UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ZONIA RAMOS SANCHEZ

Petitioner,

v.

MIGUEL VERGARA, Field Office Director of Enforcement and Removal Operations, San Antonio Field Office, Immigration and Customs Enforcement; KRISTI NOEM, Secretary, U.S. Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; WARDEN OF KARNES COUNTY IMMIGRATION PROCESSING CENTER,

Respondents.

Case No.

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner, Zonia Ramos Sanchez, a native and citizen of Cuba, has been detained at Karnes County Immigration Processing Center since approximately October 8, 2025. On December 10, 2025, an Immigration Judge issued a final order of removal against Petitioner. Despite the entry of that order, the Department of Homeland Security ("DHS") has failed to effectuate Petitioner's removal or to articulate any concrete, realistic plan for doing so in the reasonably foreseeable future.

2. Since the issuance of the final order, DHS has continued to detain Petitioner without providing any individualized post-order custody determination, meaningful procedural review, or explanation as to why continued confinement is necessary. Petitioner has not been found to present a danger to the community or a flight risk, nor has DHS demonstrated that her continued detention meaningfully advances the civil purpose of effectuating removal.

3. Civil immigration detention is lawful only insofar as it remains reasonably related to its nonpunitive purpose and is accompanied by adequate procedural safeguards. Where, as here, detention continues in the absence of meaningful review and without a demonstrated likelihood that removal will occur in the near future, continued confinement becomes arbitrary and constitutionally infirm. Petitioner therefore seeks habeas relief to remedy her unlawful detention and to vindicate her rights under the Fifth Amendment and the Immigration and Nationality Act.

JURISDICTION

4. Petitioner is detained in civil immigration custody at Karnes Immigration Processing Center in Karnes City, Texas. She has been detained since on or about October 8, 2025. She has not received an individualized post-order custody determination or review justifying continued detention.

5. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*

6. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I § 9, cl. 2 of the United States Constitution (Suspension Clause). This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

7. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Western District of Texas, because Petitioner is detained at the Karnes County Immigration Processing Center in Karnes City, Texas, which is within the jurisdiction of this District.

8. Venue is proper in this District pursuant to 28 U.S.C. § 1391(e), because Respondents are officers, employees, or agencies of the United States, a substantial part of the events or omissions giving rise to her claims occurred in this district, and no real property is involved in this action.

PARTIES

9. Petitioner, Zonia Ramos Sanchez, is a citizen of Cuba. She has been detained since October 8, 2025, and is currently detained at the Karnes County Immigration Processing Center in Karnes City, Texas. She is in the custody, and under the direct control, of Respondents and their agents.

10. Petitioner, MIGUEL VERGARA, is the Director of the San Antonio Field Office of ICE's Enforcement and Removal Operations division. As such, MIGUEL VERGARA, is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

11. Respondent, KRISTI NOEM, is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

12. Respondent, THE DEPARTMENT OF HOMELAND SECURITY (DHS), is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens. DHS oversees ICE and the detention of noncitizens. DHS is a legal custodian of Petitioner.

13. Respondent, PAMELA BONDI, is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

14. Respondent, EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR), is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

15. Respondent, WARDEN OF THE KARNES COUNTY IMMIGRATION PROCESSING CENTER, has immediate physical custody of Petitioner. He is sued in his official capacity.

LEGAL FRAMEWORK

16. Pursuant to 28 U.S.C. § 2243, a federal court reviewing a petition for writ of habeas corpus must either grant the writ or issue an order directing the respondent to show cause why the writ should not be granted. Habeas corpus is the proper vehicle to challenge unlawful civil immigration detention that violates statutory or constitutional limits. See 28 U.S.C. § 2241.

17. The Fifth Amendment's Due Process Clause protects all "persons" within the United States from arbitrary deprivation of liberty. U.S. Const. amend. V. This protection applies to noncitizens in civil immigration detention, including those subject to final orders of removal. See *Demore v. Kim*, 538 U.S. 510, 523 (2003). Freedom from physical restraint lies at the core of the liberty protected by due process, and civil detention is permissible only when it serves a legitimate, nonpunitive governmental purpose and is accompanied by adequate procedural safeguards. See *Kansas v. Hendricks*, 521 U.S. 346, 356–57 (1997).

18. Following the entry of a final order of removal, the Immigration and Nationality Act authorizes detention under 8 U.S.C. § 1231(a) solely for the purpose of effectuating removal. Detention under this provision is not punitive and may not be imposed for its own sake. Rather, continued confinement must bear a reasonable relation to the government's asserted civil objective and must remain justified by actual progress toward removal. See *Demore*, 538 U.S. at 528; *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

19. Critically, neither the INA nor the Constitution authorizes the government to detain a noncitizen post-order in the absence of meaningful procedural review or without an individualized assessment demonstrating that continued detention is necessary to serve the purpose of removal. When detention continues without a custody determination evaluating flight risk, danger, or the realistic likelihood of removal, it becomes arbitrary and untethered from its statutory justification.

20. Federal courts retain authority to review the constitutionality of prolonged or unjustified immigration detention through habeas corpus, even where the governing statute does not expressly provide procedural protections. See *Jennings v. Rodriguez*, 583 U.S. 281, 308–09 (2018) (confirming availability of constitutional habeas challenges to immigration detention).

Due process requires that civil detention be supported by more than the mere existence of a removal order; it requires ongoing justification and procedural safeguards sufficient to ensure that confinement does not become excessive, arbitrary, or punitive in nature.

21. Accordingly, where DHS continues to detain a noncitizen after a final order of removal without providing meaningful procedural review and without demonstrating that removal is realistically forthcoming, such detention exceeds the limits of statutory authority under 8 U.S.C. § 1231(a) and violates the Due Process Clause of the Fifth Amendment.

CLAIMS FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

22. Petitioner re-alleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

23. The Due Process Clause of the Fifth Amendment prohibits the Government from depriving any person of liberty without due process of law. This protection applies to noncitizens in civil immigration detention, including those subject to final orders of removal.

24. Petitioner, Zonia Ramos Sanchez, a native and citizen of Cuba has been detained at the Karnes County Immigration Processing Center in Karnes City, Texas since approximately October 8, 2025. On December 10, 2025, an Immigration Judge issued a final order of removal against Petitioner.

25. Since the issuance of the final order of removal, Respondents have continued to detain Petitioner without providing any meaningful individualized post-order custody determination, hearing, or procedural review assessing whether continued detention is justified.

26. Respondents have not found that Petitioner poses a danger to the community or a flight risk, nor have they articulated any legitimate basis demonstrating that continued detention meaningfully advances the civil purpose of effectuating removal.

27. Civil immigration detention is lawful only so long as it remains reasonably related to its nonpunitive purpose and is accompanied by adequate procedural safeguards. Where detention continues without individualized justification and without meaningful review, it becomes arbitrary and excessive in relation to its stated purpose.

28. By continuing to detain Petitioner without adequate procedural safeguards and without a demonstrated, realistic basis for believing that removal will occur in the reasonably foreseeable future, Respondents have violated Petitioner's right to due process under the Fifth Amendment.

COUNT TWO

Violation of 8 U.S.C. § 1231(a)

29. Petitioner re-alleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

30. The Immigration and Nationality Act authorizes post-order detention under 8 U.S.C. § 1231(a) solely for the purpose of effectuating removal. Detention under this provision is not punitive and must bear a reasonable relationship to that limited statutory purpose.

31. Respondents have continued to detain Petitioner without demonstrating that her continued confinement is necessary to effectuate removal or that removal is realistically forthcoming.

32. Because Petitioner's continued detention no longer serves the statutory purpose of effectuating removal and is not supported by any individualized determination or procedural safeguards, her detention exceeds the authority granted by 8 U.S.C. § 1231(a).

33. Respondents' ongoing detention of Petitioner is therefore unlawful and not authorized by statute.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

(1) Assume jurisdiction over this matter;

(2) Declare that Petitioner's ongoing prolonged detention violates the Due Process Clause of the Fifth Amendment and 8 U.S.C. § 1231(a);

(3) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;

(4) In the alternative, order Respondents to provide an immediate individualized post-order custody hearing with the burden on the Government to justify continued detention;

(5) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and

(6) Grant any further relief this Court deems just and proper.

DATED this 2nd day of February 2026.

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