FILED

JAN 05 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

MAURICIO DIEGUEZ RODRIGUEZ
[redacted]
Austin, Texas 78745

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

MAURICIO DIEGUEZ RODRIGUEZ, AS NEXT FRIEND OF LIUDMILA DIEGUEZ RAMOS,	§	A# [redacted]
Petitioner,	§	
v.	§	CIVIL ACTION NO. SA26CA0061 FB
United States Attorney Western District of Texas	§	
U.S. Immigration and Customs Enforcement Enforcement and Removal Operations (ERO) San Antonio Field Office	§	
Karnes County Immigration Processing Center	§	
Respondents.	§	

PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C.

This Petition challenges the prolonged and unconstitutional immigration detention of LIUDMILA DIEGUEZ RAMOS, a Cuban national currently in the custody of U.S. Immigration and Customs Enforcement at the Karnes County Immigration Processing Center in Karnes City, Texas. Petitioner respectfully seeks her immediate release.

CERTIFICATE OF SERVICE

I, Mauricio Dieguez Rodríguez, hereby certify that on January 2, 2026, I served a true and correct copy of the Emergency Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §§ 2241 and 2242, together with all attached exhibits, by Certified Mail, Return Receipt Requested, upon the following parties:

Karnes County Immigration Processing Center
Attn: Facility Administrator
409 FM 1144
Karnes City, TX 78118

Clerk of Court
United States District Court
Western District of Texas – San Antonio Division
655 East Cesar E. Chavez Blvd
San Antonio, TX 78206

United States Attorney's Office
Attn: Civil Process Clerk
Western District of Texas
601 NW Loop 410, Suite 600
San Antonio, TX 78216

U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations (ERO)
San Antonio Field Office
Attn: Field Office Director
1777 NE Loop 410, Suite 1500
San Antonio, TX 78217

I declare under penalty of perjury that the foregoing is true and correct.

Date: January 2, 2026

Signature: MDR

Mauricio Dieguez Rodríguez
Next Friend

TABLE OF CONTENTS – EXHIBITS

Exhibit A Permanent Resident Card (Green Card) of
Mauricio Dieguez Rodríguez (Next Friend),
Form I-90 Receipt for Green Card Renewal,
and Texas Driver License

Exhibit B Passport of Liudmila Dieguez Ramos

Exhibit C Notice to Appear (NTA) of Liudmila Dieguez Ramos

Exhibit D 2024 Federal Tax Return of
Mauricio Dieguez Rodríguez (Next Friend)

Exhibit E Board of Immigration Appeals (BIA)
Appeal Confirmation and Filing Receipt

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. §§ 2241 AND 2242

I. INTRODUCTION

I, **Mauricio Dieguez Rodríguez**, respectfully file this Emergency Petition for Writ of Habeas Corpus as **Next Friend** on behalf of my daughter, **Liudmila Dieguez Ramos (A#** [redacted], who is currently detained by U.S. Immigration and Customs Enforcement ("ICE") at the **Karnes County Immigration Processing Center** in Karnes City, Texas.

My daughter is unable to effectively litigate this matter on her own behalf due to her continued detention, her deteriorating mental and physical health, and her limited access to legal resources. I am her father, a **Lawful Permanent Resident of the United States**, and I am acting in good faith and solely in her best interests to protect her liberty and constitutional rights.

Ms. Dieguez Ramos has been detained since **May 29, 2025**, following her appearance at a routine ICE check-in appointment, despite having a **pending appeal before the Board of Immigration Appeals (BIA)** and despite posing no risk of flight or danger to the community. Her continued detention is **arbitrary, excessive, and unconstitutional**.

II. NEXT FRIEND STANDING

I have standing to file this Petition as Next Friend because:

1. The detainee is currently in ICE custody and unable to meaningfully access the courts on her own behalf;
2. I am her **father** and have supported her throughout her life;
3. I am a **Lawful Permanent Resident** of the United States;
4. I am acting in good faith and solely in my daughter's best interests; and
5. There is no conflict of interest between myself and the detainee.

III. PARTIES

Next Friend / Petitioner:

Mauricio Dieguez Rodríguez

Lawful Permanent Resident

[redacted]

Austin, Texas 78745

Phone: (512) 775-5869

Email: dieguezmauricio581@gmail.com

Detainee / Beneficiary:

Liudmila Dieguez Ramos

A# [redacted]

Date of Birth: [redacted]1983

Place of Birth: Cuba

Nationality: Cuban

IV. PLACE OF DETENTION

Liudmila Dieguez Ramos is currently detained at:

Karnes County Immigration Processing Center

409 FM 1144

Karnes City, TX 78118

Room 221, Bed 6

V. STATEMENT OF FACTS

Liudmila Dieguez Ramos entered the United States on **February 5, 2021**, through **Eagle Pass, Texas**, and was issued a **Notice to Appear (NTA)**. She later applied for asylum.

On **May 29, 2025, at approximately 9:30 a.m.**, Ms. Dieguez Ramos voluntarily appeared at a scheduled ICE check-in appointment at ICE offices located at **3523 Crosspoint Drive, San Antonio, Texas**. As she had done at every prior appointment, she fully complied with ICE supervision. When she was called back to receive her documents, ICE officers informed her that she was being detained and transferred her into custody.

She was admitted to the **Karnes County Immigration Processing Center** on **May 30, 2025**, where she remains detained.

Ms. Dieguez Ramos sought bond; however, **bond was denied**, leaving her detained without meaningful review of alternatives to detention.

Following an adverse asylum decision, she timely filed an **appeal with the Board of Immigration Appeals on August 15, 2025**, which remains pending. She is therefore **not subject to a final order of removal.**

VI. MEDICAL AND MENTAL HEALTH DETERIORATION IN DETENTION

Since her detention, my daughter's **mental and physical health has significantly deteriorated**, including:

- Severe **anxiety and panic attacks**, often crying uncontrollably for extended periods;
- **Psychological harm** and emotional distress;
- **Chronic insomnia**, caused by constant lighting and continuous noise inside the detention facility;
- **Digestive and gastrointestinal problems**, for which she has only been given ibuprofen;
- **Hemorrhoids**;
- **Urinary tract problems**, treated only with an external cream;
- **Fungal infections** on her skin and scalp;
- **Hair loss** associated with stress and inadequate medical care.

These conditions have **worsened in detention**, and ICE has failed to provide adequate medical or mental health treatment. Her continued confinement under these conditions is **inhumane** and violates due process.

VII. JURISDICTION AND VENUE

This Court has jurisdiction over this Petition pursuant to **Article I, Section 9, Clause 2 of the United States Constitution**, and under **28 U.S.C. §§ 2241 and 2242**, which authorize federal courts to review the legality of immigration detention.

Jurisdiction is further proper under the **Due Process Clause of the Fifth Amendment**, which guarantees that no person shall be deprived of liberty without due process of law. These protections apply to all persons within the United States, including noncitizens.

Venue is proper in the **United States District Court for the Western District of Texas, San Antonio Division**, because Ms. Dieguez Ramos is detained at the Karnes County Immigration Processing Center, which lies within this judicial district. This Court has authority over her immediate custodian.

VIII. LEGAL ARGUMENT

Immigration detention is **civil, not punitive**, and must remain reasonably related to its regulatory purpose. The continued detention of Liudmila Dieguez Ramos violates the **Due Process Clause of the Fifth Amendment**.

Ms. Dieguez Ramos has been detained for many months while her **BIA appeal remains pending**, with no foreseeable date of resolution or removal. Under these circumstances, detention no longer serves a legitimate regulatory purpose and instead operates as punishment.

The denial of bond further demonstrates that Ms. Dieguez Ramos remains detained without meaningful consideration of less restrictive alternatives, despite her lack of criminal history and the availability of a stable release plan with her Lawful Permanent Resident father.

In **Zadvydas v. Davis, 533 U.S. 678 (2001)**, the Supreme Court held that immigration detention becomes unconstitutional when removal is not reasonably foreseeable. Because Ms. Dieguez Ramos's removal **cannot occur while her appeal is pending**, there is **no reasonably foreseeable date of removal**, and continued detention violates due process.

In **Demore v. Kim, 538 U.S. 510 (2003)**, the Supreme Court upheld mandatory detention only for a narrow class of noncitizens with certain criminal convictions and only for brief periods. Those circumstances are not present here. Ms. Dieguez Ramos has **no criminal history**, was not detained for criminal conduct, and was taken into custody despite full compliance with ICE supervision.

The Supreme Court confirmed in **Jennings v. Rodriguez, 138 S. Ct. 830 (2018)**, that habeas corpus remains the proper procedural mechanism to challenge prolonged and unconstitutional immigration detention.

The Fifth Circuit has likewise recognized that prolonged civil detention must remain reasonably related to its regulatory purpose and may not operate as punishment. **See Andrade v. Gonzales, 459 F.3d 538, 543 (5th Cir. 2006).**

IX. PROPOSED RELEASE PLAN AND RESIDENCE

If released, Liudmila Dieguez Ramos will immediately reside with me at:

[redacted]

Austin, Texas 78745

I will ensure that she:

- Attends **all ICE check-ins, court hearings, and appointments**;
- Fully complies with **all conditions of release**; and
- Remains available to immigration authorities at all times.

X. NEXT FRIEND'S SWORN STATEMENT AND COMMITMENT

I solemnly affirm under penalty of perjury that the information contained in this Petition is true and correct to the best of my knowledge. I understand the seriousness of this commitment and affirm my willingness to ensure my daughter's full compliance with all immigration requirements if released.

XI. PRAYER FOR RELIEF

WHEREFORE, I respectfully request that this Honorable Court:

1. Grant this Emergency Petition for Writ of Habeas Corpus;
2. Order the **immediate release** of Liudmila Dieguez Ramos from ICE custody;

3. Alternatively, order release under **reasonable conditions of supervision** or any other relief the Court deems appropriate; and

4. Grant any other relief the Court deems just and proper.

XII. VERIFICATION

I, **Mauricio Dieguez Rodríguez**, declare under penalty of perjury that the foregoing is true and correct.

Date: 01/02/2026

Signature: MDR

Mauricio Dieguez Rodríguez

Next Friend