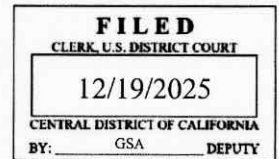


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



XICHARA AZUCENA SUAREZ MARIN,
PETITIONER

v

5:25-cv-03500-CV-AJR

WARDEN, ADELANTO ICE PROCESSING CENTER, ET AL.
RESPONDENTS

CASE No.:

PETITIONER, XICHARA AZUCENA SUAREZ MARIN, RESPECTFULLY SUBMITS THIS SUPPLEMENTAL STATEMENTAL STATEMENT TO INFORM THE COURT OF MATERIAL EVENTS THAT OCCURRED AFTER THE FILING OF THE PETITION FOR WRIT OF HABEAS CORPUS AND THAT FURTHER DEMONSTRATE THAT HER CONTINUED DETENTION IS UNLAWFUL AND VIOLATES DUE PROCESS.

I. DECEMBER 3, 2025, USCIS APPEARANCE BY PETITIONER'S US CITIZEN SPOUSE

- 1.- PETITIONER IS CURRENTLY DETAINED AT THE ADELANTO ICE PROCESSING CENTER AND WAS THEREFORE UNABLE TO APPEAR IN PERSON FOR HER USCIS ADJUSTMENT - OF - STATUS INTERVIEW.
- 2.- ON DECEMBER 3, 2025, PETITIONER'S US CITIZEN SPOUSE, GRAZIELLI CHIOSQUE DE SOUSA, APPEARED BEFORE USCIS ON PETITIONER'S BEHALF, AS PETITIONER'S DETENTION MADE HER PERSONAL APPEARANCE IMPOSSIBLE.

- 3- DURING THIS APPEARANCE, USCIS STATED THAT IT COULD NOT ADJUDICATE THE PENDING FORM I-130 BECAUSE IT WAS FILED CONCURRENTLY WITH THE FORM I-485, AND THAT USCIS COULD NOT "SEPARATE" THE PETITIONS FOR ADJUDICATION.

II. DECEMBER 3, 2025 IMMIGRATION COURT HEARING

4. ON THE SAME DATE, DECEMBER 3, 2025, PETITIONER APPEARED BEFORE THE IMMIGRATION JUDGE BY VIDEO WHILE IN ICE CUSTODY.
5. DURING THE HEARING, THE IMMIGRATION JUDGE STATED THAT HE COULD NOT ADJUDICATE THE FORM I-130, BECAUSE ADJUDICATION OF I-130 PETITIONS IS WITHIN THE JURISDICTION OF USCIS, NOT THE IMMIGRATION COURT.
6. DESPITE ACKNOWLEDGING THAT USCIS DECLINED TO ADJUDICATE THE I-130 AND THAT THE IMMIGRATION COURT LACKED JURISDICTION TO DO SO, THE IMMIGRATION JUDGE ORDERED PETITIONER TO REMAIN DETAINED, STATING THAT DETENTION WOULD CONTINUE UNTIL THE I-130 IS APPROVED.

III. JURISDICTIONAL IMPASSE RESULTING IN INDEFINITE DETENTION.

7. AS A RESULT OF THESE PROCEEDING, NO GOVERNMENT ENTITY HAS ACCEPTED RESPONSABILITY FOR ADJUDICATE HER I-130:
- USCIS HAS DECLINED TO ADJUDICATE THE I-130 BECAUSE IT WAS FILED CONCURRENTLY WITH THE I-485 AND BECAUSE PETITIONER IS DETAINED.
 - THE IMMIGRATION JUDGE HAS STATED THAT THE LACKS JURISDICTION TO ADJUDICATE THE I-130.
 - ICE CONTINUES TO DETAIN PETITIONER BASED ON THE LACK OF AN APPROVED I-130, EVEN THOUGH NO AGENCY HAS IDENTIFIED WHO WILL ADJUDICATE IT OR WHEN.

8.- PETITIONER'S DETENTION IS THEREFORE NOT TIED TO ANY ACTIVE ADJUDICATION, STATUTORY MANDATE, OR FORESEEABLE RESOLUTION, BUT INSTEAD RESTS ENTIRELY ON A BUREAUCRATIC STALEMATE BETWEEN GOVERNMENT AGENCIES.

9.- THIS IMPASSE RENDERS PETITIONER'S DETENTION INDEFINITE AND ARBITRARY, AND DEPRIVES HER OF A MEANINGFUL OPPORTUNITY TO PURSUE LAWFUL IMMIGRATION RELIEF.

IV. CONTINUED DETENTION VIOLATES DUE PROCESS.

10.- PETITIONER'S CONTINUED DETENTION SERVES NO LEGITIMATE GOVERNMENT PURPOSE, AS:

- REMOVAL IS NOT IMMINENT;
- NO AGENCY IS PROCESSING THE PETITION THAT ICE CLAIMS NECESSARY FOR RELEASE;
- DETENTION IS BEING USED SOLELY TO AWAIT AN ADJUDICATION THAT NO AUTHORITY HAS AGREED TO PERFORM.

11.- DETENTION UNDER THESE CIRCUMSTANCES VIOLATES THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT, AS PETITIONER IS BEING DEPRIVED OF LIBERTY BASED SOLELY ON GOVERNMENT INACTION AND JURISDICTIONAL CONFUSION BEYOND HER CONTROL.

II. RELIEF REQUESTED.

12. PETITIONER RESPECTFULLY REQUEST THAT THE COURT CONSIDER THIS SUPPLEMENTAL STATEMENT IN SUPPORT OF THE PENDING PETITION FOR WRIT OF HABEAS CORPUS AND GRANT APPROPRIATE RELIEF, INCLUDING IMMEDIATE RELEASE OR, IN THE ALTERNATIVE, AN ORDER REQUIRING THE GOVERNMENT TO JUSTIFY CONTINUED UNDER LAWFUL AND CONSTITUTIONAL STANDARDS.

Respectfully Submitted:



XIOMARA AZUCENA SUAREZ MARIN.

PETITIONER, PRO SE.

A#:



ADELANTO ICE PROCESSING CENTER.

10400 RANCHO ROAD

ADELANTO, CA 92301

DECEMBER 16, 2025.

PLEASE FILE THE ENCLOSED SUPPLEMENTAL
STATEMENT IN SUPPORT OF PETITIONER'S PENDING
§ 2241 HABEAS PETITION.

