

JUDGE LEON SCHYDLOWER

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the

RECEIVED

FEB 06 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CH
DEPUTY CLERKSUAREZ TABARES MANUEL
PetitionerDirector regional ice EL PASO TX MARY DE ANDA VABANA
Fiscal General Attorney Pamela Bondi
Director general ice TAD M. LYONS
Director Montana East Director Michael Watkins
Respondent
(name of warden or authorized person having custody of petitioner)Case No. _____
(Supplied by Clerk of Court)

EP 26CV0366

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: SUAREZ TABARES MANUEL
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: EL PASO EAST MONTANA
(b) Address: 6920 Digital Road EL PASO, TX, 79936
(c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: ICE RERA Director David G Gomez, Pam Bondi
Acting ICE Director Todd M Lyons.(b) Docket number, case number, or opinion number: 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

ORDER OF REMOVAL Signed in 1999. due to my conviction for
possession of marijuana 20 gram.(d) Date of the decision or action: 1-29-2026**Your Earlier Challenges of the Decision or Action**7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☐ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: July 11th - 25 - 2025

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals? _____

☐ Yes

☒ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

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Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: My continued detention is unconstitutional under the 5th Amendment of the Constitution because i have now spend 6 month and 15 DAYS in custody and my detention is not necessary

(a) Supporting facts (Be brief. Do not cite cases or law.):

I have been detained For 6 month & 15 DAYS, And MY CASE CLOSED in 1999. I raised serious concern Prolong custody. ICE unable to Acquire my travel documents & they want to send my Mexico. I'm not from Mexico and i don't want go Mexico. I want go Cuba my country. I have lived in the same address for 43 years

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes

☒ No

GROUND TWO: My continued Detention is unconstitutional under 5th Amendment of the Constitution Continued

(a) Supporting facts (Be brief. Do not cite cases or law.):

The condition at EL PASO are similar OR WORST to a prison. I have not received adequate health care. I'm 22 years old, My vision is not good No glass given to me, knee Dislocated, I fall couple time, Hard to do Day to Day routine. This center has black mold, Sewer water smell Bad food often Spoiled. My health is Deteriorated.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE: My continued detention is unconstitutional under 5th Amendment of the Constitution Continued

(a) Supporting facts (Be brief. Do not cite cases or law.):

I am not a Danger to the community or a flight Risk, it has taken Entaken this long because Cuba is not Accepting. I am citizen. I am return to my My Prolonged Detention is ICE Fault & they have no reason to continue to Detain me.

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☐ No

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GROUND FOUR: My continued Detention is unconstitutional under 5th Amendment of the Constitution.

(a) Supporting facts (Be brief. Do not cite cases or law.):

I fear return to my Country of origin, I could be
persecuted due to the information I gave the [REDACTED]
[REDACTED] for that reason if
I go back I could be killed or prosecuted by the government of
Cuba.

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

release

15. State exactly what you want the court to do: ORDER My immediate^{release} from detention, AND
Restraining Order against ICE arresting me without a
travel Document. Government should bear the burden of
proof by clear and convincing evidence that I should be
detained. Stop Ice from moving me from facility to keep me
long into the detention

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 01/29/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Manuel Suarez & Dames
EL Paso Camp East Montana

~~6920 Digital Rd.~~ P.O. Box 96033

El Paso TX. 79936



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FILED

FEB 06 2026

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

Western District Court
of Texas Albert Armendariz
united state courthouse 52
Room 105 El Paso TX 79