

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

JOSE RAUL PEREZ HERNANDEZ,

A# [REDACTED],
Petitioner,

v.

PAMELA BONDI, Attorney General of the United States, in her official capacity; TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity; WARDEN, BLUEBONNET DETENTION FACILITY, in his or her official capacity,

Respondents.

Civil Action No. 1:26-cv-00108

**PETITION FOR WRIT OF
HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241
REQUEST FOR IMMEDIATE
RELEASE OR INDIVIDUALIZED
BOND HEARING**

Petitioner JOSE RAUL PEREZ HERNANDEZ, a Cuban-trained physician currently detained by U.S. Immigration and Customs Enforcement ("ICE") at Bluebonnet Detention Facility in Anson, Texas, respectfully petitions this Court pursuant to 28 U.S.C. § 2241 for a Writ of Habeas Corpus ordering his immediate release from unlawful civil detention or, in the alternative, ordering that he be afforded a constitutionally adequate, individualized bond hearing consistent with the requirements of the Fifth Amendment to the United States Constitution.

Petitioner is a Doctor of Medicine, a Registered Medical Assistant (RMA), a certified Basic Life Support (BLS) Provider, and a full-time healthcare worker who has served the medically underserved population of North Texas. His wife, Lianny Martin Rodriguez, is likewise a trained physician from Cuba. Together, they are precisely the type of foreign-trained medical professionals that Texas law and public policy expressly seek to attract and retain in order to address the State's ongoing healthcare workforce shortage. Neither Petitioner nor his wife poses any danger to the community; neither presents any risk of flight.

Petitioner has no criminal record whatsoever, holds a valid Employment Authorization Document (EAD) valid through February 5, 2029, and a valid Texas Driver License. He voluntarily appeared at his scheduled ICE check-in appointment in early March 2026, fully cooperating with immigration authorities. Despite this demonstrated compliance and cooperation, ICE detained him at that appointment and transferred him to Bluebonnet Detention Facility, where he has remained in continuous civil custody ever since.

Petitioner has a pending Form I-485, Application to Register Permanent Residence or Adjust Status, filed under the Cuban Adjustment Act of 1966. His next immigration court hearing is not until December 3, 2026 — nearly nine months away. His prolonged civil detention, without any individualized bond hearing, without the government bearing any burden of proof, and without any meaningful procedural safeguards, violates the Due Process Clause of the Fifth Amendment.

I. PARTIES AND JURISDICTION

1. Petitioner Jose Raul Perez Hernandez is a citizen of Cuba, born [REDACTED] 1995, in Villa Clara, Cuba. He is currently being detained by ICE at Bluebonnet Detention Facility, 400 2nd Street, Anson, Texas 79501. His Alien Registration Number is A# [REDACTED].
2. Respondent Pamela Bondi is the Attorney General of the United States, responsible for administration and enforcement of the immigration laws, including custody and detention of aliens in removal proceedings. She is sued in her official capacity.
3. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs Enforcement, responsible for the detention and custody of Petitioner. He is sued in his official capacity.
4. The Warden of Bluebonnet Detention Facility is Petitioner's immediate custodian and is a proper respondent in this action. See *Rumsfeld v. Padilla*, 542 U.S. 426 (2004).
5. This Court has jurisdiction over this Petition pursuant to 28 U.S.C. § 2241(c)(3), which grants federal district courts the power to issue writs of habeas corpus to persons held "in custody in violation of the Constitution or laws or treaties of the United States." Petitioners are detained within this judicial district and challenge solely the legality and constitutionality of his prolonged civil immigration detention without adequate procedural safeguards — a matter squarely within § 2241 jurisdiction. *Demore v. Kim*, 538 U.S. 510, 516–17 (2003); *INS v. St. Cyr*, 533 U.S. 289, 314 (2001).
6. The jurisdiction-stripping provisions of 8 U.S.C. § 1252(g) do not apply. Petitioner does not challenge the decision to commence removal proceedings, nor does he seek review of a final order of removal. He challenges the legality and constitutionality of his prolonged civil detention pending his immigration proceedings.
7. Venue is proper in the Northern District of Texas, Abilene Division, because Petitioner is physically detained at Bluebonnet Detention Facility in Anson, Jones County, Texas, which falls within this judicial district and division.

II. IMMIGRATION HISTORY AND BACKGROUND

8. Petitioner is a native and citizen of Cuba who arrived in the United States at or near San Luis, Arizona, on or about July 28, 2023. A Notice to Appear (Form I-862, File No. [REDACTED], Event No. YUS2307000576) was issued by the Department of Homeland Security on August 1, 2023, initiating removal proceedings under Section 212(a)(6)(i) of the Immigration and Nationality Act. (Exhibit A: Notice to Appear)
9. Critically, the Notice to Appear itself reflects that an asylum officer made an affirmative finding that Petitioner had demonstrated a credible fear of persecution or torture, as required by 8 C.F.R. § 208.30. This formal, individualized, governmental determination that Petitioner faces a well-founded fear of harm if returned to Cuba directly underscores that his removal is neither imminent nor certain.
10. Petitioner's removal proceedings are before the Miami Immigration Court. His Master Calendar Hearing is currently scheduled for December 3, 2026, at 8:30 a.m., before Immigration Judge Jose Rivera, at 333 South Miami Avenue, Suite 700, Miami, Florida 33130. The scheduling of a hearing nearly nine months into the future demonstrates that this case is far from imminent resolution, rendering Petitioner's continued civil detention neither brief, nor temporary, nor constitutionally permissible.
11. Prior to his detention, Petitioner had been physically present in the United States since July 28, 2023 — nearly three years of continuous lawful residence in this country and in the State of Texas.

III. CUBAN ADJUSTMENT ACT ELIGIBILITY AND PENDING I-485 APPLICATION

12. The Cuban Adjustment Act of 1966, Pub. L. 89-732, 80 Stat. 1161 (codified at 8 U.S.C. § 1255 note) ("CAA"), provides a unique and favorable statutory path to lawful permanent residence for eligible Cuban nationals who have been physically present in the United States for at least one year and one day. The CAA has never been repealed and remains fully in effect.
13. Petitioner has already filed Form I-485, Application to Register Permanent Residence or Adjust Status, under the Cuban Adjustment Act. USCIS issued a Form I-797C Notice of Action (Receipt) on September 10, 2024, Receipt Number MSC2491021367, Received Date September 6, 2024, confirming that Petitioner's I-485 application was accepted for processing under the Preference Classification "Cuban Adjustment Act," with USCIS Alien Number [REDACTED]. (Exhibit B: USCIS I-797C Notice of Action)
14. Petitioner's I-485 application is pending before USCIS. Because Petitioner has a realistic, congressionally enacted path to lawful permanent residence, his removal is neither imminent nor reasonably foreseeable. See *Zadvydas v. Davis*, 533 U.S. 678, 699–700 (2001).
15. Petitioner's father, Raul Perez Gonzalez (USCIS# [REDACTED]), is a lawful permanent resident of the United States under category CU6 (Cuban Adjustment Act), with a Permanent Resident Card valid through October 16, 2033. The father's own successful adjustment of status under the Cuban Adjustment Act framework further corroborates

Petitioner's own eligibility and demonstrates deep family roots in the United States. (Exhibit C: Father's Permanent Resident Card)

IV. CURRENT DETENTION AND CIRCUMSTANCES OF ARREST

16. Prior to his detention, Petitioner resided with his wife at their stable, fixed address at [REDACTED], fully integrated into the Dallas-Fort Worth metropolitan community and actively employed as a healthcare professional.
17. On or about early March 2026, Petitioner voluntarily appeared for a scheduled ICE check-in appointment, demonstrating full compliance and cooperation with all requirements of his immigration supervision. He was not arrested pursuant to a warrant, was not evading any obligation, and was not attempting to flee. He appeared of his own free will.
18. Despite Petitioner's voluntary appearance, his complete cooperation, and the total absence of any criminal history or prior immigration violation, ICE detained him at that appointment and subsequently transferred him to Bluebonnet Detention Facility, 400 2nd Street, Anson, Texas 79501, where he has remained in continuous civil custody.
19. Petitioners have absolutely no criminal record — not a single arrest, citation, charge, or conviction, in any jurisdiction, at any time in his life. He has never violated any condition of supervision, failed to appear at any immigration hearing, or engaged in any conduct that would justify characterizing him as dangerous or a flight risk. (Exhibit D: Dallas County Sheriff's Department Criminal Records Request, dated August 7, 2024)
20. Since the moment of his detention, Petitioner has been denied any individualized bond hearing. He has not been given any meaningful opportunity, before any neutral adjudicator, to demonstrate that his continued civil detention is unnecessary — a fundamental deprivation of procedural due process.

V. PETITIONER'S SPOUSE — A FELLOW PHYSICIAN

21. Petitioner is married to Lianny Martin Rodriguez, who resides at [REDACTED]. Ms. Martin Rodriguez is a trained physician from Cuba. Like Petitioner, she has dedicated her professional life to medicine and healthcare. Together, they represent a dual-physician household of precisely the kind that Texas law and public policy expressly seek to attract and retain in order to address the State's documented healthcare workforce shortage.
22. In a sworn letter dated March 5, 2026, Ms. Martin Rodriguez describes Petitioner as a hardworking, responsible man of strong moral character who has, throughout their marriage, demonstrated unwavering commitment to his family and to the well-being of those around him. She attests to his honesty, respectful character, and consistent adherence to the law in every aspect of his personal and professional life. She describes him as the emotional and financial pillar of their household. (Exhibit E: Sworn Letter from Lianny Martin Rodriguez, with Texas Limited Driver License, DL# [REDACTED])

23. Petitioner and his wife maintain a fixed, verified residence in Garland, Texas — a stable home to which Petitioner could return under conditions of supervised release and from which he could easily be monitored. Their joint presence in this community, their shared professional commitment to Texas healthcare, and their demonstrated compliance with all legal obligations make supervised release, not incarceration, the appropriate and constitutionally mandated response.

VI. EMPLOYMENT HISTORY AND PROFESSIONAL QUALIFICATIONS

24. Petitioner is a Doctor of Medicine (Doctor en Medicina), having graduated from the Universidad de Ciencias Médicas de Villa Clara, Cuba, having completed all curriculum requirements on July 11, 2020. His degree was registered in the Cuban National Registry of Degrees ([REDACTED]) and officially authenticated by the Cuban Ministry of Justice (Ministerio de Justicia, Legalization Seal No. [REDACTED]). (Exhibit F: Cuban Medical Degree with Ministry of Justice Authentication)
25. Petitioner holds a current Registered Medical Assistant (RMA) certification issued by the Healthcare Professionals Registry of the United States (HPRUS), Registry Number [REDACTED], issued January 11, 2024, valid through January 11, 2027. This credential is recognized for work throughout the United States and Canada and was issued in Washington, D.C. (Exhibit G: RMA Certificate)
26. Petitioner holds a Basic Life Support (BLS) Provider certification from the American Heart Association, issued January 13, 2024, at Plantation General Hospital L.P. (d/b/a Mercy Hospital, a Campus of Plantation General Hospital), Training Center ID FL05147, Miami, Florida, eCard Code [REDACTED]. Petitioners have demonstrated ongoing commitment to maintaining clinical credentials, as evidenced by this AHA certification. (Exhibit H: BLS Certificate)
27. Since September 15, 2024, Petitioner has been employed full-time as a Medical Assistant at Tu Clínica Hispana Familiar, 3065 N Josey Lane, Apt 28, Carrollton, Texas 75007. This employment was confirmed in a Letter of Work Confirmation dated February 19, 2025, by Marsel Yousef, Manager, phone (346) 213-0377. (Exhibit I: Letter of Work Confirmation)
28. In a formal Character Reference Letter dated March 5, 2026, Marsel Yousef, in his capacity as Chief Executive Officer of Tu Clínica Hispana Familiar, described Petitioner as "a respectful, responsible, and trustworthy individual" who has "consistently demonstrated professionalism, integrity, and a cooperative attitude in the workplace." Mr. Yousef further attested to Petitioner's strong sense of responsibility toward colleagues, patients, and supervisors; his calm and professional demeanor under pressure; and his genuine commitment to a positive, respectful work environment. (Exhibit J: Character Reference Letter, CEO Tu Clínica Hispana Familiar)
29. Liset Alvarez-Guerra Gonzalez (Texas DL# [REDACTED]), a fellow medical assistant who worked alongside Petitioner for one full year at Tu Clínica Hispana Familiar, provided a sworn statement dated March 7, 2026, attesting to Petitioner's consistently professional conduct with patients, strong adherence to workplace policies, respectful treatment of all colleagues, and law-abiding behavior in every aspect of his professional life. She noted

that the entire work team has mourned Petitioner's absence since his detention. (Exhibit K: Sworn Letter from Liset Alvarez-Guerra Gonzalez)

30. Isvel Badías Duenas (Texas DL# [REDACTED], Mesquite, Texas), a community member who has known Petitioner personally and professionally for two years, provided a sworn character reference letter dated March 5, 2026, confirming Petitioner's exceptional personal values, strong work ethic, family devotion, and outstanding reputation among patients and coworkers. (Exhibit L: Sworn Letter from Isvel Badías Duenas)
31. Petitioner's detention has caused the immediate and total loss of his employment as a Medical Assistant, depriving him of his lawful livelihood, causing severe economic hardship to his household, and depriving the clinic and its patients — many of them low-income and medically underserved members of the Hispanic community — of a skilled, certified, compassionate healthcare provider.
32. Petitioner has filed a U.S. Individual Income Tax Return (Form 1040) reporting his employment income, further demonstrating his compliance with federal tax laws, his good moral character, and his deep integration into the economic and civic life of the United States. (Exhibit P: Form 1040, U.S. Individual Income Tax Return)

VII. IDENTIFICATION DOCUMENTS AND LEGAL IMMIGRATION STATUS

33. Petitioner holds a valid Cuban Passport, No. [REDACTED] issued August 18, 2022, valid through August 18, 2028, by the Republic of Cuba. (Exhibit M: Cuban Passport)
34. Petitioner holds a valid Texas Driver License (Limited Term), License No. [REDACTED] Class C, issued June 27, 2024, expiring February 5, 2029, listing Petitioner's residential address as [REDACTED] (as printed on the license). (Exhibit N: Texas Driver License)
35. Petitioners hold a valid Employment Authorization Document (EAD), USCIS Form I-766, Category C08 (pending adjustment of status applicant), valid from February 6, 2024 through February 5, 2029. The U.S. government's issuance of a five-year EAD constitutes a formal governmental recognition that: (a) Petitioner has a pending path to lawful status; (b) his continued presence in the United States serves the public interest; and (c) he is not a priority for removal.
36. The government's own administrative acts — issuing a five-year work authorization, accepting the I-485 filing under the CAA, and scheduling a hearing more than three years after the NTA was issued — are fundamentally inconsistent with treating Petitioner as a danger or flight risk warranting civil incarceration.

VIII. PETITIONER'S PROLONGED DETENTION VIOLATES THE FIFTH AMENDMENT DUE PROCESS CLAUSE

37. The Fifth Amendment provides: "No person shall . . . be deprived of life, liberty, or property, without due process of law." U.S. Const. amend. V. Freedom from physical restraint by the government lies at the heart of the liberty protected by this Clause.

Zadvydas v. Davis, 533 U.S. 678, 693 (2001). This constitutional guarantee applies fully to civil immigration detention. *Id.*

38. Civil immigration detention is not — and cannot constitutionally be — punishment. Its only legitimate purposes are: (1) to ensure the alien's appearance at immigration proceedings; and (2) to protect the community from genuinely dangerous individuals. *Zadvydas*, 533 U.S. at 690. When detention serves neither purpose, it loses its civil character and becomes unconstitutional punishment. *Id.*
39. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that civil immigration detention must be subject to temporal limits and that, where removal is not reasonably foreseeable, continued detention raises grave constitutional concerns requiring individualized justification. The Court specifically noted that "once removal is no longer reasonably foreseeable, continued detention is no longer authorized by statute." *Id.* at 699.
40. In *Demore v. Kim*, 538 U.S. 510 (2003), the Supreme Court upheld mandatory detention under § 1226(c) only because it was "for a limited period" — typically "roughly a month and a half in the vast majority of cases" and "only about five months" where the alien appeals. *Id.* at 530. Petitioners face a detention period of at least nine months (March through December 2026) with no indication of resolution. This far exceeds the limited, brief detention the *Demore* Court contemplated and renders the constitutional calculus fundamentally different.
41. The *Mathews v. Eldridge*, 424 U.S. 319 (1976), procedural due process balancing test also compels relief. All three *Mathews* factors favor Petitioner: (1) the private interest in physical liberty is among the most fundamental rights the Constitution protects; (2) the risk of erroneous deprivation is high without an individualized hearing; and (3) the government's interest in continued incarceration of this particular individual — given his spotless record, professional credentials, community ties, and compliance history — is negligible and far outweighed by the constitutional interest in liberty.
42. Federal courts have consistently extended *Zadvydas*'s reasoning to pre-removal-order detention, holding that prolonged detention without a bond hearing in which the government bears the burden of proof by clear and convincing evidence violates the Due Process Clause. See *Casas-Castrillon v. Dep't of Homeland Sec.*, 535 F.3d 942 (9th Cir. 2008); *Diouf v. Napolitano*, 634 F.3d 1081 (9th Cir. 2011); *Diop v. ICE/Homeland Security*, 656 F.3d 221 (3d Cir. 2011); *Ly v. Hansen*, 351 F.3d 263 (6th Cir. 2003).
43. In Petitioner's case, neither legitimate purpose of civil detention is served. He is not a danger to the community — he is a trained physician who dedicated his career to serving patients. He is not a flight risk — he voluntarily presented himself to ICE, has a fixed address shared with his physician wife, has a pending adjustment application, and has complied with every requirement of his immigration supervision. No regulatory or governmental interest justifies his continued civil incarceration.
44. Substantive due process independently bars Petitioner's continued detention. Even where detention is authorized by statute, the Constitution prohibits measures "excessive in relation to [their] regulatory goal." *Zadvydas*, 533 U.S. at 690; *United States v. Salerno*, 481 U.S. 739, 746 (1987). Detaining a physician with no criminal record, who voluntarily appeared for an ICE check-in, who holds a five-year work authorization, who has a pending adjustment application, and whose physician wife is rooted in the Texas community — for

nine months or more, without any bond hearing — is grossly excessive and constitutionally impermissible.

IX. ICE'S REFUSAL TO RELEASE PETITIONER CONSTITUTES AN ABUSE OF DISCRETION

45. Under 8 U.S.C. § 1226(a), ICE has discretionary authority to release an alien on bond or conditional supervision during removal proceedings. Petitioners present precisely the profile warranting release: no criminal history, no failures to appear, consistent compliance with immigration obligations, stable employment (now lost), a lawful fixed residence, a physician spouse in the community, and a pending application for lawful permanent residence.
46. ICE's decision to detain Petitioner, in the face of this overwhelming evidence in his favor, and without affording him any meaningful opportunity to demonstrate the absence of danger or flight risk, constitutes an abuse of discretion and a failure to exercise discretion consistently with constitutional requirements.
47. The government has never demonstrated — and cannot demonstrate — by clear and convincing evidence that alternatives to detention (such as bond, periodic reporting, electronic monitoring, surrender of travel documents, or other conditions of supervision) would be insufficient. Petitioners' voluntary ICE appearance is itself the strongest possible evidence that alternatives would be effective and sufficient.

X. STRONG COMMUNITY TIES AND SERVICE TO THE TEXAS HEALTHCARE SYSTEM

48. Petitioner is not a detainee without ties to the United States. He is a trained physician who has spent nearly three years contributing to Texas's healthcare system, working alongside patients, colleagues, and supervisors who have unanimously praised his character, competence, and dedication to patient care.
49. His wife, also a physician from Cuba, resides in Garland, Texas. Their dual-physician household represents an extraordinary professional contribution to the North Texas medical community and among the strongest possible guarantees of continued presence and compliance with any conditions of release.
50. Multiple community members — his employer, his CEO, a coworker who worked with him for one year, and a friend who has known him for two years — have provided sworn, signed statements attesting to his professional integrity, personal character, law-abiding conduct, and value to the community. These are not abstract character assertions: they are documented, individually signed statements from identified individuals with personal knowledge.

XI. TEXAS HEALTHCARE WORKFORCE POLICY AND THE PUBLIC INTEREST

51. Texas is experiencing serious and well-documented shortages of healthcare workers and physicians, particularly in rural communities and medically underserved urban areas. The Governor of Texas created a Governor's Task Force on Health Care Workforce Shortages specifically to address this crisis.
52. Texas enacted the DOCTOR Act (HB 2038), which created new provisional medical license pathways to attract and integrate foreign-trained physicians into the Texas healthcare system, with the express legislative goal of expanding access to medical care for Texas residents by leveraging the skills of internationally trained medical professionals.
53. Petitioner — a Doctor of Medicine, a certified RMA, a BLS-certified healthcare worker serving medically underserved patients — is precisely the foreign-trained physician that Texas law and policy seek to attract and retain. His physician wife further amplifies this contribution. Detaining both of them undermines Texas's healthcare workforce goals and serves no legitimate governmental interest.

XII. LEGAL ARGUMENTS

A. This Court Has Jurisdiction Under 28 U.S.C. § 2241

This Court has jurisdiction under 28 U.S.C. § 2241(c)(3) to issue a writ of habeas corpus to any person held "in custody in violation of the Constitution or laws or treaties of the United States." The Supreme Court has confirmed that § 2241 extends to constitutional challenges to the legality of immigration detention, even where an alien is in removal proceedings. *INS v. St. Cyr*, 533 U.S. 289 (2001); *Demore v. Kim*, 538 U.S. 510 (2003). Section 1252(g) does not strip jurisdiction over this Petition, which challenges solely the constitutionality of prolonged civil detention.

B. Prolonged Civil Detention Without a Bond Hearing Violates the Fifth Amendment

The Supreme Court has made clear that the core liberty interest protected by the Fifth Amendment Due Process Clause encompasses freedom from governmental physical restraint. *Zadvydas*, 533 U.S. at 693. Civil immigration detention must be temporally limited and subject to individualized justification. When such detention becomes prolonged — particularly where removal is not reasonably foreseeable — the Due Process Clause requires release or an adequate hearing. *Id.* at 701.

Petitioner has been detained for an extended period following his voluntary compliance with ICE reporting. His hearing is not scheduled until December 2026. He has not been afforded any individualized bond hearing. This prolonged detention, without adequate process, violates the Fifth Amendment.

C. Petitioner Is Entitled to an Individualized Bond Hearing With Constitutionally Required Safeguards

Due process requires that Petitioner be afforded an individualized bond hearing before a neutral immigration judge in which: (1) the government bears the burden of proving, by clear and convincing evidence, that Petitioner poses a danger to the community or a flight risk; (2) Petitioner

has a meaningful opportunity to present evidence and call witnesses; and (3) the adjudicator considers all relevant factors, including Petitioner's lack of criminal history, professional credentials, community ties, compliance history, and pending adjustment application. No such hearing has been provided.

D. Petitioner's Cuban Adjustment Act Application Weighs Heavily Against Continued Detention

Petitioner's pending, I-485 under the Cuban Adjustment Act — a congressionally enacted, favorable statutory pathway to lawful permanent residence — renders his removal non-imminent, non-certain, and speculative. Detaining a person under these circumstances, when no danger or flight risk has been demonstrated or adjudicated, violates the Due Process Clause. *Zadvydas*, 533 U.S. at 699–700. Furthermore, a credible fear finding was made in this case, independently reinforcing that Cuba cannot safely receive Petitioner at this time.

E. The Government Has Not Established That Alternatives to Detention Are Inadequate

The government has made no showing that bond, periodic reporting, electronic monitoring (GPS ankle bracelet), surrender of travel documents, or other conditions of supervision would be insufficient to ensure Petitioner's appearance at future proceedings. Petitioner's voluntary ICE appearance, his fixed residence, his physician spouse in the community, and his pending adjustment application all demonstrate that less restrictive alternatives are entirely adequate. The government's failure to demonstrate otherwise renders his continued incarceration constitutionally unjustifiable.

XIII. PRAYER FOR RELIEF

WHEREFORE, Petitioner JOSE RAUL PEREZ HERNANDEZ respectfully requests that this Honorable Court:

54. ISSUE a Writ of Habeas Corpus declaring that Petitioner's continued detention by U.S. Immigration and Customs Enforcement, without adequate procedural safeguards and without individualized justification, violates the Fifth Amendment to the United States Constitution and is therefore unlawful.
55. ORDER the immediate release of Petitioner from custody, subject to such reasonable conditions as the Court deems appropriate, which may include one or more of the following: (a) payment of a reasonable bond; (b) periodic reporting to ICE; (c) electronic monitoring by GPS ankle bracelet; (d) restrictions on interstate travel; (e) surrender of travel documents; and/or (f) any other conditions the Court finds necessary and appropriate to ensure Petitioner's appearance at future immigration proceedings;

56. IN THE ALTERNATIVE, ORDER that Petitioner be afforded an individualized bond hearing, to be conducted within fourteen (14) days of this Court's order, before an immigration judge, in which: (a) the government bears the burden of proving by clear and convincing evidence that Petitioner poses a danger to the community or a flight risk that cannot be adequately mitigated by conditions of supervision; (b) Petitioner is afforded a meaningful opportunity to present evidence, call witnesses, and be represented by counsel of his choosing; and (c) the immigration judge makes findings of fact on all relevant factors, including Petitioner's lack of criminal history, community ties, professional credentials, compliance history, pending application under the Cuban Adjustment Act, and his wife's presence as a fellow physician in the Texas community;

57. ORDER the government to show cause, within such time as this Court directs, why the Writ should not be granted;

58. GRANT such other and further relief as the Court deems just, proper, and consistent with the requirements of the Constitution and laws of the United States.

XIV. DECLARATION UNDER PENALTY OF PERJURY

I, JOSE RAUL PEREZ HERNANDEZ, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 and under the laws of the United States of America that the facts stated in the foregoing Petition are true and correct to the best of my knowledge, information, and belief.

Executed on this 5 day of March, 2026, at Anson, Texas.

Signature: _____



JOSE RAUL PEREZ HERNANDEZ

Petitioner, Pro Se

A# 

Bluebonnet Detention Facility

400 2nd Street, Anson, Texas 79501

Tel: (972) 504-5523 / (903) 368-8927

XV. CERTIFICATE OF SERVICE

I hereby certify that on this 5 day of March 2026, a true and correct copy of the foregoing Petition for Writ of Habeas Corpus, together with all Exhibits (A through P), was served upon each of the following parties by First Class U.S. Mail, postage prepaid, addressed as follows:

1. Office of the United States Attorney

Northern District of Texas
1100 Commerce Street, Suite 300
Dallas, Texas 75242

2. U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations (ERO), Dallas Field Office
8101 North Stemmons Freeway
Dallas, Texas 75247

3. U.S. Department of Justice

Office of Immigration Litigation, District Court Section
Box 878, Ben Franklin Station
Washington, D.C. 20044

Signature: _____

JR

JOSE RAUL PEREZ HERNANDEZ

Petitioner, Pro Se — A# _____

LIST OF EXHIBITS

The following documents are attached hereto and incorporated by reference as Exhibits to this Petition:

- A. Exhibit A: Notice to Appear (DHS Form I-862) Issued August 1, 2023, Yuma, Arizona; File No. _____, Event No. YUS2307000576; Date of Birth _____ 1995; Master Calendar Hearing scheduled December 3, 2026, 8:30 a.m., before Immigration Judge Jose Rivera, 333 South Miami Avenue, Suite 700, Miami, FL 33130; with credible fear notation.

- B. Exhibit B: USCIS Form I-797C, Notice of Action — Receipt of Form I-485, Application to Register Permanent Residence or Adjust Status, under Cuban Adjustment Act; USCIS Alien Number [REDACTED]; Receipt Number MSC2491021367; Received Date September 6, 2024; Notice Date September 10, 2024; with USCIS correspondence returning original hard-to-replace documents.
- C. Exhibit C: Permanent Resident Card of Petitioner's Father — Raul Perez Gonzalez, USCIS# [REDACTED], Category CU6 (Cuban Adjustment Act), valid through October 16, 2033.
- D. Exhibit D: Dallas County Sheriff's Department Criminal Records Request — Application signed by Jose Raul Perez, dated August 7, 2024, address [REDACTED], DL# [REDACTED]; submitted to Dallas County Sheriff's Office for criminal background check (confirming no criminal record).
- E. Exhibit E: Sworn Letter from Lianny Martin Rodriguez (spouse, fellow physician) — dated March 5, 2026; address [REDACTED]; email liannymarlins3@gmail.com; tel [REDACTED]; with Texas Limited Term Driver License, DL# [REDACTED], DOB [REDACTED]/1995, address [REDACTED], expiration 03/05/2029.
- F. Exhibit F: Cuban Medical Degree (Título de Doctor en Medicina) — awarded by the Rector of the Universidad de Ciencias Médicas de Villa Clara to José Raúl Pérez Hernández; date of completion July 11, 2020; registered in [REDACTED] (CES Registry) and [REDACTED] (Faculty Registry); with Ministry of Justice (Ministerio de Justicia) Authentication, Seal No. 0127309, Tomo XVII, Folio 130.
- G. Exhibit G: Registered Medical Assistant (RMA) Certificate — Healthcare Professionals Registry of the United States (HPRUS), Texas Registry of Medical Assistants; conferred to Jose Raul Perez Hernandez; Registry Number [REDACTED]; issued January 11, 2024 in Washington, D.C.; valid through January 11, 2027; requested by Solidaridad Sin Fronteras, Hialeah, FL.
- H. Exhibit H: Basic Life Support (BLS) Provider Certificate — American Heart Association; issued to Jose Raul Perez Hernandez; Issue Date January 13, 2024; Renew By January 2026; Training Center: Plantation General Hospital L.P. d/b/a Mercy Hospital, a Campus of Plantation General Hospital, Miami, FL; Training Center ID FL05147; Instructor: Armando Cepero, ID [REDACTED], eCard Code [REDACTED]
- I. Exhibit I: Letter of Work Confirmation — Tu Clinica Hispana Familiar, 3065 N Josey Ln Apt 28, Carrollton, TX 75007; dated February 19, 2025; confirming José Raúl Pérez Hernández employed full-time as Medical Assistant since September 15, 2024; signed by Marsel Yousef (Manager), tel (346) 213-0377; Ph 469-289-6595.
- J. Exhibit J: Character Reference Letter — Marsel Yousef, Chief Executive Officer, Tu Clínica Hispana Familiar; dated March 5, 2026; email manager@clinicahf.com; tel (346) 213-0377; attesting to Petitioner's professionalism, integrity, responsibility, good moral character, and positive workplace contributions.
- K. Exhibit K: Sworn Letter from Liset Alvarez-Guerra Gonzalez (coworker / fellow medical assistant) — dated March 7, 2026; address [REDACTED]

[REDACTED]; tel [REDACTED] Texas Limited Term Driver License DL# [REDACTED],
DOB [REDACTED] 1978, [REDACTED], expiration 01/05/2026; attesting to one year of
shared work experience and Petitioner's law-abiding, professional conduct throughout.

- L. Exhibit L: Sworn Character Reference Letter from Isvel Badías Duenas (community member, friend of two years) — dated March 5, 2026; address [REDACTED]
[REDACTED]; tel 214-908-9893; email isvelbadias1998@gmail.com; Texas Driver License DL# [REDACTED], DOB [REDACTED] 1998, [REDACTED], expiration 11/30/2032.
- M. Exhibit M: Cuban Passport — José Raúl Pérez Hernández; Passport No. M314332; DOB November 17, 1995; Place of Birth: Villa Clara, Cuba; Nationality: Cuban; Issue Date August 18, 2022; Expiry August 18, 2028; Issued in La Habana; National ID No. 95111735268.
- N. Exhibit N: Texas Driver License (Limited Term) — Jose Raul Perez; License No. [REDACTED]; Class C; DOB [REDACTED] 1995; Address as printed on license: [REDACTED]
[REDACTED] Issue Date June 27, 2024; Expiration February 5, 2029; Height 6'03"; Sex M; Eyes BLK.
- O. Exhibit O: Employment Authorization Document (EAD) — USCIS Form I-766, Category C08 (applicant for adjustment of status); valid February 6, 2024 through February 5, 2029; issued by U.S. Citizenship and Immigration Services.
- P. Exhibit P: U.S. Individual Income Tax Return (Form 1040) — Federal income tax return filed by Jose Raul Perez Hernandez, evidencing his lawful employment income and full compliance with U.S. tax obligations, demonstrating good moral character and civic integration.

Respectfully submitted,

JR

JOSE RAUL PEREZ HERNANDEZ

Petitioner, Pro Se

A# [REDACTED]

Bluebonnet Detention Facility
400 2nd Street, Anson, Texas 79501

March 5, 2026 Physical Residence

[REDACTED]

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

JOSE RAUL PEREZ HERNANDEZ,

A# 

Petitioner,

v.

PAMELA BONDI, Attorney General of the United States,
in her official capacity; TODD LYONS, Acting Director of
U.S. Immigration and Customs Enforcement, in his official
capacity; WARDEN, BLUEBONNET DETENTION
FACILITY, in his or her official capacity.

Respondents.

Civil Action No. _____

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I, JOSE RAUL PEREZ HERNANDEZ, Petitioner Pro Se in the above-captioned matter, hereby certify that on this 7 day of March, 2026, I caused a true and correct copy of the foregoing **Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 and Request for Immediate Release or Individualized Bond Hearing**, together with all Exhibits A through P attached thereto, to be served upon each of the following Respondents and interested parties by depositing the same in the United States Mail, First-Class Postage Prepaid, Certified Mail, Return Receipt Requested, addressed as follows:

1. COURT (Original Filing):

Clerk of Court U.S. District Court, Northern District of Texas, Abilene Division 341 Pine Street,
Room 2008 Abilene, Texas 79601 (*ATTN: Civil Clerk – Habeas Corpus Filing*)

2. RESPONDENT – Attorney General of the United States:

PAMELA BONDI, Attorney General Office of the United States Attorney General U.S.
Department of Justice 950 Pennsylvania Avenue, N.W. Washington, D.C. 20530-0001

3. RESPONDENT – U.S. Attorney, Northern District of Texas:

Office of the United States Attorney Northern District of Texas 1100 Commerce Street, Suite 300
Dallas, Texas 75242

4. RESPONDENT – Acting Director, U.S. Immigration and Customs Enforcement:

TODD LYONS, Acting Director U.S. Immigration and Customs Enforcement Enforcement and
Removal Operations (ERO), Dallas Field Office 8101 North Stemmons Freeway Dallas, Texas
75247

5. RESPONDENT – Warden, Bluebonnet Detention Facility:

Warden, Bluebonnet Detention Facility 400 2nd Street Anson, Texas 79501 (*Immediate
Custodian – Respondent – Served In Person Through Facility Staff*)

6. U.S. Department of Justice – Office of Immigration Litigation:

U.S. Department of Justice Office of Immigration Litigation, District Court Section P.O. Box
878, Ben Franklin Station Washington, D.C. 20044

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

Executed on this 7 day of March, 2026, at Bluebonnet Detention Facility, Anson, Texas.

Respectfully submitted,

JR

JOSE RAUL PEREZ HERNANDEZ

Petitioner, Pro Se

Bluebonnet Detention Facility

400 2nd Street, Anson, Texas 79501

A# 

Physical Residence

