

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS**

Case No.: 3:26-cv-00002

DANIEL ALEJANDRO PETRO-DORIA,

Petitioner,
Fi
v.

FIELD OFFICE DIRECTOR,
EL Paso Field Office,
U.S. Immigration and Customs Enforcement,

KRISTI NOEM, in her official capacity as
the Secretary of the Department of Homeland
Security (DHS),

Respondents.

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS

The petitioner, Daniel Alejandro Petro-Doria (Mr. Petro), submits this Verified Petition for Writ of Habeas Corpus, by and through undersigned counsel, and alleges as follows:

INTRODUCTION

1. Mr. Petro, (the petitioner) is a native and citizen of Venezuela. **Appx, p. 1.**
2. Petitioner is currently unlawfully detained under civil immigration custody by the respondents at the El Paso Camp East Montana Detention Center in El Paso, Texas. **Appx, p. 2.**
3. On August 21, 2025, at the El Paso SPC Immigration Court, Immigration Judge Stephen Ruhle granted the petitioner's custody redetermination request and granted him release on bond in the amount of \$5,000.00. **Appx, pp. 3-4.**

4. On August 22, 2025 and August 29, 2025, the petitioner attempted to post the \$5,000.00 bond via the ICE CeBONDS Website.¹

5. Although in compliance with all of CeBONDS requirements and the bond payment being received, the system denied the transaction both times. **Appx, pp. 18-21.**

6. On September 3, 2025, the Board of Immigration Appeals (BIA) rejected the Department of Homeland Security's appeal. **Appx, pp. 24-25.**

7. On September 8, 2025, the Immigration Judge issued a *sua sponte* Amended Order revoking the previous bond grant citing "No jurisdiction, per *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025)." **Appx, pp. 22-23.**

8. The Immigration Judge and the Department of Homeland Security's reliance on *Matter of Yajure-Hurtaado* is misplaced and does not align with the circumstances surrounding the petitioner's recent detention.

9. The petition is entitled to be released on bond as a detainee under 8 U.S.C. § 1226(a). As such, the August 2

12. Federal district courts have jurisdiction to hear habeas claims by non-citizens challenging the lawfulness of their detention. *See, e.g., Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

VENUE

13. Venue is proper in the Western District of Texas under 28 U.S.C. §§ 1391(e)(1)(B) and (C) because “a substantial part of the events or omissions giving rise to the claim occurred,” and because the plaintiff is detained in this district.

PARTIES

14. The petitioner, Daniel Alejandro Petro-Doria, is a Venezuelan citizen and national, who resides in Miami, Florida. His alien registration number (“A no.”) is . He last entered the United States on July 17, 2022, through San Luis, Arizona. At the time of his detention, the petitioner had an application for Asylum, Withholding of Removal, and protections under the Convention Against Torture pending before the Immigration Court.

15. The respondent, **Field Office Director**, El Paso Field Office, U.S. Immigration and Customs Enforcement

FACTUAL ALLEGATIONS

25. On July 17, 2022, the petitioner entered the United States without inspection or parole at or near San Luis, Arizona. **Appx, pp. 6-7.**

26. The petitioner fled the totalitarian regime of Venezuela and sought to apply for asylum, withholding of removal, and protection under the regulations implementing the Convention Against Torture (CAT).³

27. Upon apprehension by CBP, the petitioner was detained and issued a Notice to Appear which charged him as an alien present in the United States without admission or parole who was removable under section 212(a)(6)(A)(i) of the INA. **Appx, pp. 6-7.**

28. On July 18, 2022, the petitioner was released by ICE on an Order of Release on Recognizance. **Appx, pp. 8-10.**

29. The petitioner's removal proceedings were docketed before the Miami Immigration Court where his I-589, Application for Asylum was, and remains, pending. **Appx, p. 5.**

30. The petitioner holds a valid

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Counsel for the Petitioner

**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF PURSUANT
TO 28 U.S.C. § 2242**

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

Dated: January 2, 2026

Respectfully submitted,

s/ Anthony Richard Dominguez

Fla Bar No. 1002234

Prada Dominguez, PLLC

12940 SW 128th ST, Suite 203

Miami, FL 33186

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 2, 2026, I electronically filed the forgoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing

Dated: January 2, 2026

Respectfully submitted,

s/ Anthony Richard Dominguez

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