UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Jareth Isaid CONTRERAS SANCHEZ,

Petitioner,

v.

Kevin RAYCRAFT, Field Office Acting Director of Enforcement and Removal Operations, Detroit Field Office, Immigration and Customs Enforcement; Kristi NOEM, Secretary, U.S. Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; Pamela BONDI, U.S. Attorney General; Executive Office for Immigration Review (EOIR); THE GEO GROUP INC., facility operators; John DOE, Warden of North Lake Correctional Facility (or his/her successors),

Respondents.

Case No. 26-867

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner JARETH ISAID CONTRERAS SANCHEZ is in the physical custody of Respondents at the North Lake Correctional Facility. He now faces unlawful detention because the Department of Homeland Security (DHS) have concluded Petitioner is subject to mandatory detention.

2. This petition arises from the sudden and inexplicable re-detention of Petitioner by ICE agents on December 23, 2025.

3. Petitioner was previously detained by Customs and Border Protection in September of 2023. CBP determined he was an Unaccompanied Alien Child (UAC), as he was 17 at the time of entry. He was subsequently turned over to the custody of the Office of Refugee Resettlement.

4. The ORR released Petitioner into the care of his family.

5. On February 28. 2024, the Department of Homeland Security issued a Notice to Appear charging Petitioner as removable under INA § 212(a)(6)(A)(i).

6. Petitioner filed an asylum application with USCIS.

7. Petitioner was subsequently re-detained on December 23, 2025 without notice or opportunity to be heard.

8. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be immediately released from custody and be provided with notice and an opportunity to be heard before being re-detained.

JURISDICTION

9. Petitioner is a resident of Michigan, in the physical custody of Respondents. Petitioner is detained at the North Lake Correctional Facility, 1805 W. 32nd Street, Baldwin, MI, 49304.

10. 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).

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

VENUE

12. 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 Western District of Michigan, the Southern Division, the judicial district in which Petitioner currently is detained.

13. 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 Southern Division of the Western District of Michigan.

REQUIREMENTS OF 28 U.S.C. § 2243

14. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Respondents must file a return "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id.*

15. 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) (emphasis added). "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) (citation omitted).

PARTIES

16. Petitioner Jareth Isaid Contreras Sanchez is a citizen of Honduras who has been in immigration detention since December 23, 2025. After arresting Petitioner in Michigan, ICE did not set bond. Petitioner has resided in the United States since he arrived in or around 2023.

17. Respondent, Kevin Raycraft, is the Director of the Detroit Field Office of ICE's Enforcement and Removal Operations Division. As such, Kevin Raycraft is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

18. Respondent Kristi Noem and/or her successor is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

19. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

20. 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.

21. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

22. Respondent The Geo Group, Inc. is the private entity under contract with ICE operating the North Lake Correctional Facility, where Petitioner is detained. They have immediate physical custody of Petitioner. They are sued in their official capacity.

23. Respondent John Doe (or his/her successors) is employed by The Geo Group, Inc. as Warden of the North Lake Correctional Facility, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

A. Respondent's Revocation of Parole Was Contrary to Statute and Regulation and Violates the APA.

21. Once paroled into the United States, under the statute, a noncitizen may not be "returned to the custody from which he was paroled" unless, in the Secretary's opinion, "the purposes of such parole … have been served." 8 U.S.C § 1182(d)(5)(A).

22. Revocation of parole is also governed by regulations. 8 C.F.R. § 212.5(e).

23. Those regulations require written notice.

24. Those regulations further require that to terminate parole, either the purposes of the parole have been accomplished, or an individual decision has been made that neither a humanitarian reason nor public benefit warrants continued parole.

25. Thus, "both common sense and the words of the statute require parole revocation to be analyzed on a case-by-case basis and [] a decision to revoke parole must attend to the

reasons an individual noncitizen received parole." *Velasquez v. Kurzdorfer*, No. 25-CV-493-LJV, 2025 U.S. Dist. LEXIS 135986, at *29 (W.D.N.Y July 16, 2025).

26. Respondents, in failing to make a determination that the purpose of Petitioner's parole had been accomplished, violated the statutory and regulatory provisions of 8 U.S.C. § 1182(d)(5)(A) and 8 C.F.R. § 212.5(e). *Orellana v. Francis*, No. 25-CV-04212 (OEM), 2025 U.S. Dist. LEXIS 196589, at *9 (E.D.N.Y. Oct. 3, 2025).

27. In this context, the parole of a noncitizen is in the 'public benefit' when that noncitizen is neither a flight risk nor a danger to the community. *Mons v. McAleenan*, 2019 U.S. Dist. LEXIS 151174, 2019 WL 4225322, at *2 (D.D.C. Sept. 5, 2019).

28. In this context, it is *not* in the public interest to re-detain parolees who are not flight risks or dangers to the community.

29. No analysis of Petitioner's parole or the reasons it was granted occurred here and his re-detention is not in the public interest. As such, Respondents have violated the INA and the APA.

B. Petitioner's Re-Detention Violates the Fifth Amendment.

30. Individuals who have been conditionally released from detention have a protected interest in their "continued liberty." *Herrera v. Tate*, No. H-25-3364, 2025 U.S. Dist. LEXIS 189999, at *31 (S.D. Tex. Sep. 26, 2025) (quoting *Young v. Harper*, 520 U.S. 143, 147 (1997)).

31. Petitioner's re-detention, almost two years after being paroled into the United States following an initial detention, was without prior notice, a showing of changed circumstances, or a meaningful opportunity to object, and therefore he was not afforded the procedural requirements of the Fifth Amendment. *Rosado v. Figueroa*, No. CV25-02157 PHX DLR (CDB), 2025 U.S. Dist. LEXIS 156344, at *36 (D. Ariz. Aug. 11, 2025); *Rosales-*

Garcia v. Holland, 322 F.3d 386, 409 (6th Cir. 2003) ("Excludable aliens-like all aliens- are clearly protected by the Due Process Clauses of the Fifth and Fourteenth Amendments") *citing Yick Wo v. Hopkins*, 118 U.S. 356, 6 S.Ct. 1064, 30 L.Ed. 220 (1886).

32. The government therefore does not have the authority to arrest a noncitizen who has been granted parole without properly terminating that parole. *Velasquez v. Kurzdorfer*, No. 25-CV-493-LJV, 2025 U.S. Dist. LEXIS 135986, at *26 (W.D.N.Y. July 16, 2025); *Y-Z-L-H v. Bostock*, 2025 U.S. Dist. LEXIS 130216, 2025 WL 1898025, at *13 (D. Or. July 9, 2025), or unless there is some other valid reason to arrest him.

33. Due process then "requires a hearing before an immigration judge before re-detention. *Mejia v. Woosley*, Civil Action No. 4:25-cv-82-RGJ, 2025 U.S. Dist. LEXIS 203256, at *11 (W.D. Ky. Oct. 15, 2025) (internal citation and internal quotation marks omitted).

FACTS

34. Petitioner has resided in the United States since 2023 and lives in Michigan.

35. On or about December 23, 2025, Petitioner was detained in Michigan while at work. He was processed at an ICE processing facility before being transferred to the North Lake Correctional Facility in Michigan. He is being held at the ICE Detention center in Wayne County, Baldwin, MI, operated by The Geo Group, Inc.

36. Petitioner last entered the United States in 2023 and has lived continuously in this country since then. During that time, he has built meaningful connections within his community. Petitioner has maintained consistent employment, paid taxes, and contributed positively through his community. He has no criminal history, has complied with all prior immigration requirements to the best of his ability, and poses neither a flight risk nor any danger to the community.

37. Following Petitioner's arrest and transfer to North Lake Correctional Facility, ICE issued a custody determination to continue Petitioner's detention without an opportunity to post bond or be released on other conditions.

38. Petitioner remains in detention. Without relief from this court, he faces the prospect of months, or even years, in immigration custody, separated from his community.

CLAIMS FOR RELIEF

COUNT I

Violation of the INA and APA

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

38. Petitioner's re-detention without notice and without an individualized determination regarding his parole status violates the INA and the APA.

COUNT II

Violation of Due Process

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

40. 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—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690, 121 S.Ct. 2491, 150 L.Ed.2d 653 (2001).

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

42. Petitioner's re-detention without a pre-arrest hearing violates his right to due process.

43. The government's detention of Petitioner without a bond redetermination hearing to determine whether he is a flight risk or danger to others violates his right to due process.

PRAYER FOR RELIEF

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

a. Assume jurisdiction over this matter;

b. Issue a writ of habeas corpus requiring that Respondents release Petitioner from custody immediately and provide notice and a hearing before an immigration judge prior to re-detaining Petitioner;

c. Enjoin Respondents from transferring the Petitioner from the jurisdiction of this District pending these proceedings,

d. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

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

Dated: March 17, 2026

Respectfully Submitted by:

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