UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SAMUEL AVISAI RAMIREZ-CARRETO **Petitioner,** **v.** **PAMELA JO BONDI,** **United States Attorney General, et al.** **Respondents.**	CIVIL ACTION NO. **5:26-cv-00630-XR**

RESPONSE TO FEDERAL RESPONDENTS' RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS CONSIDERING RECENT FIRTH CIRCUIT PRECEDENT

Respondents state that the *Buenrostro v. Bondi*, No. 25-20496, ----F. 4th ---- 2026 WL 323330, (5th Cir. Feb. 6, 20206) is binding precedent and requires that the Court deny this habeas petition. They claim prior cases referenced by the court were decided prior to *Buenrostro,* and as such their reasoning is no longer binding on this court. In fact, there are no material and factual differences in the common question of law between this case and those rulings. As the cases have no differences the same result should be ordered in this case. Petitioner argues that his detention is unlawful under both statutory and constitutional due process grounds. *See petition generally.*

The *Buenrostro* panel opinion held that the statute does not entitle people in Petitioner's position to a bond hearing. *Buenrostro*, 2026 WL 323330, at *1. Nonetheless, the opinion did not reach the due process question. *See generally Buenrostro*, 2026 WL 323330, at *1-10. *Buenrostro* has no precedential guidance as to whether Petitioner is being detained in violation of his constitutional right to procedural due process. Petitioner reiterates his points on his

previously filed petition and points out that Respondents do not note any material factual or legal differences between this case and prior orders considered. As such Petitioner argues that he is being detained in violation of his constitutional right to due process and asks to be liberated.

Dated: February 14, 2026

Respectfully submitted,

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