

UNITED STATES DISTRICT COURT ^{by:} lad
DEPUTY

WESTERN DISTRICT OF TEXAS

WACO DIVISION

CARLOS LEANDRO DÍAZ FUENMAYOR,

Petitioner,

v. Case No. 6:26-CV-00099

WARDEN, et al.,

Respondents.

**MOTION FOR RELIEF BASED ON PROLONGED
DETENTION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Petitioner, by and through his Next Friend, María José Martell, and respectfully files this Motion, and states as follows:

I. INTRODUCTION

Petitioner has now been subjected to prolonged immigration detention for a period approaching or exceeding six (6) months without a constitutionally adequate individualized bond hearing. Such continued detention violates fundamental due process protections under the Fifth Amendment.

II. FACTUAL BACKGROUND

1. Petitioner has remained in ICE custody since approximately October 6, 2025.
2. During this time, Petitioner has complied with all immigration requirements and has no history of criminal conduct that would justify continued detention.
3. A bond determination was either denied or rendered unavailable based on jurisdictional grounds, leaving Petitioner without meaningful opportunity to seek release.
4. Petitioner has now been transferred to Joe Corley Detention Facility, further complicating his ability to access legal resources and maintain communication with family and counsel.

III. ARGUMENT

A. PROLONGED DETENTION VIOLATES DUE PROCESS

The Fifth Amendment prohibits arbitrary and indefinite detention. Immigration detention, while civil in nature, must remain reasonably related to its purpose and cannot become punitive.

As detention becomes prolonged, due process requires greater procedural protections, including a meaningful opportunity to seek release.

B. LACK OF MEANINGFUL BOND REVIEW

Petitioner has been deprived of a fair opportunity to obtain bond. The denial based on jurisdictional grounds effectively leaves Petitioner in indefinite detention without individualized review.

C. HUMAN AND FAMILY IMPACT

Petitioner's continued detention imposes severe emotional and financial hardship on his family. The prolonged separation and uncertainty have created significant distress, further underscoring the need for judicial intervention.

D. TRANSFER DURING PENDING LITIGATION

The transfer of Petitioner during the pendency of this habeas proceeding raises additional due process concerns and should not be used to frustrate judicial review.

IV. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant immediate relief from prolonged detention;
2. Order Petitioner's release under reasonable conditions; OR
3. In the alternative, order an immediate individualized bond hearing before a neutral decision-maker.

Respectfully submitted,

/s/ María José Martell

María José Martell

Next Friend for Petitioner



DATE: 04/05/2026