

PETITION FOR HABEAS CORPUS
(28 U.S.C. § 2241)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

6:26-cv-00099

FILED

February 18, 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: NW
DEPUTY

—
CARLOS LEANDRO DÍAZ FUENMAYOR,

,
Petitioner,

v.

WARDEN, LIMESTONE COUNTY DETENTION CENTER,
and
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE),
Respondents.

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I. PARTIES

1. The Petitioner, Carlos Leandro Díaz Fuenmayor,  is a citizen of Venezuela and is currently detained by U.S. Immigration and Customs Enforcement (ICE) at Limestone County Detention Center, Groesbeck, Texas.

2. The first respondent is the Warden of the Limestone County Detention Center, who is the petitioner's immediate physical custodian.

3. The second respondent is U.S. Immigration and Customs Enforcement (ICE), the federal agency responsible for the petitioner's detention.

4. This petition is filed by María José Martell, acting as "Next Friend," because the petitioner is deprived of liberty and has limited access to the federal court.

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II. JURISDICTION

5. This Court has jurisdiction under 28 U.S.C. § 2241, since the petitioner is physically detained within the Waco Division of the Western District of Texas.

6. The Petitioner is being held at the Limestone County Detention Center, a facility located within this territorial jurisdiction.

III. RELEVANT FACTS

7. The Petitioner entered the United States in December 2023 and applied for asylum.
8. From his entry until October 2025, he complied with all ICE appointments and requirements.
9. On October 6, 2025, upon voluntarily appearing for his ICE appointment, he was detained.
10. He has remained in detention since that date.
11. The Petitioner has no criminal record and poses no danger to the community or flight risk.
12. The Petitioner requested a bond hearing before an Immigration Judge.
13. At that hearing, he presented supporting documentation demonstrating:
 - * No criminal record
 - * Prior compliance with immigration authorities
 - * Stability and ties to the community
 - * Availability of a responsible sponsor willing to provide housing and supervision upon release
14. Despite the above, the Immigration Judge denied bond, stating that he lacked jurisdiction to grant it because the Petitioner entered the country through the border.
15. The Petitioner's asylum case remains pending. There is no final deportation order against him.
16. The last hearing in his immigration case occurred approximately one month ago, and he currently has no future hearings scheduled.
17. As a result, the Petitioner has remained in prolonged detention since October 6, 2025, without a meaningful and effective review of his custody.

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IV. LEGAL ARGUMENT

18. Civil immigration detention is subject to the constitutional limits established in the Due Process Clause of the Fifth Amendment.
19. Although the Petitioner received a bond hearing, the denial based on an alleged lack of jurisdiction does not substitute for a substantial and individualized review of his liberty.

20. The continuation of detention for a prolonged period without effective and periodic custody evaluation becomes unreasonable and violates due process.

21. Federal courts have authority under 28 U.S.C. § 2241 to review the legality of prolonged immigration detentions when they become constitutionally problematic.

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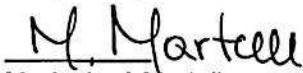
V. REQUEST

Therefore, the Petitioner respectfully requests that this Court:

- A. Issue the writ of habeas corpus;
- B. Order the Respondents to justify the continued detention;
- C. Order the immediate release of the Petitioner; or
- D. Alternatively, order a prompt, individualized bond hearing;
- E. Grant any other remedy the Court deems just and appropriate.

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Respectfully submitted,



María José Martell

Next Friend of Carlos Leandro Díaz Fuenmayor



Date: 2-9-26

NEXT FRIEND DECLARATION

(28 U.S.C. § 2241)

I, María José Martell, declare under penalty of perjury under the laws of the United States as follows:

1. My name is María José Martell, and I reside in Carrollton, Texas.
2. I submit this Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 as the "Next Friend" of Carlos Leandro Díaz Fuenmayor,  who is currently detained at the Limestone County Detention Center in Groesbeck, Texas.
3. I maintain a close and direct relationship with the Petitioner and am acting in his best interest.
4. Because the Petitioner is detained and has limited access to legal resources and the federal court, he is unable to personally file this action effectively.
5. I am filing this action in good faith for the sole purpose of allowing the Court to review the legality of his prolonged detention.

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

Date: 2-9-26

Signature: M. Martell

María José Martell



AUTHORIZATION TO ACT AS NEXT FRIEND

(28 U.S.C. § 2241)

I, Carlos Leandro Díaz Fuenmayor, Alien Number  currently detained at the Limestone County Detention Center in Groesbeck, Texas, declare under penalty of perjury under the laws of the United States as follows:

1. I voluntarily authorize María José Martell to act as my "Next Friend" in the United States District Court in connection with my Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241.
2. Because I am deprived of my liberty and have limited access to legal resources and the federal court, I consent to her preparing, signing, and filing documents on my behalf for the purpose of challenging the legality of my continued detention.
3. This authorization is given freely and voluntarily.

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

Date: 01-26-26

Signature: Carlos Díaz

Carlos Leandro Díaz Fuenmayor



AFFIDAVIT

I, Carlos Leandro Díaz Fuenmayor, Alien Number  declare under penalty of perjury under the laws of the United States as follows:

1. I am a citizen of Venezuela and I entered the United States in or about December 2023, where I sought asylum and protection from the dangerous and unstable conditions in my home country.
2. From the time of my entry until October 2025, I fully complied with all required appointments and check-ins with U.S. Immigration and Customs Enforcement (ICE).
3. On October 6, 2025, I appeared as required for my scheduled ICE check-in appointment. At that time, I was unexpectedly taken into custody. I later requested a bond hearing before an Immigration Judge; however, bond was denied after the Immigration Judge stated that the court lacked jurisdiction to grant bond due to my manner of entry.
4. Since that date, I have remained detained at the Limestone County Detention Center in Groesbeck, Texas, resulting in prolonged and ongoing civil detention.
5. I have no criminal convictions. I do not pose a danger to the community, and I am not a flight risk. Prior to my detention, I complied with all immigration requirements and voluntarily appeared at every required appointment.
6. My prolonged detention has caused severe psychological and emotional harm. I suffer from persistent anxiety, panic attacks, and depressive episodes. I experience difficulty sleeping, loss of appetite, emotional instability, and constant fear regarding my future and my family's well-being. The stress of confinement has significantly deteriorated my mental health, and I have required medication to manage my anxiety and depression.
7. The emotional distress has also manifested physically. I experience headaches, chest tightness, fatigue, and other stress-related physical symptoms. The conditions of detention have intensified my feelings of helplessness, despair, and uncertainty.
8. My continued detention has had a profound and devastating impact on my household. I am the primary financial provider for my family. Since my detention, my family has suffered serious financial hardship. Rent, utilities, and essential living expenses have become increasingly difficult to meet. My absence has created emotional distress, instability, and insecurity within my home.
9. In addition to supporting my immediate household, I provide financial assistance to my elderly and ill parents, who depend on me. My detention has placed them in a vulnerable and uncertain position.
10. My immigration case remains pending, and there is no final order of removal against me. I respectfully request release from detention so that I may continue supporting my family and pursue my asylum case while fully complying with all immigration court requirements.

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

Executed on: 01-26-26

Signature: Carlos Diaz
Carlos Leandro Díaz Fuenmayor



CERTIFICATE OF SERVICE

I, María José Martell, declare under penalty of perjury under the laws of the United States that on the date indicated below, I served a true and correct copy of the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, together with all attached exhibits and supporting documents, by depositing the same in the United States Mail, first-class postage prepaid, addressed as follows:

U.S. Attorney's Office
Western District of Texas – Waco Division
800 Franklin Avenue, Suite 280
Waco, Texas 76701

and

Warden
Limestone County Detention Center
910 North Tyus Street
Groesbeck, Texas 76642

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

Executed on: 02-18-2026

Signature: M. Martell

María José Martell

Next Friend for Carlos Leandro Díaz Fuenmayor