Yerandy Fernandez Llera
[redacted]

FILED
JAN 27 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

YERANDY FERNANDEZ LLERA,	§	
AS NEXT FRIEND OF	§	
ALIRIA LLERA LEON,	§	**A#** [redacted]
Petitioner,	§	SA26CA0584 OG
v.	§	**CIVIL ACTION NO. -------**
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 Aliria Llera Leon, 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, Yerandy Fernandez Llera, certify that on January 21, 2026, I served a true and correct copy of the foregoing Emergency Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 by U.S. Mail on the following:

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 (ICE)

Enforcement and Removal Operations (ERO)

San Antonio Field Office

Attn: Field Office Director

1777 NE Loop 410, Suite 1500

San Antonio, TX 78217

Date: 01/21/2026

Signature: YFL

Yerandy Fernandez Llera

[redacted]

San Antonio, TX[redacted]

Phone: [redacted]

Email: [redacted]@gmail.com

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UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241

I. INTRODUCTION

My name is Yerandy Fernandez Llera. I am a Lawful Permanent Resident of the United States, and I respectfully file this Emergency Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 as Next Friend on behalf of my mother, Aliria Llera Leon (A# [redacted] ("Ms. Llera Leon"), a Cuban national who is currently in the custody of U.S. Immigration and Customs Enforcement ("ICE") at the Karnes County Immigration Processing Center in Karnes City, Texas.

Ms. Llera Leon was taken into ICE custody on June 5, 2025, during a routine ICE appointment in San Antonio, Texas, despite appearing in good faith and complying with immigration supervision requirements. She has remained in ICE custody since that date.

Ms. Llera Leon has a final order of removal, and she has a pending appeal before the Board of Immigration Appeals ("BIA"). While her appeal remains pending, she continues to have active immigration litigation, and her continued detention must comply with the Due Process Clause of the Fifth Amendment.

Ms. Llera Leon also suffers from serious and chronic medical conditions—including trigeminal neuralgia, chronic gastritis, and high cholesterol—and her symptoms have worsened in ICE custody, requiring escalation of treatment, specialty care, and advanced diagnostic testing. Continued detention under these circumstances is unnecessary, harmful, and constitutionally excessive.

I respectfully request that this Court grant habeas relief and order Ms. Llera Leon's release from ICE custody, or in the alternative, order prompt and meaningful relief consistent with constitutional due process.

II. JURISDICTION AND VENUE

1. I bring this Petition under 28 U.S.C. § 2241 because Ms. Llera Leon is "in custody" under the authority of the United States through ICE.
2. This Court has jurisdiction to review the legality of immigration detention and to grant relief when a person is held "in violation of the Constitution or laws or treaties of the United States."
3. Venue is proper in this District because Ms. Llera Leon is detained in Texas and the key events leading to her detention occurred in Texas.

III. PARTIES

4. I, Yerandy Fernandez Llera, am the Petitioner and Next Friend. I am a Lawful Permanent Resident of the United States, and I am Ms. Llera Leon's son. I have a significant

relationship with Ms. Llera Leon, and I am acting in good faith to protect her liberty interests and constitutional rights while she remains in ICE custody.

5. Aliria Llera Leon is a citizen and national of Cuba, born on March 14, 1972, and she is currently in ICE custody.

IV. CUSTODY AND LOCATION INFORMATION

6. Ms. Llera Leon is currently in ICE custody at the Karnes County Immigration Processing Center, located at:

409 FM 1144

Karnes City, TX 78118

7. Ms. Llera Leon has been in ICE custody since June 5, 2025.

8. For identification purposes within the facility, she is housed in [redacted] Willow Unit, Second Floor.

V. FACTUAL BACKGROUND

9. Ms. Llera Leon entered the United States on or about May 12, 2022, in Arizona, and she was issued a Notice to Appear (NTA).

10. On June 5, 2025, Ms. Llera Leon appeared in good faith for a routine ICE appointment scheduled for 8:30 a.m. at:

3523 Crosspoint

San Antonio, TX 78217

11. Ms. Llera Leon complied with ICE instructions and attended the appointment voluntarily. She did not attempt to evade immigration authorities.

12. At that appointment, Ms. Llera Leon was taken into ICE custody and was not allowed to leave. She was not provided with a clear, individualized explanation for why she was being taken into ICE custody at that time.

13. Ms. Llera Leon has no criminal record. She has a history of compliance with immigration requirements, and her attendance at the appointment demonstrates good-faith compliance and that she is not a flight risk.

14. Ms. Llera Leon has remained in ICE custody since June 5, 2025, at the Karnes County Immigration Processing Center.

VI. FINAL ORDER OF REMOVAL AND PENDING BIA APPEAL

15. Ms. Llera Leon has been ordered removed by an Immigration Judge, and she timely filed an appeal.

16. Ms. Llera Leon currently has an appeal pending before the Board of Immigration Appeals (BIA).

17. Because her appeal remains pending, Ms. Llera Leon continues to have active immigration litigation, and her continued ICE custody remains subject to the Due Process Clause of the Fifth Amendment and habeas review under 28 U.S.C. § 2241.

VII. MEDICAL CONDITIONS AND DETERIORATION IN ICE CUSTODY

18. Ms. Llera Leon suffers from serious and chronic medical conditions that require ongoing medical monitoring and treatment, including:

a. Trigeminal Neuralgia (chronic), which causes severe facial pain and neurological symptoms;

b. Chronic gastritis, causing ongoing gastrointestinal distress; and

c. High cholesterol, requiring continued medication and monitoring.

19. Ms. Llera Leon's medical records confirm a long history of trigeminal neuralgia and chronic gastritis, and she has been prescribed medications while in custody including amitriptyline, omeprazole, and later carbamazepine for neurological pain management, as well as atorvastatin for cholesterol control.

20. Ms. Llera Leon's symptoms have worsened since October 2025, including worsening pain and neurological symptoms that required medical intervention and changes in medication.

21. Medical records reflect that Ms. Llera Leon reported that amitriptyline was no longer effective, and medical providers discontinued amitriptyline and initiated carbamazepine (Tegretol).

22. Ms. Llera Leon's condition required specialty-level evaluation. A neurology evaluation confirmed the severity and chronic nature of her condition and required escalation of treatment and further diagnostic testing.

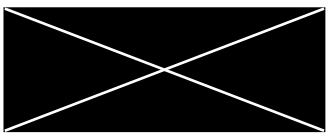
23. Neurology ordered increased dosing of carbamazepine and additional medical testing, including laboratory studies and advanced imaging such as MRI of the brain with and without contrast and MRA of the brain, demonstrating that her condition is serious and requires ongoing monitoring.

24. Ms. Llera Leon's continued detention under these medical circumstances increases her risk of further deterioration, unmanaged pain, complications, and inability to obtain consistent, appropriate care.

25. Because Ms. Llera Leon's medical condition is chronic and has worsened in custody, her continued detention is not only unnecessary but also harmful and inconsistent with the civil purpose of immigration detention.

VIII. RELEASE PLAN (PROPOSED CONDITIONS OF RELEASE)

26. If Ms. Llera Leon is released from ICE custody, she will reside with me at:



27. I will provide stable housing, transportation, and support to ensure Ms. Llera Leon attends all immigration-related appointments, including immigration court hearings and ICE check-ins, and complies with all reporting requirements and any conditions imposed by immigration authorities.

28. I am willing to ensure Ms. Llera Leon complies with any reasonable conditions of release, including regular check-ins, electronic monitoring if required, and maintaining updated address information with the appropriate agencies.

IX. LEGAL STANDARD

29. The Due Process Clause of the Fifth Amendment applies to all persons in the United States, including noncitizens, and it protects individuals from arbitrary civil detention without adequate procedural safeguards.

30. Immigration detention is civil in nature, not punitive. Civil detention must bear a reasonable relationship to a legitimate government purpose, such as ensuring appearance at proceedings or protecting the community.

31. The Supreme Court has recognized that immigration detention must remain within constitutional limits and that due process imposes meaningful constraints on prolonged or arbitrary detention. See, e.g., Zadvydas v. Davis, 533 U.S. 678 (2001); Demore v. Kim, 538 U.S. 510 (2003); Jennings v. Rodriguez, 138 S. Ct. 830 (2018).

X. ARGUMENT

A. Continued ICE detention violates the Fifth Amendment Due Process Clause because it is excessive, arbitrary, and not supported by individualized justification.

32. The Fifth Amendment prohibits arbitrary civil detention. Ms. Llera Leon was taken into ICE custody during a routine ICE appointment despite her history of compliance and despite having no criminal record.

33. ICE did not provide a clear, individualized justification for taking Ms. Llera Leon into custody at that appointment. Continued detention without individualized justification raises serious due process concerns.

34. Ms. Llera Leon's continued ICE detention is not supported by any showing that she is a danger to the community. She has no criminal record and has demonstrated compliance.

B. Continued ICE detention is unnecessary because Ms. Llera Leon is not a flight risk and has demonstrated consistent compliance.

35. Ms. Llera Leon appeared voluntarily for her ICE appointment and complied with supervision requirements. Her history of compliance demonstrates she is not a flight risk.

36. The government can ensure her appearance through less restrictive alternatives, including release under supervision and reporting conditions.

37. Given her compliance history and the stable release plan available, there is no reasonable reason why Ms. Llera Leon cannot remain in the community while her BIA appeal is pending.

C. Continued ICE detention is unconstitutional where it is no longer reasonably related to its civil purpose and where medical deterioration is occurring.

38. In Zadvydas v. Davis, the Supreme Court held that civil detention becomes constitutionally problematic when it is no longer reasonably related to its purpose. 533 U.S. 678 (2001).

39. In Demore v. Kim, the Court upheld mandatory detention in a narrow context, emphasizing that detention was tied to a limited period and specific circumstances. 538 U.S. 510 (2003).

40. In Jennings v. Rodriguez, the Supreme Court rejected certain statutory interpretations requiring periodic bond hearings but reaffirmed that detainees may still raise constitutional due process challenges. 138 S. Ct. 830 (2018).

41. Here, Ms. Llera Leon has been detained since June 5, 2025, despite her lack of criminal history, her compliance, her pending BIA appeal, and her serious medical deterioration in custody. Continued detention under these circumstances is excessive, unreasonable, and unconstitutional.

D. The Court may grant habeas relief by ordering release, or alternatively by requiring prompt custody review consistent with due process.

42. Ms. Llera Leon's continued detention is unnecessary and excessive. Release under supervision would satisfy the government's interests while respecting due process.

43. I respectfully request that the Court order Ms. Llera Leon's immediate release from ICE custody.

44. In the alternative, I respectfully request that the Court order prompt and meaningful custody review that includes an individualized assessment of flight risk and danger and considers less restrictive alternatives to detention.

XI. REQUEST FOR RELIEF

WHEREFORE, I respectfully request that this Court:

A. Grant this Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241;

B. Order Ms. Llera Leon's immediate release from ICE custody, under appropriate conditions if necessary;

C. In the alternative, order that she receive prompt and meaningful relief consistent with due process;

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

XII. NEXT FRIEND'S SWORN STATEMENT AND COMMITMENT

1. I, Yerandy Fernandez Llera, solemnly affirm under penalty of perjury that the information contained in this Petition is true and correct to the best of my knowledge.
2. I understand the seriousness of this commitment and affirm my willingness to ensure Ms. Llera Leon's full compliance with all immigration requirements if she is released.
3. If Ms. Llera Leon is released, she will live with me at [redacted]

4. I will assist her with transportation and ensure she attends all immigration-related appointments, including immigration court hearings and ICE check-ins, and complies with all reporting requirements and any conditions imposed by immigration authorities.

XIII. VERIFICATION

1. I, Yerandy Fernandez Llera, declare under penalty of perjury that the foregoing is true and correct.

Date: 01/21/2026

Signature: YFL

Yerandy Fernandez Llera

Next Friend of Aliria Llera Leon (A# [redacted])

[redacted]

San Antonio, TX [redacted]

Phone: [redacted]

Email: [redacted]@gmail.com