

FILED**JUDGE KATHLEEN CARDONE****RECEIVED**

February 18, 2026

AO 942 (Rev. 09/19) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: MRC
DEPUTY**UNITED STATES DISTRICT COURT**

for the

FEB 18 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY: [Signature]
DEPUTY CLERKValera Colmenares, Jonas
Petitionerv.
Michael Watkins, Warden of Camp Montana East, I.C.E.
Area Field Office Director Mary Deanna Ybarra; Acting
I.C.E. Director Todd Wilsons Pam Bondi; AG.Respondent
(name of warden or authorized person having custody of petitioner)Case No. _____
(Supplied by Clerk of Court)**EP 26CV0449****PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241****Personal Information**

1. (a) Your full name: _____
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Camp Montana East Detention Center
(b) Address: El Paso Camp East Montana
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): YES

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: _____

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

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

(d) Date of the decision or action: _____

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: 2 of September of 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: UNDER THE FIFTH AMENDMENT CRITERION OF THE CONSTITUTION, MITIGATION HAS BEEN PROLONGED IN AN INSTITUTED MANNER. I HAVE BEEN DETAINED MONTHS WITHOUT HAVING SEEN ANY COURT AND I THINK IT IS UNNECESSARY SINCE I AM NOT A CRIMINAL.

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 Do not cite cases or law.):

I HAVE BEEN DETAINED FOR MORE THAN 155 DAYS AND MORE THAN ANY OTHER HAVE ALWAYS TAKEN AWAY MY COURT, WHEN THEY CLAIM THAT HAVE PLACED IT IN ANOTHER ONE OF THEM AND THOSE COURT WERE ON OCTOBER 2, 2025, OCTOBER 30, 2025, NOVEMBER 25, 2025 AND JANUARY 13, 2025, OF COURSE AND FOR, BECAUSE I HAVE NEVER BEEN TREATED DURING THESE LONG 5 MONTHS OF STAY IN THIS C. DETENTION

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

☐ Yes

☐ No

GROUND TWO: THE DUE PROCESS CLAUSE REQUIRES THAT THE PETITIONERS' DEPRIVATION OF LIBERTY BE ADJUSTED TO SERVE A GOVERNMENTAL INTEREST.

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 Do not cite cases or law.):

IN THIS I SAY THAT I DO NOT REPRESENT ANY DANGERS TO SOCIETY NOR AM I A FLIGHT RISK BECAUSE I CLING TO MY GOOD CONDUCT AND TO ABIDE BY THE LAW THAT IS IN MY MORAL PRINCIPLES. DURING MY PROCESS I NEVER MISSED MY PRESENTATIONS IN WHICH I DID. HE INDICATED THAT I HAD TO CONTINUE TO PRESENT MYSELF.

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

☐ Yes

☐ No

GROUND THREE: MY RIGHTS TO HEALTH AND HYGIENE ARE VIOLATED IN THIS DETENTION CENTER.

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

IN THIS CENTER IT LACKS THE HUMAN AND FINANCIAL RESOURCES TO GIVE ME A STABLE HEALTH CONDITIONS, SINCE HERE WE RUN THE RISK OF FALLING INTO A CHRONIC DISEASE AND THERE IS NO PERMANENT OUTPATIENT CARE.

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

☐ Yes

☐ No

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GROUND FOUR: MY RIGHT TO BELONG TO ME IN THE ECONOMIC SPHERE HAS BEEN VIOLATED, THEY ARE NOT WITH ME OR UNDER THE CUSTODY OF THIS DETENTION CENTER, THEY HAVE BEEN LOST

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

THAT SAID, I FOCUS ON THE FACT THAT I HAD MONEY WITH ME AND THE MOMENT I WAS PROCESSED BY AN I.C.E. AGENT NAMED VICTOR FIGUEROA FROM THE DALLAS IMMIGRATION OFFICE, I WAS LEFT WITH THAT MONEY, A CHECK WITH 1426 \$, AND A CARD WITH 475 \$ AND UNTIL TODAY'S SUN, TO DATE HE HAS NOT BEEN DELIVERED TO ME AND HE DOES NOT GIVE ME AN ANSWER TO THIS, HE ONLY TELLS ME THAT IF I WANT TO FIGHT MY MONEY.

(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

15. State exactly what you want the court to do: ORDER MY IMMEDIATE RELEASE FROM DETENTION OR, FAILING THAT, ORDER A BOND HEARING WHERE THE GOVERNMENT THAT THE BURDEN OF CLEAR AND CONVINCING EVIDENCE, THAT MY CONTINUED DETENTION IS NECESSARY.

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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: 2/5/2026

Valera Colmenares, Jonas
Signature of Petitioner

Signature of Attorney or other authorized person, if any

GROUND FIFTH. IS MY RIGHT TO EXERCISE THE ROLE OF FATHER IN THIS SOCIETY VIOLATED?

SUPPORTING FACTS.

I SAY THIS BECAUSE I HAVE A SON OF AMERICAN NATIONALITY, BORN ON [REDACTED], 2024, THEY ARE ALREADY [REDACTED] OLD AND TOGETHER WITH MY WIFE THEY HAVE BEEN EVICTED. I NEED TO EXERCISE MY RIGHT AS A PARENT AND LOOK AFTER THE INTERESTS OF MY SON, SINCE THE GROWTH AND EMOTIONAL STABILITY OF THE CHILD COULD BE INTERRUPTED. IN A POSSIBLE SEPARATION OF MY SON FROM ME HE COULD DO SOME VERY SERIOUS DAMAGE AND I DON'T WANT THIS TO HAPPEN FOR HIS FUTURE, HAVE MERCY ON HIM SINCE HE IS A CHILD.

GROUND SIXTH. I AM PART OF THE COLLATERAL DAMAGE IN THE CLEANUP THAT I AGREE HAS TO BE DONE IN THIS NATION TO GET RID OF ALL THOSE MIGRANTS WHO HURT THEM. THIS NATION IS VERY FRUITFUL.

SUPPORTING FACTS.

THAT SAID, I WANT TO SAY THAT I AM PART OF THAT COLLATERAL DAMAGE BECAUSE I CONSIDER MYSELF A VENEZUELAN A MIGRANT WHO LIKE TO DO THINGS ACCORDING TO THE LAW THAT I CAME TO THIS COUNTRY TO WORK.