

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

Ronald Jose Lopez Jaimes,

Petitioner,

-v-

Todd M. Lyons, Acting Director of US ICE;
Miguel Vergara, San Antonio Field Office
Director, US Immigration and Customs
Enforcement; Daren K. Margolin, Director of
the Executive Office for Immigration Review;
Warden, Karnes County Immigration
Processing Center,

Respondents.

Case No: 5:26-cv-686

**Petition for Writ of Habeas Corpus
Under 28 U.S.C. § 2241**

INTRODUCTION

Petitioner Ronald Jose Lopez Jaimes is an asylum seeker from Venezuela who was unlawfully detained by Respondents on January 20, 2026. Respondents detained him without due process or warrant. His detention violates the Immigration and Nationality Act as well as his Fifth Amendment Due Process rights. *See* 8 U.S.C. § 1226(a). Without intervention by this Court, Petitioner will be subject to indefinite detention. He has been deemed ineligible for bond under recent precedent of the Board of Immigration Appeals. There is no other avenue for Petitioner to be released from this unlawful detention. For these reasons, he prays that this Court will grant his release.

JURISDICTION

1. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 et seq.
2. 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).
3. This Court has jurisdiction over the claims asserted in this action pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1361, and 28 U.S.C. § 1651 because Petitioner asks this Court to compel Respondents, officers of the United States, to perform their duties owed under 8 U.S.C. § 1226(a).
4. The jurisdiction of this Court is also invoked pursuant to 28 U.S.C. §§ 2201-02 which authorizes the issuance of declaratory judgments.
5. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.

VENUE

6. Venue is proper in this District because Petitioner is detained at the Karnes County Immigration Processing Center located at 409 FM 1144, Karnes City, TX 78118, which is within the jurisdiction of this District.
7. Venue is proper in this District because Respondents are officers, employees, or agencies of the United States, and a substantial part of the events or omissions giving rise to Petitioner's claims occurred in this District.

PARTIES

8. Petitioner is an applicant for asylum who is being detained at the Karnes County Immigration Processing Center located at 409 FM 1144, Karnes City, TX 78118. He was assigned alien number  Petitioner is under the direct control and in the custody of Respondents and their agents.
9. Respondent Todd M. Lyons is the Acting Director of US ICE. Respondent is the legal custodian of Petitioner and has the direct authority to release Petitioner. Todd M. Lyons is sued in his official capacity.
10. Respondent Miguel Vergara is the San Antonio Field Office Director of US Immigration and Customs Enforcement. Respondent is the legal custodian of Petitioner and has the direct authority to release Petitioner. Miguel Vergara is sued in his official capacity.
11. Respondent Daren K. Margolin is the Acting Director of the Executive Office for Immigration Review (EOIR). He has the legal authority to order an immigration judge to undertake any actions which this Court may order.
12. The Warden of the Karnes County Immigration Processing Center is sued as the direct custodian of Petitioner. The Warden's name is not publicly listed on any materials that were available at the time of filing. The Warden is sued in his or her official capacity.

STATEMENT OF FACTS

13. Petitioner entered the United States seeking asylum on May 20, 2021 and was assigned alien number . *See* Exhibit A.
14. Petitioner arrived in the United States by plane and was detained by US Customs and Border Patrol agents. *See id.* He was detained pursuant to Section 236 of the Immigration and Nationality Act (8 U.S.C. § 1226). *See* Exhibit B.
15. Petitioner was subsequently released from detention pursuant to a grant of humanitarian parole on or around June 14, 2021. *See* Exhibit C.
16. Rather than being detained for expedited removal proceedings, Petitioner was released and placed into full removal proceedings under Section 240 of the Immigration and Nationality Act (8 U.S.C. § 1255). *See* Exhibit A. This permits him to pursue any applications for relief that might entitle him to remain in the United States.
17. Petitioner's immigration proceedings take place within the immigration courts administered by EOIR. Petitioner has applied for asylum and is permitted to remain in the United States until a final determination has been made on his application.
18. Despite his pending relief and Respondents' prior communication that he was being detained pursuant to 8 U.S.C. § 1226, Petitioner was detained by US Immigration and Customs Enforcement officers on or around January 20, 2026. He was unlawfully arrested without a warrant in violation of 8 U.S.C. § 1226(a). Respondents did not undertake *any* legal process before detaining him.
19. Petitioner continues to be unlawfully detained by Respondents. *See* Exhibit D.

CLAIM FOR RELIEF

Violation of Fifth Amendment Right to Due Process

20. The above paragraphs are realleged and incorporated herein.
21. The Department of Homeland Security has unlawfully detained Petitioner under “mandatory detention” authority reserved for aliens who are in the process of entering the United States, 8 U.S.C. § 1225.
22. This section of the Immigration and Nationality Act is reserved for individuals arriving in the United States. Petitioner was not arriving in the United States at the time of his detention; he had been in the United States for more than four years.
23. Petitioner’s detention violated the Immigration and Nationality Act and his due process rights because he was detained without “a warrant issued by the Attorney General” as required by Section 236(a) of the Immigration and Nationality Act.
24. Having been unlawfully detained, Petitioner requests the only appropriate relief from this Court: “release from unlawful detention”. *Dep’t of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 107 (2020).
25. There is no other avenue for release that Petitioner can seek. Respondents have determined that all individuals like Petitioner are ineligible for bond and must be detained. The Executive Office for Immigration Review has issued precedential decisions holding that immigration judges unequivocally have no jurisdiction to entertain granting bond in Petitioner’s exact circumstances. *See, e.g., Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025).
26. Petitioner’s warrantless arrest and continued detention are violations of his rights under the Fifth Amendment of the US Constitution.

PRAYER FOR RELIEF

Petitioner respectfully asks that the Court:

- A. Assume jurisdiction over this matter;
- B. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
- C. Order that Respondents not transfer Petitioner from this District of the Western District of Texas during the pendency of this matter;
- D. Order that Respondents not remove Petitioner from the United States until this matter has concluded;
- E. Order that Respondents immediately release Petitioner from detention under the same conditions of release that he had prior to his unlawful detention;
- F. Order that Respondents return all personal property that was confiscated from Petitioner at the time of the unlawful detention; and
- G. Grant any further relief this Court deems just and proper.

VERIFICATION

On Petitioner's behalf, I, Joseph Krebs Muller, verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Respectfully submitted,

/s/ Joseph Krebs Muller

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