UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

YOLANDA VASQUEZ-JUAREZ Petitioner-Plaintiff, v. **Todd M. Lyons,** Acting Director U.S. Immigration and Customs Enforcement; **Rose Thompson,** Facility Warden Karnes County Immigration Processing Center, Respondents-Defendants	Civ. No. 5:26-cv-509 DHS File Number: [redacted]

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. §2241 AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

I. INTRODUCTION

Petitioner Yolanda Vazquez Juarez seeks a writ of habeas corpus under 28 U.S.C. § 2241 challenging her ongoing civil immigration detention. DHS is detaining Ms. Vazquez Juarez without bond based on its unilateral classification of her as subject to mandatory detention under 8 U.S.C. § 1225(b), notwithstanding her long-term residence of approximately nineteen (19) years, lack of criminal history, and substantial family ties to the United States.

Because DHS takes the position that Immigration Judges lack jurisdiction to conduct bond hearings for individuals classified under § 1225(b), including long-present individuals who last entered without inspection, any request for a bond hearing would be patently futile. Federal habeas relief is therefore appropriate and necessary to remedy her unlawful detention.

Ms. Vazquez Juarez seeks immediate release, or in the alternative, an order requiring DHS to provide a constitutionally adequate bond hearing under 8 U.S.C. § 1226(a) with the burden on the Government.

Petitioner **Yolanda Vasquez-Juarez** has been unlawfully detained by the Department of Homeland Security ("DHS") and Immigration and Customs Enforcement ("ICE") despite her eligibility for relief from removal and despite the absence of any criminal history, danger, or flight risk. Petitioner entered the United States without inspection on or about **2006** and has continuously resided in this country for approximately **nineteen (19) years**. She is currently detained at the **Karnes County Immigration Processing Center**, located at **409 FM 1144, Karnes City, Texas.**

On **January 16, 2026,** Petitioner was detained by ICE after a routine traffic stop. Petitioner remains detained without individualized findings, despite having no criminal record, long duration of residence in the U.S., and seeking **Cancellation of Removal for Certain Non-Permanent Residents under INA § 240A(b) (42B)** and having three United States citizen children, two who qualify as a statutory qualifying relative. This Petition challenges Petitioner's prolonged, unnecessary, and unconstitutional civil detention and seeks immediate release or, in the alternative, a prompt and constitutionally adequate custody hearing with the burden of proof on the government.

II. JURISDICTION & VENUE

1. This Court has jurisdiction under **28 U.S.C. § 2241** because Petitioner is in custody under the authority of the United States in violation of the Constitution and laws of the United States.
2. Jurisdiction is also proper under **28 U.S.C. § 1331** and **28 U.S.C. §§ 2201–2202.**
3. Venue lies in this District pursuant to **28 U.S.C. § 1391(e)** and *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973), because Petitioner is detained within this District and Respondents exercise control over him here.

III. PARTIES

4. **Yolanda Vasquez-Juarez** is a noncitizen currently detained by Immigration and Customs Enforcement (ICE) at **Karnes County Immigration Processing Center.**
5. **Respondent Todd M Lyons** is the **ICE Acting Director,** legal custodian of Petitioner and is named in his official capacity.
6. **Respondent Rose Thompson, Facility Warden** of Karnes County Immigration Processing Center and Petitioner's immediate custodian.

IV. FACTUAL BACKGROUND

7. Petitioner entered the United States for approximately nineteen (19) years and has no criminal history.
8. Petitioner is the mother of a three **United States citizen children**, ages 23, 20 and 19, two who qualify as a statutory qualifying relative for purposes of **INA § 240A(b).**
9. Prior to her detention, Petitioner's family was preparing to initiate a **family-based immigrant visa petition** on her behalf.
10. Petitioner will also be pursuing **Cancellation of Removal (42B)** and has demonstrated statutory eligibility, including continuous physical presence and qualifying hardship.
11. On **January 16, 2026,** Petitioner was detained by ICE after a routine traffic stop.
12. Petitioner is held without bond based on DHS's unilateral classification of her as subject to mandatory detention under 8 U.S.C. § 1225(b), notwithstanding her long-term residence of approximately nineteen (19) years, lack of criminal history, and substantial family ties to the United States.
13. Petitioner has no medical issues and presents no danger to the community and no risk of flight.
14. Petitioner remains detained **without any individualized finding of danger or flight risk.**

V. STATUTORY AND CONSTITUTIONAL FRAMEWORK

15. Civil immigration detention is governed primarily by **INA § 236(a), 8 U.S.C. § 1226(a),** which permits discretionary detention only when justified by individualized findings.
16. Prolonged civil detention is subject to the **Due Process Clause of the Fifth Amendment** and must be **justified by individualized findings** of danger or flight risk. *See Zadvydas v. Davis*, 533 U.S. 678 (2001); *Rodriguez v. Robbins*, 715 F.3d 1127 (9th Cir. 2013).

VI. ARGUMENT

A. Petitioner's Continued Detention Is Unlawful Under § 1226(a) and Violates Due Process

17. Petitioner has no criminal history, strong community ties, and is eligible for relief yet remains detained without a finding of danger or flight risk.
18. The Due Process Clause prohibits prolonged detention unless the government shows, by clear and convincing evidence, that such detention is justified. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *Clark v. Martinez*, 543 U.S. 371 (2005). Where detention is no longer reasonably related to its purported purpose, it becomes punitive and unconstitutional.
19. ICE has failed to make any individualized findings justifying continued detention. Continued confinement without such findings exceeds statutory authority under **INA § 236(a).**

B. Immigration Court Jurisdictional Limits Do Not Bar Federal Habeas Relief

20. *Matter of Hurtado*, 21 I&N Dec. 609 (BIA 1996), is limited to immigration courts' jurisdiction over bond, not federal habeas courts' power to review the legality of detention.
21. The federal district court has independent habeas corpus jurisdiction under **28 U.S.C. § 2241**, regardless of immigration court limitations. See *Munaf v. Geren*, 553 U.S. 674, 693 (2008).
22. Continued reliance on *Matter of Hurtado* to deny Petitioner relief violates basic due process principles, leading to indefinite detention without review. See also *Singh v. Holder*, 638 F.3d 1196 (9th Cir. 2011).; *Judulang v. Holder*, 565 U.S. 42 (2011) (agency decisions must be lawful and reasonable).

C. Petitioner Is Entitled to Immediate Release or a Constitutionally Adequate Hearing

23. If immediate release is not granted, due process requires a bond hearing where DHS bears the burden of proof. *See Hernandez v. Sessions*, 872 F.3d 976 (9th Cir. 2017); *Lopez Reyes v. Bonnar*, 362 F. Supp. 3d 762 (N.D. Cal. 2019).

D. Exhaustion Is Excused Because Any Bond Request Would Be Futile

24. Although immigration detainees ordinarily may seek custody redetermination before an Immigration Judge, exhaustion is **prudential**, not jurisdictional, in habeas proceedings.
25. DHS asserts that individuals it classifies under **8 U.S.C. § 1225(b)** are subject to **mandatory detention** and that **Immigration Judges lack jurisdiction** to conduct bond hearings in such cases.
26. Immigration Judges in the **San Antonio Immigration Court** routinely deny bond jurisdiction in cases involving long-present individuals detained as § 1225(b) arrivals.
27. Accordingly, requiring Ms. Vazquez Juarez to seek a bond hearing would be **patently futile**, as the Immigration Judge would disclaim authority to provide any relief.
28. Federal courts in the Western District of Texas have repeatedly waived exhaustion in identical circumstances where DHS's position forecloses administrative relief.

VII. CLAIMS FOR RELIEF

COUNT I – Unlawful Detention (28 U.S.C. § 2241)

29. Petitioner incorporates all preceding paragraphs.
30. Ms. Vazquez Juarez is not a recent arrival and is not properly subject to detention under **8 U.S.C. § 1225(b)**.
31. Individuals with long-standing presence in the United States are subject, at most, to discretionary detention under **8 U.S.C. § 1226(a)**.

32. By detaining Ms. Vazquez Juarez without bond under § 1225(b), DHS exceeds its statutory authority.
33. Her continued detention therefore violates the Immigration and Nationality Act.
34. Respondents are detaining Petitioner in violation of the Fifth Amendment.

COUNT II – Declaratory Relief

35. A declaration is warranted that Petitioner's continued detention is unlawful, without statutory authority, and violated Due Process.

VIII. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant this Petition for Writ of Habeas Corpus.
2. Order Respondents to **immediately release** Petitioner; or
3. In the alternative, order a **prompt, constitutionally adequate custody hearing** with the burden on DHS;
4. Declare that Petitioner's detention violates the Constitution; and
5. Grant any other relief the Court deems just and proper.

Respectfully submitted,

/s/ Rodolfo Castillo
Rodolfo Castillo
Attorney for Petitioner
Texas Bar No. 24000489
Rudy Castillo Law Firm
2621 Rockgate Dr.
San Antonio, TX 78227
Phone: (210) 777-1111
Email: rc@rudycastillolaw.com

IX. SIGNATURE & VERIFICATION

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

Executed on 01/28/2026

/s/ Rodolfo Castillo
Rodolfo A. Castillo
Attorney for Petitioner

EXHIBITS

1. Exhibit A - ICE Detainee Locator record confirming that **Petitioner Yolanda Vazquez Juarez** is currently detained by U.S. Immigration and Customs Enforcement at the **Karnes County Immigration Processing Center** in **Karnes City, Texas.**
2. Exhibit B - Automated Case Information System record reflecting **Petitioner's upcoming Master Calendar Hearing,** as scheduled by the Immigration Court.
3. Exhibit C- Copy of Petitioner Yolanda Vazquez Juarez's **Mexican Consular Identification Card,** Submitted as Proof of Identity
4. Exhibit D - Copy of Petitioner's **US citizen children's birth certificates**
5. Exhibit E —**Attorney Declaration** Authenticating Exhibits A–E

Exhibit

"A"

Official Website of the Department of Homeland Security

Report

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Facility Page

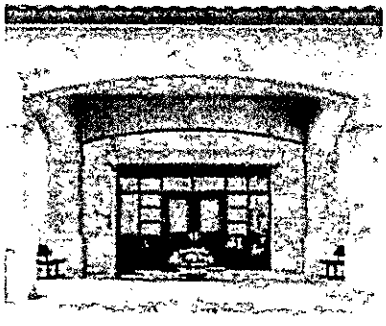
Detention Information For:

VASQUEZ-JUAREZ YOLANDA
Country of Birth: Mexico
A-Number: [redacted]

Current Detention Facility:

KARNES COUNTY IMMIGRATION PROCESSING CENTER
409 FM 1144
NA
KARNES CITY, TX 78118
Visitor Information: (830) 254-2000

MORE INFORMATION >



ERO Office Information

Privacy - Terms

Exhibit

"B"

An official website of the United States government
Here's how you know

EOIR Automated Case Information

Court Closures Today January 28, 2026

Please check https://www.justice.gov/eoir-operational-status for up to date closures.

Home > **YOLANDA, VASQUEZ-JUAREZ** [redacted]

Automated Case Information

Name: YOLANDA, VASQUEZ-JUAREZ | A-Number: [redacted]
| Docket Date: 1/21/2026

Next Hearing Information

Your upcoming **MASTER** hearing is on **February 10, 2026** at **9:00 AM**.

JUDGE
Adams, Justin

COURT ADDRESS
566 Veterans Drive
PEARSALL, TX 78061

Court Decision and Motion Information

This case is pending.

BIA Case Information

No appeal was received for this case.

Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

COURT ADDRESS
566 VETERAN DRIVE., SUITE 101
PEARSALL, TX 78061

PHONE NUMBER
(210) 368-5700

Exhibit

"E"

ATTORNEY DECLARATION IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

I, **Rodolfo Castillo,** declare as follows:

1. I am an attorney licensed to practice law and represent **Petitioner Yolanda Vasquez-Juarez** in the above-captioned matter.
2. Petitioner **Petitioner Yolanda Vasquez-Juarez** is currently detained by **U.S. Immigration and Customs Enforcement** at the **Karnes County Immigration Processing Center in Karnes City, Texas.**
3. I have reviewed the Petitioner's immigration records.
4. Petitioner has no criminal history.
5. Petitioner has always abided by ICE and Immigration Judge rules.
6. The documents attached as **Exhibit E** are true and correct copies of records establishing Petitioner's qualifying relationship to her **United States citizen children,** maintained in the ordinary course of representation.
7. All documents referenced herein are kept and maintained in the ordinary course of my legal practice.

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

Executed on **1/28/2026,** at **San Antonio, Texas.**

/s/ Rodolfo Castillo
Rodolfo A. Castillo
Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January 2026, I electronically filed the foregoing Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 with the Clerk of the United States District Court for the Western District of Texas, San Antonio Division, using the CM/ECF system which automatically serves counsel for the Respondents.

In addition, a copy of this Petition was served upon:

Rose Thompson
Warden, Karnes County Immigration Processing Center
409 FM 1144
Karnes City, TX 78118

and

Todd M Lyons
ICE Acting Director
500 12th Street, SW
Washington, DC 20536

Respectfully submitted,

/s/ Rodolfo Castillo
Rodolfo Castillo
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