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UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

Rolando Cabrera Rodriguez

Petitioner,

v.

Pamela Bondi, U.S. Attorney General,

Markwayne Mullin, Secretary, U.S. Department of Homeland Security,

Todd Lyons, Acting Director of U.S. Immigration and Customs Enforcement,

Johnny Choate, Warden of Denver Contract Detention Facility

in their official capacities

Respondents.

Case No. 1:26-cv-00969

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner brings this petition for a writ of habeas corpus to seek enforcement of his rights as a member of the Bond Denial Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.).

2. Petitioner Mr. Rolando Cabrera Rodriguez is in the physical custody of Respondents at Denver Contract Detention Facility. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have concluded that he is subject to mandatory detention. (*See*, Exhibit A, ICE Online Detainee Locator).

3. On November 20, 2025, the district court granted partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners' Motion for Partial Summary Judgment).

4. The declaratory judgment held that the Bond Denial Class members are detained under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

5. Nonetheless, the Executive Office for Immigration Review and its subagency the Immigration Court and the Department of Homeland Security (DHS) have blatantly

refused to abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the opportunity to be released on bond.

6. On February 18, 2026, the Court vacated *Matter of Yajure Hurtado* as contrary to law under the APA, recognizing that such action was necessary given the continuous defiance of the Courts initial order. *Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. Feb. 18, 2026).

7. Petitioner Mr. Rolando Cabrera Rodriguez is a member of the Bond Eligible Class, as he:

   a. does not have lawful status in the United States and is currently detained at the Denver Contract Detention Facility. He was apprehended by immigration authorities on November 13, 2025;

   b. entered the United States on January 8, 2025, and was not apprehended upon arrival; and

   c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

8. Petitioner was apprehended under the discretionary authority of INA § 236(a).

9. Petitioner entered the United States on January 8, 2025, at San Ysidro, California through the use of the CBP One app. (*See,* Exhibit B, Notice to Appear).

10. Petitioner was granted parole at the time of his entry, which was valid until April 18, 2025. (*See,* Exhibit C, Parole Document).

11. On or about, November 13, 2025, Petitioner was stopped by a Palm Beach Police Department Officer while driving home from work due to a malfunctioning license plate light. At the time of the stop, the Petitioner did not have a valid driver's license in his possession. He was subsequently taken into custody and transported to the Palm Beach County Jail due to his immigration status.

12. On November 14, 2025, Respondents issued a Warrant for Arrest which indicated that Petitioner was detained pursuant to section 236 of the INA. (*See,* Exhibit D, Warrant for Arrest).

13. On December 17, 2025, Respondent's issued a Notice to Appear for Petitioner, where he was charged under INA § 212(a)(7)(A)(i)(I) as an immigrant who at the time of application for admission was not in possession of a valid entry document. (*See,* Exhibit B, Notice to Appear).

14. On January 7, 2026, Petitioner presented his I-589 Application for Asylum and for Withholding of Removal before EOIR. (*See*, Exhibit E, Proof of Submission of I-589 Application).

15. On March 6, 2026, the Petitioner submitted his I-485 Application to Register Permanent Residence or Adjust Status under the Cuban Adjustment Act to USCIS via mail. The application is anticipated to be delivered on March 9, 2026, at which point it will be pending before USCIS. (*See*, Exhibit F, Proof of Submission of I-485 Application).

16. Petitioner is scheduled for a Master Hearing on March 11, 2026. (*See,* Exhibit G, Notice of Hearing).

17. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to section 1226(a), which allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

18. It has been recognized that non-citizens who are already in the United States should not be treated the same as aliens which are coming into the United States; such treatment would defy the plain language of INA. *Maldonado Bautista v. Santacruz*, 5:25-cv-01873-SSS-BFM (C.D. Ca. Feb 18, 2026).

19. Section 1225 governs "applicants for admission" encountered at the border or its functional equivalent, while section 1226 governs those "already in the country". *Jennings v. Rodriguez,* 583 U.S. 282, 288-89 (2018).

20. Petitioner was paroled upon entry into the United States, and he was placed in Court Proceedings pursuant to 8 U.S.C. § 1229a. (*See,* Exhibit B; Exhibit C).

21. He was detained ten months after his initial entry. Therefore, he is currently detained under INA § 236(a), the discretionary detention provision that authorizes release on bond or conditional parole.

22. Petitioner is a Cuban national with no criminal history. His continued confinement under these circumstances serves no lawful basis where Congress has expressly authorized bond consideration under § 1226(a).

23. This is a case where ICE, unlawfully detained the Petitioner who at the time of his arrest, was only two months away from becoming eligible to apply for adjustment of status under the Cuban Adjustment Act and was still within the one-year time frame to apply for asylum.

24. The Fifth amendment guarantees apply "to all persons within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent". *Zadvydas v. Davis,* 533 U.S. 678, 693 (2001).

25. Over the years, the courts have stepped in to ensure that vulnerable classes of immigrants receive protections to which they are entitled as a matter of law, due process and

fundamental notions of fairness. The case at bar is an opportunity for this Honorable Court to step in once again in the interest of justice to allow this innocent man to be released in accordance with the law.

26. Because Respondents are detaining Petitioner in violation of both the Immigration and Nationality Act and in violation of the final judgment issued in *Maldonado Bautista*, this Court should expeditiously grant the petition.

27. The Court should order Respondent DHS to release Petitioner within one day.

28. Alternatively, the Court should order his release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

JURISDICTION

29. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Denver Contract Detention Facility in Aurora, Colorado.

30. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

31. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

32. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493- 500 (1973), venue lies in the United States District Court for the District of Colorado, the judicial district in which Petitioner currently is detained.

33. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the District of Colorado.

REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243

34. The court must grant the petition for writ of habeas corpus "forthwith" unless the petitioner is not entitled to relief. 28 U.S.C. § 2243.

35. The Court should grant the petition for writ of habeas corpus "forthwith," as the legal issues have already been resolved for class members in *Maldonado Bautista.*

36. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000).

37. Petitioner is "in custody" within the meaning of 28 U.S.C. § 2241 because he is detained by Respondents at Denver Contract Detention Facility in Aurora, Colorado pursuant to immigration detention authority. Petitioner challenges that custody as unlawful under the Constitution, federal law, and applicable treaties.

PARTIES

38. Petitioner Mr. Rolando Cabrera Rodriguez is a citizen of Cuba who was paroled into the United States on January 8, 2025, and has been in immigration detention since November 13, 2025.

39. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security. He is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Mr. Mullin has ultimate custodial authority over Petitioner and is sued in his official capacity.

40. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

41. Respondent Todd Lyons is the Acting Director of the U.S. Department of Homeland Security Immigration and Customs Enforcement. He is being sued in his official capacity.

42. Respondent Johnny Choate is the Warden of Denver Contract Detention Facility, where Petitioner is detained. He is sued in his official capacity.

STATEMENT OF FACTS

43. Mr. Rolando Cabrera Rodriguez ("Petitioner") is a 60-year-old native and citizen of Cuba who has been in ICE custody since November 13, 2025. After Petitioner was arrested in West Palm Beach, FL, ICE did not set bond.

1. On or about September 15, 2024, Petitioner fled Cuba given the persecution he faced by the Cuban government due to his political opinion and religion.

2. Petitioner entered the United States on January 8, 2025, at San Ysidro, California through the use of the CBP One app. (*See,* Exhibit B, Notice to Appear).

3. Petitioner was granted parole at the time of his entry, which was valid until April 18, 2025. (*See,* Exhibit C, Parole Document).

4. On November 13, 2025, Petitioner was stopped by a Palm Beach Police Department Officer while driving home from work due to a malfunctioning license plate light. At the time of the stop, the Petitioner did not have a valid driver's license in his possession. He was subsequently taken into custody and transported to the Palm Beach County Jail due to his immigration status.

5. On November 14, 2025, Respondents issued a Warrant for Arrest reflecting that Petitioner was being detained pursuant to INA § 236. (*See,* Exhibit D, Warrant for Arrest).

6. On December 17, 2025, Respondent's issued a Notice to Appear for Petitioner, where he was charged under INA § 212(a)(7)(A)(i)(I) as an immigrant who at the time of application for admission was not in possession of a valid entry document. (*See,* Exhibit B, Notice to Appear).

44. On January 7, 2026, Petitioner applied for asylum and for withholding of removal. This application is currently pending before the Immigration Court. (*See*, Exhibit E, Proof of Submission of I-589 Application).

7. On or about March 9, 2026, Respondents received Petitioner's I-485 Application to Register Permanent Residence or Adjust Status under the Cuban Adjustment Act. (*See*, Exhibit F, Proof of Submission of I-485 Application).

8. Petitioner is scheduled for a Master Hearing on March 11, 2026. (*See,* Exhibit G, Notice of Hearing).

9. The Petitioner has no criminal history, has consistently demonstrated compliance with all immigration requirements, and does not pose a flight risk.

10. Additionally, the Petitioner has strong family ties in the United States, including his Legal Permanent Resident son, Rolando Cabrera Cruz. (*See*, Exhibit H, Letter written by Rolando Cabrera Cruz).

11. As of filing of this petition, Petitioner has been wrongfully detained for over four (4) months.

STATEMENT OF LAW

Mandatory Detention Scheme

1. Immigration detention has two statutory goals (1) "to ensure the noncitizen's appearance at future immigration proceedings" and (2) "to prevent danger to the community". *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

2. Congress established two separate detention regimes. Section 1225 governs "applicants for admission" encountered at the border or its functional equivalent, while section 1226 governs those "already in the country". *Jennings v. Rodriguez,* 583 U.S. 282, 288-89 (2018). These provisions are mutually exclusive: "A noncitizen cannot be subject to both mandatory detention under § 1225 and discretionary detention under § 1226." *Martinez v. Hyde,* No. 25-cv-11613, 2025 WL 2084238, at *8 (D. Mass July 24, 2025).

3. Section 1225(b)(2)(A) provides that "in the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding under section 1229a." 8 U.S.C. § 1225(b)(2)(A).

4. Crucially, courts and the BIA have recognized that the phrase "seeking admission" carries an active, temporal component: it refers to individuals "coming or attempting to come into

the United States," 8 C.F.R. § 1.2, i.e., those apprehended at or near the border and in the process of initial entry. *Martinez,* 2025 WL 2084238, at *6-7.

5. By contrast, § 1226 governs detention of noncitizens already present in the United States and apprehended on a warrant issued by the Attorney General. 8 U.S.C § 1226(a). Unlike § 1225's mandatory scheme, § 1226(a) creates a discretionary framework, under which the Attorney General "may continue to detain," or "may release" a noncitizen on bond or conditional parole. *Id.*

6. Individuals detained under § 1226 are entitled to an individualized custody determination and may appeal that determination to an immigration judge. 8 C.F.R. § 1236.1(d)(1); *see Matter of Siniauskas*, 27 I&N Dec. 207, 207 (BIA 2018).

7. Narrow mandatory detention categories exist under § 1226(c) for certain criminal or security grounds, but those are not implicated here.

8. Multiple recent decisions confirm that § 1225 does not apply to noncitizens apprehended in the interior. *See Carlos Javier Lopez Benited v. Francis*, No. 25- cv-11517, 2025 WL 1869299, at *5-8 (D. Mass. July 7, 2025) (holding that § 1225(b)(2)(A) did not apply to a petitioner who had been residing in the United States for over two years; emphasizing that "seeking admission" requires an active, ongoing effort to enter, not mere presence in the country, and concluding that detention was governed by § 1226(a) with access to bond); see also *Rodriguez v. Bostock*, F. Supp. 3d, 2025 WL 1193850, at *12-16 (W.D. Wash. Apr. 24, 2025) (finding that a non-citizen apprehended from within the United States and charged with inadmissibility was necessarily detained under section 1226, rather than section 1225); *Gomes*, 2025 WL 1869299 at *5-8 (same); *Lepe v. Andrews*, No. 1:25-cv-01163-KES-SKO (HC), 2025 U.S. Dist. LEXIS 187233, at *13 (E.D. Cal. Sep. 23, 2025).

9. As those courts recognized, interpreting § 1225 to cover all noncitizens who were never formally "admitted" would collapse the statutory distinction, render § 1226 superfluous, and contradict longstanding DHS practice. See *Martinez*, 2025 WL 2084238, at *8 ("This tension between sections 1225 and 1226 motivates the conclusion that they apply to different classes of aliens"); *Gomes v. Hyde*, 2025 WL 1869299, at *5-8 (D. Mass. July 7, 2025); *Marx v. Gen. Revenue Corp.*, 568 U.S. 371, 386, 133 S.Ct. 1166, 185 L.Ed.2d 242(2013).

10. Courts have distilled two central principles:

    a. Geographic/temporal limits: § 1225 applies only to noncitizens apprehended at or near the border and in the act of entry (see *Thuraissigiam*, 591 U.S. 103, 114, 139 (2020), not to those apprehended years later in the interior.

    b. Statutory structure: Reading § 1225 as covering all noncitizens who were never lawfully "admitted" would render § 1226 largely meaningless, contrary to the rule against surplusage. See *Martinez*, 2025 WL 2084238, at *7; *Gomes v. Hyde*, No. 25-cv-11571, 2025 WL 1869299, at *6-8 (D. Mass. July 7, 2025).

11. As set forth below, applying this framework compels the conclusion that Petitioner's detention cannot fall under § 1225. Having resided in the United States for a year before detention within the interior, he falls squarely within the discretionary scheme of § 1226. Respondents' reliance on § 1225 is therefore legally untenable.

12. Furthermore, Respondents own documentation of Petitioner's detention reflects that he was detained under the discretionary authority of § 1226, which entitles him to a bond hearing. (*See*, Exhibit D, Warrant for Arrest).

13. Finally, *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024) is a landmark decision overruling *Chevron* deference thereby permitting this Honorable Court to come to its own conclusion on the interpretation of the relevant statutes without relying on Board precedent in *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025), which was wrongly decided and vacated. *See, Maldonado Bautista v. Santacruz*, 5:25-cv-01873-SSS-BFM (C.D. Ca. Feb 18, 2026).

Maldonado Bautista Bond Eligible Class

1. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for release on bond under 8 U.S.C. § 1226(a).
2. The order granting partial summary judgment in *Maldonado Bautista* holds that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.
3. The order granting class certification in *Maldonado Bautista* further orders that "[w]hen considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole."
4. Respondents are parties to *Maldonado Bautista* and bound by the Court's declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).
5. On December 18, 2025, the District Court entered a final judgment in the Bautista Class Certification. The District Court found and reasons that "because of the change in procedural posture, the court found that they previous reasons supporting delay in entry of final judgment no longer exists. Furthermore, because new facts indicate that Respondents have counseled the noncompliance with the Court's orders, evidence of these circumstances present exigent circumstances that may cause irreparable harm to those

detained without a bond hearing." (*See,* Exhibit I, Final Judgment, Bautista v. Santacruz, No. 5:25-cv-01873-SSS-BFM).

6. In its decision the Court further found that the BIA holding in *Yajure Hurtado* is "no longer controlling; the legal conclusion underlying the decision in Hurtado is no longer tenable as the District Court found that those similarly situated are not applicants for admission," and therefore are not subject to mandatory detention under § 1224. *Id* at 6.

7. On February 18, 2026, the Court vacated *Matter of Yajure Hurtado* as contrary to law under the APA, recognizing that such action was necessary given the continuous defiance of the Courts initial order. *Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. Feb. 18, 2026).

8. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA and the Court's judgment in *Maldonado Bautista.*

CLAIMS FOR RELIEF

UNLAWFUL DETENTION UNDER 8 U.S.C. § 1225; CUSTODY PROPERLY GOVERNED BY 8 U.S.C. § 1226

9. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

10. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for release on bond under 8 U.S.C. § 1226(a).

11. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA.

12. Petitioner is currently detained pursuant to INA § 236(a), 8 U.S.C. § 1226(a). Petitioner was paroled into the United States on January 8, 2025. DHS exercised its prosecutorial discretion by placing Petitioner in removal proceedings under INA § 240, 8 U.S.C. § 1229a. At the time of his detention on November 13, 2025, he had resided in the United States for over ten months and had immigration relief for which he is prima facie eligible. He is not subject to mandatory detention under § 1226(c), expedited removal under § 1225(b)(1), or post-order detention under § 1231.

13. As a Cuban national who entered the United States on January 8, 2025, and who was not apprehended at the time of entry, and who was issued a warrant for arrest pursuant to INA § 236, Petitioner squarely falls within the class of individuals detained under § 236(a). Accordingly, detention is discretionary, not mandatory, and DHS must exercise that discretion in a manner consistent with statutory and constitutional limits.

14. Despite the discretionary detention framework set forth in INA § 236(a), 8 U.S.C. § 1226(a), Respondents have refused to meaningfully exercise that discretion. Specifically, Respondents have refused to consider Petitioner for release and have failed to provide a constitutionally adequate bond hearing. As a result, Petitioner remains subject to prolonged detention that is not reasonably related to any legitimate governmental purpose.

Violation of Due Process

15. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

16. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. "Freedom from imprisonment lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

17. Petitioner has a fundamental interest in liberty and being free from official restraint.

Violation of the Due Process Clause of the Fifth Amendment of the United States Constitution; 5 U.S.C §§ 702, 706

18. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

19. The Due Process Clause of the Fifth Amendment protects all "person[s]" from deprivation of liberty "without due process of law."

20. The Due Process Clause entitles Petitioner to meaningful process assessing whether his current detention is justified. The arrest and detention of Petitioner without an opportunity for him to contest his detention in front of a neutral decision maker after he had been living in the United States for over a year provides insufficient due process and violates the Due Process Clause of the Fifth Amendment of the Constitution.

21. Immigration detention has two statutory goals (1) "to ensure the noncitizen's appearance at future immigration proceedings" and (2) "to prevent danger to the community". *Zadvydas v. Davis, 533 U.S. 678, 690 (2001).* Petitioner's detention serves neither purpose.

22. There is no evidence that Petitioner poses a danger to the community or a flight risk.

23. Petitioner:

    a. has continuously resided in the United States since January 2025. (*See*, Exhibit J, Evidence of One Year of Presence in the United States);

    b. has no criminal history. (*See*, Exhibit K, Palm Beach County Sheriff's Office Background Check);

12. has immediately available relief through his pending application for Adjustment of Status under the Cuban Adjustment Act. (*See*, Exhibit F, Proof of Submission of I-485 Application);

c. has complied with all immigration requirements;

13. has strong family ties in the United States (*See*, Exhibit H, Letter written by Rolando Cabrera Cruz);

24. These factors overwhelmingly favor release under INA § 236(a). Nothing in the record demonstrates that continued detention is necessary to protect the public or to ensure Petitioner's appearance at future proceedings.

25. Because Petitioner's detention is discretionary, continued confinement without meaningful consideration of release is arbitrary and not reasonably related to any legitimate immigration purpose.

26. The Fifth Amendment's Due Process Clause requires adequate procedural protections to ensure that the government's asserted justification for physical confinement outweighs the individual's constitutionally protected interest in avoiding physical restraint. See *Id.*; *Jennings v. Rodriguez*, 583 U.S. 281, 306 (2018).

27. Where detention is discretionary under INA § 236(a), due process requires individualized consideration of whether continued detention is justified. Prolonged detention cannot be sustained where it is unrelated to danger or flight risk and where less restrictive alternatives, such as bond or conditions of supervision, are readily available.

28. Petitioner has now been detained for month withouts a meaningful exercise of discretion or a constitutionally adequate bond hearing.

29. Under these circumstances, continued detention no longer serves a legitimate regulatory purpose and instead imposes unnecessary physical and psychological harm to an individual with available migratory relief.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

a. Assume jurisdiction over this matter;

b. Order that Petitioner shall not be transferred outside the District of Colorado;

c. Issue an Order to Show Cause ordering Respondents to show why this Petition should not be granted within 3 days.

d. Declare that the Petitioner's detention violates the Due Process of the Fifth Amendment.

e. Issue a writ of habeas corpus requiring that within one day, Respondents release Petitioner.

f. Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven days;

g. Grant any other and further relief that this Court deems just and proper.

DATED this 10 of March, 2026.

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CABRERA RODRIGUEZ, ROLANDO [redacted]

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G	Notice of Hearing.
H	Letter written by Rolando Cabrera Cruz.
I	[redacted]
J	Evidence of One Year of Presence in the United States.
K	Palm Beach County Sheriff's Office Background Check.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Petition for Writ of Habeas Corpus with Attachments and Summons was served by certified mail to **PAMELA BONDI**, Attorney General of the United States, U.S Department of Justice, 950 Pennsylvania avenue, NW, Washington, DC 20530-0001.

I hereby certify that a true and correct copy of the Petition for Writ of Habeas Corpus with Attachments and Summons was served by certified mail to **MARKWAYNE MULLIN**, Secretary of Homeland Security, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0485, Washington, DC 20528-0485.

I hereby certify that a true and correct copy of the Petition for Writ of Habeas Corpus with Attachments and Summons was served by certified mail to **TODD LYONS**, Acting Director of U.S. Immigration and Customs Enforcement, Office of the Principal Legal Advisor, U.S. Immigration and Customs Enforcement, 500 12th Street SW, Washington, DC 20536.

I hereby certify that a true and correct copy of the Petition for Writ of Habeas Corpus with Attachments and Summons was served by certified mail to **JOHNNY CHOATE**, Warden of Denver Contract Detention Facility, 3130 Oakland St, Aurora, CO 80010.

(Signature)

03/10/2026
(Date)