ALIRIA LLERA LEON, Detainee

409 FM 1144

Karnes City, TX 78118

FILED
MAR 16 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

United States

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

ALIRIA LLERA LEON,	§	**A#** [redacted]
Petitioner,	§	
v.	§	**CIVIL ACTION. 5:26-cv-00584**
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.	§	

PETITIONER'S REPLY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

Nature of Suit 463 Immigration - Habeas Corpus - Alien Detainee

PETITIONER'S REPLY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

I, **Aliria Llera Leon (A#** [redacted], respectfully submit this Reply addressing the arguments raised by Respondents regarding my continued immigration detention.

I am currently detained by U.S. Immigration and Customs Enforcement at the Karnes County Immigration Processing Center in Karnes City, Texas.

This case concerns the constitutional limits of civil immigration detention. Immigration detention is civil in nature and cannot result in the prolonged deprivation of liberty without adequate constitutional justification.

The central question before this Court is whether continued civil immigration detention remains constitutionally justified where the individual has demonstrated compliance with immigration supervision and removal is not imminent.

I respectfully clarify that this case does not challenge my immigration proceedings themselves. Instead, this habeas action presents a narrow constitutional question: whether my continued civil detention remains lawful under the Due Process Clause of the Fifth Amendment.

I. THIS PETITION DOES NOT CHALLENGE THE IMMIGRATION PROCEEDINGS

I do not challenge the decision of the Immigration Judge or the merits of my immigration case.

I currently have an appeal pending before the Board of Immigration Appeals, and that appeal remains unresolved.

Because the administrative appeal is pending, the immigration process is not yet complete, and removal cannot occur until the appellate review process is finished.

I seek only judicial review of the legality of my continued civil detention, not review of the immigration proceedings themselves.

II. I DO NOT SEEK A BOND HEARING

Respondents argue that I am subject to mandatory detention and therefore ineligible for bond.

That argument misunderstands the nature of this habeas petition.

I do not request a bond hearing and do not seek review of any bond determination.

Instead, I seek relief from continued detention that has become constitutionally excessive and no longer reasonably related to its civil purpose.

Federal courts retain authority through habeas corpus to review whether executive detention violates the Constitution.

III. RESPONDENTS' RELIANCE ON BUENROSTRO IS MISPLACED

Respondents rely on Buenrostro-Mendez to argue that detention is mandatory.

However, that decision addressed the statutory availability of bond hearings under immigration law. It did not eliminate the authority of federal courts to review constitutional challenges to detention through habeas corpus.

This case does not concern the availability of bond.

Instead, it raises a constitutional question: whether continued civil detention under the specific circumstances of this case violates the Fifth Amendment.

Accordingly, Respondents' reliance on Buenrostro does not resolve the constitutional issue presented here.

IV. I WAS DETAINED AFTER COMPLYING WITH ICE SUPERVISION

I was taken into ICE custody after voluntarily appearing at a scheduled ICE appointment.

I complied with all supervision requirements and appeared in good faith at the appointment.

My compliance demonstrates that I am not a flight risk and that I have respected the immigration process.

Rather than attempting to evade immigration authorities, I appeared exactly as required.

The fact that I was detained only after voluntarily appearing for a scheduled appointment demonstrates my history of compliance with immigration requirements.

When I voluntarily appeared at my scheduled ICE appointment and was taken into custody despite my demonstrated history of compliance with immigration supervision, that detention undermines the very justification typically offered for civil immigration confinement.

My voluntary compliance with supervision requirements is one of the strongest indicators that I do not present a risk of flight. When detention follows voluntary compliance rather than evasion, the rationale for continued confinement becomes significantly weaker and raises serious due process concerns.

Under these circumstances, my continued detention appears disconnected from the regulatory purposes of immigration custody and instead risks functioning as an arbitrary deprivation of liberty.

V. I HAVE CONSISTENTLY COMPLIED WITH IMMIGRATION PROCEEDINGS

I have demonstrated a consistent history of compliance.

I attended my ICE appointment as instructed.

I complied with immigration supervision.

I pursued legal remedies through the immigration system and filed an appeal before the Board of Immigration Appeals.

These facts demonstrate that I do not present a danger to the community and do not present a flight risk.

VI. SERIOUS MEDICAL CONDITIONS

I suffer from several serious medical conditions that require ongoing treatment and monitoring.

Medical records confirm that I have been diagnosed with trigeminal neuralgia, a chronic neurological condition that causes severe facial pain and headaches.

I also suffer from chronic gastritis and high cholesterol, which require continuous medical treatment and medication.

Detention medical records show that I have repeatedly requested medical attention due to severe pain affecting the right side of my head and eye.

These records demonstrate that my medical condition is ongoing and requires consistent monitoring.

Under these circumstances, continued detention exposes me to unnecessary suffering and medical risk.

VII. DETENTION FOLLOWING A ROUTINE ICE APPOINTMENT RAISES SERIOUS DUE PROCESS CONCERNS

I was not detained because of any criminal conduct.

I was taken into custody only after appearing for a scheduled ICE appointment.

When detention occurs under these circumstances, where an individual voluntarily appears before immigration authorities and has demonstrated compliance, continued detention without individualized justification raises serious due process concerns.

VIII. CONTINUED DETENTION WITHOUT INDIVIDUALIZED JUSTIFICATION IS ARBITRARY

Civil immigration detention must remain reasonably related to its regulatory purpose.

The purpose of detention is generally to ensure appearance at immigration proceedings or to protect the community.

Here, neither concern is present.

I have demonstrated compliance with immigration proceedings and do not have a criminal history.

I have remained in immigration custody since June 5, 2025, when I was taken into ICE custody during a routine supervision appointment.

Since that date, I have remained continuously detained while my immigration case proceeds through the administrative process, including my pending appeal before the Board of Immigration Appeals.

As detention continues for months without any individualized determination that I pose a danger to the community or a risk of flight, the justification for continued civil detention becomes increasingly weak.

IX. HABEAS CORPUS EXISTS TO PREVENT ARBITRARY DETENTION

The writ of habeas corpus serves as a fundamental safeguard against unlawful executive detention.

Federal courts retain authority to ensure that immigration detention does not become arbitrary or punitive.

Where liberty is restrained without adequate justification, judicial intervention is necessary.

X. MANDATORY DETENTION DOES NOT ELIMINATE CONSTITUTIONAL LIMITS

Respondents argue that my detention is authorized under immigration statutes.

However, statutory authority does not eliminate constitutional limitations imposed by the Fifth Amendment.

Civil detention must bear a reasonable relationship to legitimate regulatory goals.

When detention continues without individualized justification, it raises serious constitutional concerns.

XI. REDETENTION AFTER A PERIOD OF COMPLIANCE UNDERMINES ANY CLAIM OF NECESSITY

I was not detained upon entering the United States.

Instead, I was permitted to remain at liberty while complying with immigration supervision.

My detention occurred only after I voluntarily appeared for my ICE appointment.

This history of compliance strongly demonstrates that I do not present a flight risk.

XII. LESS RESTRICTIVE ALTERNATIVES EXIST

Civil immigration detention is not intended to function as punishment.

Where less restrictive alternatives exist that can ensure appearance at immigration proceedings, continued detention becomes unnecessary.

I have a stable release plan and family support available in San Antonio, Texas.

These circumstances demonstrate that the government's interests can be satisfied through supervision or other non-custodial measures.

XIII. CONTINUED DETENTION DURING A PENDING BIA APPEAL

I currently have an appeal pending before the Board of Immigration Appeals.

Because the administrative process remains ongoing, my removal cannot occur until that appellate review has concluded.

When removal is not imminent and the individual has demonstrated compliance with immigration proceedings, continued detention risks becoming excessive.

XIV. MATHEWS v. ELDRIDGE BALANCING TEST

Under the balancing framework established in Mathews v. Eldridge, courts consider:

(1) the private interest affected,

(2) the risk of erroneous deprivation of liberty, and

(3) the government's interest.

Here, my liberty interest is substantial, the risk of unnecessary detention is significant, and release under supervision would impose minimal administrative burden.

Balancing these factors demonstrates that my continued detention without individualized review is constitutionally excessive.

XV. TOTALITY OF THE CIRCUMSTANCES

Considering the totality of the circumstances:

I voluntarily appeared at my ICE appointment

I have no criminal history

I have complied with immigration proceedings

I have serious medical conditions

My BIA appeal remains pending

Continued detention is no longer reasonably related to the purposes of civil immigration detention.

XVI. STATUTORY AUTHORITY DOES NOT RESOLVE THE CONSTITUTIONAL QUESTION

Respondents repeatedly rely on the fact that the immigration statutes authorize detention.

However, the existence of statutory authority does not resolve the constitutional question presented in this habeas action.

The issue before this Court is not whether immigration law permits detention in the abstract. Rather, the question is whether my continued detention under the specific circumstances of this case remains consistent with the Due Process Clause of the Fifth Amendment.

Even where Congress authorizes detention, federal courts retain the responsibility to ensure that civil confinement does not become arbitrary, excessive, or disconnected from its regulatory purpose.

Here, I have demonstrated compliance with immigration supervision, I voluntarily appeared for my ICE appointment, I have no criminal history, and my appeal remains pending before the Board of Immigration Appeals.

Under these circumstances, statutory detention authority alone cannot justify my continued confinement.

CONCLUSION

For the foregoing reasons, I respectfully request that this Court:

1.Deny Respondents' request to dismiss the petition;

2.Grant the Petition for Writ of Habeas Corpus;

3.Order my immediate release from ICE custody; and

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

I have remained in immigration custody since June 5, 2025, despite my compliance with immigration supervision, my lack of criminal history, my pending BIA appeal, and my serious medical conditions.

Under these circumstances, continued detention violates the Due Process Clause of the Fifth Amendment.

For these reasons, continued detention under these circumstances is constitutionally excessive and requires this Court's intervention through habeas corpus.

Respectfully submitted,

Aliria Llera Leon

Date: 03-12-2026

Signature: _____

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, I served a true and correct copy of the foregoing by placing it in the institutional mail system for delivery to the following:

United States District Court

Attn: Clerk of Court

Western District of Texas

262 W. Nueva Street, Suite 400

San Antonio, Texas 78207

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

Date: 03-12-2026

Signature: _____

PETITIONER'S MOTION REQUESTING COURT ASSISTANCE WITH SERVICE

I, Aliria Llera Leon, Petitioner, respectfully request that this Court assist with service of filings upon Respondents due to my current immigration detention and limited ability to effect service personally. I am presently detained in immigration custody and do not have practical access to mailing services, copying resources, or the means necessary to complete formal service upon all Respondents. My detention substantially restricts my ability to comply with ordinary service requirements despite my good-faith efforts to prosecute this action. This habeas corpus proceeding challenges ongoing physical detention, and timely service is necessary to ensure that the Court's review proceeds without unnecessary delay. Because I am proceeding while detained, I respectfully request the Court's assistance to ensure that Respondents receive copies of my filings through electronic notification or any other method the Court deems appropriate. Federal courts possess inherent authority to facilitate service where a detained petitioner lacks the practical ability to complete service independently, particularly in habeas proceedings involving challenges to present custody. Accordingly, I respectfully request that the Court direct the Clerk of Court to transmit copies of my filings to Respondents through the Court's electronic filing system or by any alternative method deemed appropriate by the Court.

WHEREFORE, I respectfully request that this Court:

Direct the Clerk of Court to provide copies of Petitioner's filings to Respondents; and

Respectfully submitted,

Aliria Llera Leon

Date: 03-12-2026

Signature: _____