

JUDGE KATHLEEN CARDONE

COMPLETE HABEAS CORPUS PACKAGE (28 U.S.C. § 2241)

Petitioner: Yasmany Janeiro Gonzalez

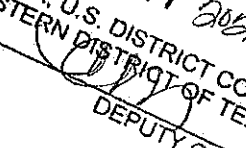
A#: 

Next Friend: Dayana Gutierrez Camacho

A#: 

Facility: ERO El Paso – Camp East Montana

6920 Digital Rd, El Paso, TX 79908-2500

FILED
JAN 07 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 
DEPUTY CLERK

EP 26CV0016

JUDGE KATHLEEN CARDONE

**PETITION FOR WRIT OF HABEAS CORPUS (28
U.S.C. § 2241)**

EP 26CV0016

This Petition challenges the unlawful and indefinite detention of the Petitioner by ICE.

JURISDICTION

Jurisdiction is proper under 28 U.S.C. § 2241 because Petitioner is detained at ERO El Paso – Camp East Montana,

located within the Western District of Texas.

FACTUAL BACKGROUND

Petitioner entered the United States in May 2021, has no criminal record, pays taxes, and owns a registered electrical business.

On May 21, 2025, he appeared voluntarily in Immigration Court, where the Immigration Judge terminated/closed his case.

Immediately after exiting the courtroom, ICE arrested him without legal basis.

Petitioner sought credible fear review but was denied proper procedure and denied access to an Immigration Judge.

Cuba refused repatriation, and ICE attempted to deport him to Mexico, a country where he is not a citizen and where he expressed fear.

Petitioner has now been detained over six months with no realistic likelihood of removal.

LEGAL CLAIMS

Petitioner's detention violates the Fifth Amendment Due Process Clause and the Supreme Court ruling in *Zadvydas v. Davis* (2001).

The expedited removal process was improperly conducted and violated statutory rights under 8 U.S.C. § 1225(b)(1).

RELIEF REQUESTED

Petitioner respectfully requests immediate release under supervision or parole, stay of removal, and any additional relief

deemed appropriate by the Court.

PETITION FOR WRIT OF HABEAS CORPUS

This petition challenges unlawful indefinite detention under 28 U.S.C. § 2241.

Jurisdiction

This Court has jurisdiction under 28 U.S.C. § 2241.

Facts

Petitioner entered the U.S. in 2021, has no criminal record, pays taxes and owns an electrical business. On May 21, 2025, after court termination of his case, ICE unlawfully detained him.

DECLARATION OF DAYANA GUTIERREZ CAMACHO

I declare under penalty of perjury that I am the lawful wife of the Petitioner, suffer severe depression, and depend emotionally and financially on my husband.

Signature: Dayana

Date: 12/13/2025

FILING INSTRUCTIONS

This Habeas Corpus must be filed with the U.S. District Court, Western District of Texas, El Paso Division.

HABEAS CORPUS PACKAGE

Petitioner: Yasmany Janeiro Gonzalez ([REDACTED])
Next Friend: Dayana Gutierrez Camacho ([REDACTED])
Facility: ERO El Paso – Camp East Montana

Prepared for Federal Habeas Corpus Filing

TABLE OF EXHIBITS

Exhibit A – Proof of Detention

Exhibit B – Wife Declaration

Exhibit C – Tax Returns

Exhibit D – Property & Employment

Exhibit E – Court & Immigration Records

TABLE OF EXHIBITS

Exhibit A – Proof of Detention

Exhibit B – Wife Declaration & Medical Evidence

Exhibit C – Tax Returns & Financial Records

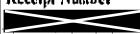
Exhibit D – Business & Employment Records

Exhibit E – Immigration Court Documents

Exhibit F – Property & Identity Documents

Exhibit G – Personal Declaration of Petitioner



Receipt Number 		Case Type I130 - PETITION FOR ALIEN RELATIVE
Received Date 02/24/2025	Priority Date 02/24/2025	Petitioner  GUTIERREZ CAMACHO, DAYANA
Notice Date 02/24/2025	Page 1 of 1	Beneficiary  JANEIRO GONZALEZ, YASMANY

 GUTIERREZ CAMACHO, DAYANA	Notice Type: Receipt Notice Amount received: \$625.00 U.S. Section: Husband or wife of U.S Citizen, 201(b) INA
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This notice confirms that USCIS received your application or petition ("this case") as shown above. If any of the information in your notice is incorrect or you have any questions about your case, you can connect with the USCIS Contact Center at www.uscis.gov/contactcenter or ask about your case online at www.uscis.gov/e-request. You will need your Alien Registration Number (A-Number) and/or the receipt number shown above.

You can receive updates on your case by visiting www.uscis.gov/casestatus to get the latest status or you can create an account at my.uscis.gov/account and receive email updates for your case.

This notice does not grant any immigration status or benefit, nor is it evidence that this case is still pending. It only shows that the application or petition was receipted on the date shown.

Processing time - Processing times vary by form type.

- Visit www.uscis.gov/processingtimes to see the current processing times by form type and field office or service center.
- If you do not receive an initial decision or update within our current processing time, you can try our online tools available at www.uscis.gov/tools or ask about your case online at www.uscis.gov/e-request.
- When we make a decision on your case or if we need something from you, we will notify you by mail and update our systems.

If this case is an I-130 Petition - Filing and approval of a Form I-130, Petition for Alien Relative, is only the first step in helping a relative immigrate to the United States. The beneficiaries of a petition must wait until a visa number is available before they can take the next step to apply for an immigrant visa or adjustment of status to lawful permanent residence. To best allocate resources, USCIS may wait to process I-130 forms until closer to the time when a visa number will become available, which may be years after the petition was filed. Nevertheless, USCIS processes I-130 forms in time not to delay relatives' ability to take the next step toward permanent residence once a visa number does become available. If, before final action on the petition, you decide to withdraw your petition, your family relationship with the beneficiary ends, or you become a U.S. citizen, call 800-375-5283.

If your address changes - If you move while your case is pending, please visit www.uscis.gov/addresschange for information on how to update your address. Remember to update your address for all your receipt numbers.

Return of Original Documents - Use Form G-884, Request for the Return of Original Documents, to request the return of original documents submitted to establish eligibility for an immigration or citizenship benefit. You only need to submit one Form G-884 if you are requesting multiple documents contained in a single USCIS file. However, if the requested documentation is in more than one USCIS file, you must submit a separate request for each file. (For example: If you wish to obtain your mother's birth certificate and your parents' marriage certificate, both of which are in the USCIS file that pertains to her, submit one Form G-884 with your mother's information.)

NOTICE: The information you provide on and in support of applications and petitions is submitted under the penalty of perjury. USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to <https://www.uscis.gov/file-online>.

USCIS TSC U.S. CITIZENSHIP & IMMIGRATION SVC 6046 N Belt Line Rd. STE 114 Irving TX 75038-0015 USCIS Contact Center: www.uscis.gov/contactcenter	
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Department of Health • Vital Statistics
STATE OF FLORIDA
MARRIAGE RECORD
TYPE IN UPPER CASE
USE BLACK INK

This license not valid unless seal of Clerk.

Official Record
 Date: **FEB 10 2025**
 Rec #: ~~XXXXXXXXXX~~

(STATE FILE NUMBER)

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE
 ORIGINAL ON FILE IN THIS OFFICE. **FEB 10 2025**

DEAN FLORENCE ELLISON, Clerk of the Circuit and County, Miami-Dade County
 Deputy Clerk **Susana Martinez Rodriguez**



APPLICATION NUMBER

APPLICATION TO MARRY

1a. NAME OF SPOUSE (Print Middle, Last) YASHANY (NMN) JANEIRO GONZALEZ		1b. MAIDEN SURNAME (if applicable) XXXXXXXXXX		2. DATE OF BIRTH (Month, Day, Year) XXXXXXXXXX	
3a. RESIDENCE - CITY, TOWN, OR LOCATION MIAMI		3b. COUNTY MIAMI DADE		3c. STATE FLORIDA	
4. BIRTHPLACE (State or Foreign Country) CUBA		5a. NAME OF SPOUSE (Print Middle, Last) DAYANA (NMN) GUTIERREZ CAMACHO		5b. MAIDEN SURNAME (if applicable) XXXXXXXXXX	
6. DATE OF BIRTH (Month, Day, Year) XXXXXXXXXX		7a. RESIDENCE - CITY, TOWN, OR LOCATION MIAMI		7b. COUNTY MIAMI DADE	
7c. STATE FLORIDA		8. BIRTHPLACE (State or Foreign Country) CUBA			

WE, THE APPLICANTS NAMED IN THIS CERTIFICATE, EACH FOR HIMSELF OR HERSELF, STATE THAT THE INFORMATION PROVIDED ON THIS RECORD IS CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THAT NO LEGAL OBSTACLE TO THE MARRIAGE NOR THE ISSUANCE OF A LICENSE TO MARRY THE SAME IS KNOWN TO US AND HEREBY APPLY FOR LICENSE TO MARRY.

9. SIGNATURE OF SPOUSE (Sign full name using black ink) 		10. SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) FEB-03-2025	
11. TITLE OF OFFICIAL DEPUTY CLERK		12. SIGNATURE OF OFFICIAL (Use black ink) 	
13. SIGNATURE OF SPOUSE (Sign full name using black ink) 		14. SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) FEB-03-2025	
15. TITLE OF OFFICIAL DEPUTY CLERK		16. SIGNATURE OF OFFICIAL (Use black ink) 	

LICENSE TO MARRY

IT IS ORDERED BY THE CLERK OF THE STATE OF FLORIDA TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF FLORIDA AND TO REGISTER THE MARRIAGE OF THE ABOVE NAMED PERSONS ON THE LICENSE WHICH BE ISSUED ON OR AFTER THE EFFECTIVE DATE AND ON OR BEFORE THE EXPIRATION DATE BY THE STATE OF FLORIDA CLERK TO THE MARRIAGE AND WITNESS.

17. COUNTY ISSUING LICENSE MIAMI-DADE	18. DATE LICENSE ISSUED FEB-03-2025	19a. DATE LICENSE EXPIRES FEB-03-2025	19b. EXPIRATION DATE APR-03-2025
20a. SIGNATURE OF COURT CLERK OR JUDGE 		20b. TITLE CLERK OF THE COURT AND COMPTROLLER	20c. BY DE

CERTIFICATE OF MARRIAGE

I HEREBY CERTIFY THAT THE ABOVE NAMED SPOUSES WERE JOINED BY THE MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF FLORIDA

21. DATE OF MARRIAGE (Month, Day, Year) FEB 10 2025		22. CITY, TOWN, OR LOCATION OF MARRIAGE CORAL GABLES DISTRICT COURT	
23a. SIGNATURE OF PERSON PERFORMING THE CEREMONY (Black Ink) 		23b. ADDRESS OF PERSON PERFORMING THE CEREMONY 3300 PONCE DE LEON BLVD. CORAL GABLES, FLORIDA 33134	
24a. NAME AND TITLE OF PERSON PERFORMING THE CEREMONY (Do not sign) Hector Parikh DEPUTY CLERK		24b. SIGNATURE OF WITNESS TO CEREMONY 	
25. SIGNATURE OF WITNESS TO CEREMONY 		26. SIGNATURE OF WITNESS TO CEREMONY 	

INFORMATION BELOW FOR USE BY VITAL STATISTICS ONLY - NOT TO BE RECORDED

27. SOCIAL SECURITY NO. XXXXXXXXXX	28. RACE 1	29. WERE YOU EVER PREVIOUSLY MARRIED? a. NO b. YES	30. ANSWER YES TO ITEM 29. THEN COMPLETE ITEMS 31a, 31b, AND 31c.
31a. NO. OF THIS MARRIAGE 2	31b. DATE MARRIAGE ENDED BY DIVORCE	31c. DATE LAST MARRIAGE ENDED JAN-04-2023	
32. SOCIAL SECURITY NO. XXXXXXXXXX	33. RACE 1	34. WERE YOU EVER PREVIOUSLY MARRIED? a. NO b. YES	35. ANSWER YES TO ITEM 34. THEN COMPLETE ITEMS 36a, 36b, AND 36c.
36a. NO. OF THIS MARRIAGE 1	36b. DATE MARRIAGE ENDED BY DIVORCE	36c. DATE LAST MARRIAGE ENDED JAN-04-2023	

No. [REDACTED]



Personal description of holder
as of date of naturalization

(Date of birth: [REDACTED])

Sex: [REDACTED]

Height: [REDACTED]

Marital status: [REDACTED]

(Country of former nationality: [REDACTED])



U.S. Registration No. [REDACTED]

I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.

[Signature]
Holder of this registration

It is known that, pursuant to an application filed with the Secretary of Homeland Security

at: [REDACTED]

The Secretary having found that:

[REDACTED]

residing at: [REDACTED]

having complied in all respects with all of the applicable provisions of the naturalization laws of the United States, being entitled to be admitted as a citizen of the United States, and having taken the oath of allegiance at a ceremony conducted by

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

at: [REDACTED]

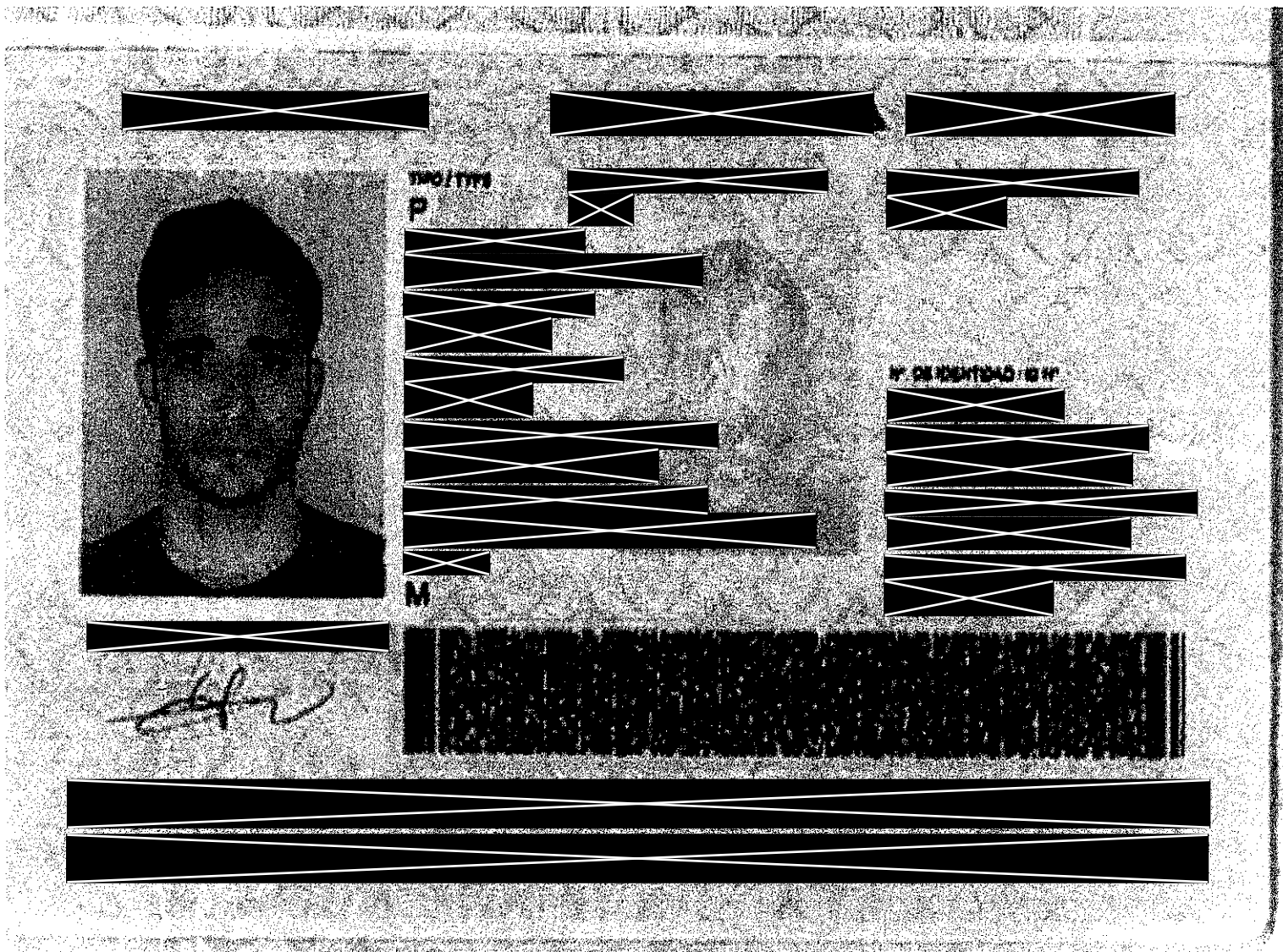
on: [REDACTED]

such person is admitted as a citizen of the United States of America.

[Signature]
Director

U. S. Citizenship and Immigration Services





DECLARATION OF DAYANA GUTIERREZ CAMACHO

I, Dayana Gutierrez Camacho, declare under penalty of perjury that I am the lawful wife of the Petitioner.

I suffer from severe depression and depend emotionally and financially on my husband.

I earn approximately \$7,000 per month and own real property. I am fully capable of supporting Petitioner and ensuring

his compliance with any ICE supervision.

My husband has no criminal record, pays taxes, owns a legitimate business, and is not a danger or flight risk.

I respectfully ask this Court to grant his release.

Signature: Dayana

Date: 12/13/2025

