3:26 CV 322

FILED

FEB 09 2026

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

JUDGE BRENNAN
MAG. JUDGE HENDERSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION (TOLEDO)

MARIA DEL JESÚS ROBLERO LÓPEZ,
As Next Friend of Anastacio Escobar Roblero,
Petitioner,

v.

THOMAS HOMAN, Acting Director, U.S. Immigration and Customs Enforcement (ICE);
ALEJANDRO MAYORKAS, Secretary, U.S. Department of Homeland Security;
WARDEN, LUCAS COUNTY CORRECTIONS CENTER,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241
EMERGENCY – ULTRA EXTENSIVE FEDERAL HABEAS CORPUS

This is an emergency Petition for Writ of Habeas Corpus challenging the unlawful, arbitrary, prolonged, and punitive civil immigration detention of Anastacio Escobar Roblero, currently confined at the Lucas County Corrections Center in Toledo, Ohio.

I. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241, as Petitioner challenges the fact, duration, and conditions of federal immigration detention. Venue is proper in this District because the detainee is physically confined within the Northern District of Ohio, Western Division.

II. PARTIES

Detainee:
Name: Anastacio Escobar Roblero
A-Number: [redacted]
Date of Birth: [redacted]
Nationality: Mexican
Date of Entry: September 2020
Date of Detention: December 5, 2025
Facility: Lucas County Corrections Center, 1622 Spielbusch Ave, Toledo, OH 43604

Next Friend:
Name: Maria del Jesús Roblero López
A-Number: [redacted]
Date of Birth: [redacted]
Nationality: Mexican
Address: [redacted]
Phone: [redacted]
Email: rolymball@gmail.com

III. NEXT FRIEND STANDING

Petitioner qualifies as Next Friend pursuant to Whitmore v. Arkansas, 495 U.S. 149 (1990). Mr. Escobar Roblero suffers from severe depression and anxiety, significantly impairing his ability to litigate this matter pro se. Petitioner is his lawful spouse, maintains a significant relationship, and is fully dedicated to his best interests.

IV. FACTUAL BACKGROUND

Mr. Escobar Roblero was initially arrested by local law enforcement for driving without a license, a minor non-criminal traffic offense. He was released by local authorities. Subsequently, ICE lodged an immigration detainer and unlawfully re-arrested him without a judicial warrant, probable cause determination, or individualized assessment of danger or flight risk.

V. MEDICAL AND PSYCHOLOGICAL CRISIS

Prior to detention, Mr. Escobar Roblero was actively undergoing therapy and medical treatment for chronic depression and anxiety. Since detention, his mental condition has dramatically worsened. He experiences panic attacks, insomnia, emotional instability, and physical deterioration. Continued detention constitutes deliberate indifference to serious medical needs under Estelle v. Gamble, 429 U.S. 97 (1976).

VI. UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT

The detainee is subjected to overcrowded cells, rationed food and water, spoiled meals, and repeated psychological abuse by facility staff. Civil immigration detention may not be punitive. Bell v. Wolfish, 441 U.S. 520 (1979). These conditions violate substantive and procedural due process.

VII. RISK OF PERSECUTION AND DEATH UPON REMOVAL

Mr. Escobar Roblero cannot safely return to Mexico. His brother-in-law was kidnapped and remains missing, establishing a credible threat to his life. Removal under these circumstances would violate fundamental principles of due process and non-refoulement.

VIII. FAMILY UNITY, COMMUNITY TIES, AND LACK OF RISK

Mr. Escobar Roblero has strong family ties in the United States, no serious criminal history, and poses no danger to the community. His detention serves no legitimate government purpose and is excessive in relation to its civil objective.

IX. LEGAL ARGUMENTS

A. Fifth Amendment Due Process Violations
Zadvydas v. Davis, 533 U.S. 678 (2001)

B. Prolonged and Arbitrary Civil Detention
Demore v. Kim, 538 U.S. 510 (2003)

C. Unconstitutional Conditions of Confinement
Farmer v. Brennan, 511 U.S. 825 (1994)

D. Excessive Detention Without Bond Hearing
Jennings v. Rodriguez, 138 S.Ct. 830 (2018)

X. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:
1. Grant the Writ of Habeas Corpus;
2. Order the immediate release of Anastacio Escobar Roblero;
3. Alternatively, order release under reasonable conditions;
4. Grant any other relief the Court deems just and proper.

XI. VERIFICATION

I, Maria del Jesús Roblero López, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

SIGNATURE

Maria del Jesús Roblero López
Next Friend of Anastacio Escobar Roblero
Date: 2-6-2026