FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
MAR 23 2026
JEFFREY P. COLWELL
CLERK

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF COLORADO**

Civil Action No. _____
(To be supplied by the court)

_____, Applicant,

v.

TODD LYONS, ACTING DIRECTOR, ICE
MADISON SHEAHAN, DEPUTY DIRECTOR, ICE
JUAN BALTAZAR, WARDEN OF AURORA DETENTION CENTER, Respondent.
(Name of warden, superintendent, jailer, or other custodian)

*(Note: If you are attacking the validity of a state conviction or sentence and not the execution of your sentence, you must file an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. If you are attacking the validity of a judgment entered in a federal court, you must file a motion pursuant to 28 U.S.C. § 2255 in the federal court that entered the judgment.)*

**APPLICATION FOR A WRIT OF HABEAS CORPUS**
**PURSUANT TO 28 U.S.C. § 2241**

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

**A. APPLICANT INFORMATION**

*You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.*

JORGE LUIS RODRIGUEZ VELETA, [redacted], 3130 N. OAKLAND ST.,
(Applicant's name, prisoner identification number, and complete mailing address)
A3-106, AURORA CO 80010, (AURORA ICE DETENTION CENTER)

*Indicate whether you are a prisoner or other confined person as follows: (check one)*

___ Pretrial detainee
___ Civilly committed detainee
X Immigration detainee ✓
___ Convicted and sentenced state prisoner
___ Convicted and sentenced federal prisoner
___ Other: (*Please explain*) _____

**B. RESPONDENT INFORMATION**

TODD LYONS/MADISON SHEAHAN: U.S. ICE, 12445 E. CALEY AVE., CENTENNIAL CO 80111
(Respondent's name and complete mailing address)

JUAN BALTAZAR: 3130 N. OAKLAND ST., AURORA CO 80010

**C. STATEMENT OF CLAIMS**

*State clearly and concisely every claim you are asserting in this action. For each claim, specify the right that allegedly has been violated and all facts that support your claim. If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "C. STATEMENT OF CLAIMS."*

CLAIM ONE: I AM BEING DETAINED AND UNDER CUSTODY OF ICE FOR A PROLONGED PERIOD.

Supporting facts: ADDITIONAL PAPERS ARE ATTACHED.

**D. PRIOR APPLICATIONS**

Have you ever filed a lawsuit, other than this lawsuit, in any federal court in which you raised or could have raised the claim(s) raised in this action? ___ Yes X No (*check one*).

*If your answer is "Yes," complete this section of the form. If you have filed more than one prior application, use additional paper to provide the requested information for each prior application. Please indicate that additional paper is attached and label the additional pages regarding previous lawsuits as "D. PRIOR APPLICATIONS."*

Name and location of court: _____

Case number: _____

Type of proceeding: _____

List the claim(s) raised: _____

Date and result: (Attach a copy of the decision if available) _____

Result on appeal, if appealed: _____

**E. ADMINISTRATIVE REMEDIES**

*WARNING: You must exhaust administrative and/or state remedies before filing an action in federal court pursuant to 28 U.S.C. § 2241. Your case may be dismissed if you have not exhausted administrative and/or state remedies. If additional space is needed to explain exhaustion, use extra paper to do so. Please indicate that additional paper is attached and label the additional pages regarding exhaustion as "E. ADMINISTRATIVE REMEDIES."*

Explain the steps you have taken to exhaust administrative and/or state remedies:

ADDITIONAL PAPER IS ATTACHED.

**F. REQUEST FOR RELIEF**

*State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as "F. REQUEST FOR RELIEF."*

ADDITIONAL PAPER IS ATTACHED.

**G. APPLICANT'S SIGNATURE**

I declare under penalty of perjury that I am the applicant in this action, that I have read this application, and that the information in this application is true and correct. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this application: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the application otherwise complies with the requirements of Rule 11.

X H Bgwez

(Applicant's signature)

03/19/26

(Date)

(Form Revised December 2017)

## C. STATEMENT OF CLAIM

**Supporting Facts:**

1. I was born in Cuba in 1967. I entered to the USA on or about 02/19/2005 under the DV1 Visa, requesting the Permanent Residence (Green Card) on the same date of my entry which it was issued a week after with the expiration date to 2015. I renewed it and got a new one with the expiration date to 2025; at the date I did not renewed my Green Card.

2. I was arrested by Law Enforcement of Miami on 07/19/2018 and extradited to Colorado. I faced a criminal process about Cultivation of +30 marijuana plants (DF3) and being sentenced to serve 16 years initially. After a 35b motion (see attachment C-1) my sentence was reduced to 9 years which I served 5 years in a prison of Colorado; being released/paroled on 01/25/2024 with a Probation of 2 years which ended on 07/05/25 (see attachment C-2).

3. On 01/25/24 I was detained by ICE (see attachment C-3) through 10/30/24, after 10 months I was released and put under supervision with an electronic device for a time of a year. On 11/07/2024, under directions of ICE I checked in, and my next check in it would be on October 2025 (see attachment C-4).

4. On 05/13/24 an Immigration Judge ordered me being removed from the United States.(see attachment C-5).

5. On September 2025, previous my next check in appointment with ICE, I got 3 phone calls from ICE and was told that I had to meet them on 09/23/25 because they were taking the decision of take off the electronic device form my legs.

6. On 09/23/25 after my presentation with ICE I was detained and put under custody in Aurora ICE Detention Center to the date.

7. On 11/13/25 ICE transferred me to a detention center in Florence, Arizona and tried to removed me to Mexico, a country where I know nobody and don't have any legal status. Also due to an orally interview of credible fear with an ICE deportation officer; then I was transferred back to Aurora ICE detention Center after a few days.

8. On 12/11/25 ICE interviewed me about a credible fear (see attachment C-6) where I explained them the bad time I passed before when I traveled to Mexico on 06/10/17 (see attachment C-7); where I was victim of kidnapping and extortion by Mexican Police members on the way to the airport; who under threats of taking me out to members of cartels requested a monetary payment. Al the money in dollars I had in that moment was $200 which I gave them, after that they let me go.

9. *Since I entered to the USA in 2005 through 2018 (over 13 years) I never was involved in any kind of troubles, even any traffic violations (see attachment C-8); sadly I was in the incorrect time and place where my nightmares started. I paid with 5 ½ years of my life serving in a prison and still suffering the consequences of such criminal charges facing a removal order to my country. Personally, such case is not closed yet; because to the date I have not had the enough time in liberty to start a review process of the criminal case, which I have the certain about some mistakes with the charges against me related to evidence and the due process, where I would reach the real justice who everyone wish to reach. This criminal case was involved in a scandal because some threats to the Jury of the court, even the case was mentioned in TV. News, newspapers and the web; further the case is being viewed by politic offices, human and civil rights impulsed by change.org (see attachment C-9).*

10. I consider by myself as a man of good moral character and not a danger to the community with no any risk to flight. I always was checking in under ICE supervision and directions through they arrested me and put in their custody under false excuses.

11. ICE keep a copy of my passport and they got all my bio-metrics and fingerprints.

12. I am a family man; I have a wife and 4 children who I love them and they love me. My son [redacted] is an active member of the U.S. Air force (see attachment C-10) since December 2025 to the date, willing to give his life for this country; a boy whom I made with him my best as a father for his education and discipline. I have been paying my taxes every single year. I an a man of faith; me and my wife attend the [redacted]Church. I suffer a chronic illness (hypertension) which I have to take medication for life. I had two surgeries on life, one of them in my ankle which doesn't let me walk very good and I have to use a cane as a support, and a sinus surgery. I consider by myself as a man of good moral character and not a danger to the community with no any risk to flight. I have a residence into Colorado State and a job waiting for me. My relatives, friends, employer and co-workers can express on their own words according to the support letters (see attachments C-11).

13. Since the Immigration Judge issued the Removal Order on May 13, 2024 to the date (two years approximately) I was under detention and custody of ICE; during this period of time ICE did not make the possibility of my removal; now what it makes they are going to remove me if they did not remove me among that time; even when the ICE deportation Officers told me that the government of Cuba did not accept me as deported person.

14. **My continued detention is unlawful, and I am unlikely to be removed in the reasonably foreseeable future. Therefore, My detention violates the statute and I am entitled to immediate release.** As the Supreme Court held in *Zadvydas v. Davis*, 533 U.S. 678 (2001),

noncitizens cannot be detained indefinitely if the government is unable to carry out their removal. Instead, detention after a final order of removal is authorized only when removal is reasonably foreseeable. As a guide to courts, the Court in *Zadvydas* established a presumption that detention after a final order of removal was permissible for six months. Detention after a final order may be unlawful even when six months have not passed, particularly if it is clear that the United States will not be able to effect a noncitizens's removal. But after that six months period, once a noncitizen provides "good reason to believe that there is not significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." And the longer a noncitizen has been detained, the stronger the government's showing must be. Petitioner is entitled to release under the framework of *Zadvydas* unless the government promptly demonstrate that there is a significant likelihood of removal in the reasonably foreseeable future.

15. My prolonged detention also violates the Due Process Clause. The Due Process Clause of the Fifth Amendment forbids the government from depriving any "person" of liberty "without due process of law." U.S. Const. Amend. V. "Freedom from imprisonment—from government custody, detention or other form of physical restraint—lies at the heart of the liberty" that the Due Process Clause protects. *Zadvydas*, 533 U.S. at 690 (citing *Founcha v. Louisiana*, 504 U.S. 71, 80 (1992). Civil immigration detention violates due process if it is not reasonably related to its statutory purpose. *See, id.* (*citing Jackson v. Indiana*, 406 U.S. 715, 738 (1972)). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention: to mitigate the risk of flight and prevent danger to the community. *Id.* Petitioner's prolonged civil detention, which has lasted well beyond the end of the removal period, and which is likely to continue indefinitely, is no longer reasonably related to the primary statutory

purpose of ensuring imminent removal. Thus, Petitioner's detention violates Petitioner's right to due process.

16. This action arises under the Constitution of the United States and the Immigration and Nationality Act ("INA") §§ 101-507, 8 U.S.C. § 1101-1537, amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009-1570.

17. This Court has jurisdiction under 28 U.S.C. § 2241, The Suspension Clause, U.S. Const. Art. 1 § 9, cl 2, and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of the authority of the United States, and Petitioner's custody is in violation of the Constitution, laws, or treaties of the United States. *See Zadvydas*, 566 U.S. 678. This Court may grant relief under 28 U.S.C. § 2241 (Habeas Corpus), 5 U.S.C. § 702 (establishing the right of review for a person suffering a legal wrong due to agency action), and 28 U.S.C. § 1651 (All Writs Act).

18. The Due Process Clause applies to all persons in the United States, "whether their presence here is lawful, unlawful, temporary or permanent." *Zadvydas*, 533 U.S. at 693. In *Zadvydas*, the Supreme Court emphasized, "[f]reedom from imprisonment—from government custody, detention, or other forms of physical lies at the heart of the liberty that [the Due Process] Clause protects." 533 U.S. at 690 (citing Foucha v. Louisiana, 504 U.S. 71, 80 (1992). The Court noted, "[a] statute permitting indefinite detention of an alien would raise a serious constitutional problem," *Id.; see also Plyer v. Doe, 457 U.S. 202, 210 (1982) (*"Aliens, even aliens whose presence in this country is unlawful, have long been recognized as "persons" guaranteed due process of law by the Fifth and Fourteenth Amendments").

19. Under 8 U.S.C. § 1231(a)(2), noncitizens subject to final orders of removal "shall" be detained during the first 90 days—the "removal period"--and they "shall" be removed during that period under § 1231(a)(1). Under 8 U.S.C. § 1231(a)(6), the government "may" continue detention

beyond the 90-days removal period if a noncitizen falls within certain broad categories of removability or is determined "to be a risk to the community or unlikely to comply with the order of removal." 8 U.S.C. § 1231(a)(6).

20. In *Zadvydas*, the Supreme Court construed 8 U.S.C. § 1231(a)(6) to authorize detention only where it is significantly likely that removal will occur in the reasonably foreseeable future, in order to avoid the serious due process concerns that would be presented by permitting detention for an indefinite period of time. *Zadvydas*, 533 U.S. at CITE. After a noncitizen meets his o her initial burden to show that no such likelihood of removal exists, the burden shifts to the government to "respond with evidence sufficient to rebut [the alien] showing, "*Id. A*t 701.

21. Courts have rejected conclusory claims by ICE agents which claim, without submitting concrete factual information about scheduled flights or repatriation agreements, that removal is imminent. "[A] theoretical possibility of eventually being removed does not satisfy the government's burden once the removal period has expired and the petitioner establishes good reason to believe his removal is not significantly likely in the reasonably foreseeable future." *Balza v. Barr, No. 6:20-CV-00866, 2020 WL 6143643, at *5 (W.D. La. Sept. 17, 2020) (*internal quotation and citation omitted). "[I]f [ICE] has no idea of when it might reasonably expect [Petitioner] to be repatriated, [a] Court certainly cannot conclude that [a] removal is likely to occur—or even that it might occur—in the reasonably foreseeable future." *Id. a*t *5 (internal quotation marks and citation omitted). *See also, Gomez Barco v. Witte, No.* 6:20-CV-00497, 2020 WL 7393786 (W.D. La. Dec. 16, 2020) (ordering release of a petitioner who was detained longer than six months because ICE had not be able to secure necessary travel document, nothing that the ICE officer "clearly has no factual basis for his 'belief' that there is not foreseeable impediment of Petitioner's removal or that her removal is imminent," and that there was not foundation for the "expectation" that the COVID-19 related travel restrictions in place would soon be lifted); *Balza*

*v. Barr*, No. 6:20-CV-00866,2020 WL 6064881 (W.D. La. Oct. 14, 2020) (same).[1] In granting Ms. Balza's release, the Court considered and rejected a conclusory declaration by a local ICE Assistant Field Officer that removal was imminent. *Id.* at *5. In *Alexis v. Smith*, the Petitioner, Mr. Alexis, had been in detention for almost a year and subject to a removal order for over a year. An ICE official testified to an informal agreement that permitted removals but acknowledged that there were far fewer removals to Haiti in the aftermath of the 2010 hurricane. The Haitian government had an issue with identity documents and it was unknown when that would be resolved. The magistrate did not credit ICE's vague statements that it was "endeavoring to rectify the issue" and conclude there was no end in sight for detention, and recommended release. The District Court Judge agreed and ordered release. ICE then released Mr. Alexis on an Order of Supervised release and moved to get the judgment vacated on mootness, which it was. However, this does not invalidate the reasoning and conclusions of the Magistrate Judge and District Court Judge on this subject, and this case is still informative and persuasive to the body of law on this subject. *Alexis v. Smith*, No. CIV.A. 11-0309, 2011 WL 3924247 (W.D. La. Aug. 3, 2011) report and recommendations adopted. No. CIV.A 11-0309, 2011 WL 3954945 (W.D. La. Sept. 6, 2011), vacated, No. CV 11-0309, 2011 WL 13386020 (W.D. La. Sept. 15, 2011).

22. Courts in this Districts have—pursuant to *Zadvydas*—released individuals who have been detained for over six months. *See. e.g. Gomez Barco*, 2020 WL 7393786 (ordering released of an immigrant detained who was a native and citizen of Venezuela who was detained longer than six

1 Other districts courts in the Fifth Circuit and Elsewhere have similarly granted Habeas relief when the noncitizen has shown that there is no significant likelihood of removal in the reasonably foreseeable future. *See, e.g., Carreno v. Gillis*, No. 5:20-cv-44-KS-MTP, 2020 WL 8366735 (S.D. Miss. Dec. 16, 2020) (granting Habeas relief to petitioner detained for approximately sixteen months due to a lack of diplomatic relations with Venezuela); *Ali v. Dep't of Homeland Sec., 451 F, Supp. 3D 703 (S.D. Tex. 2020)* (granting Habeas relief to petitioner initially detained for three years, released and detained again for four months when petitioner could not be removed due to travel restrictions to Pakistan); *Saharifi v. Gillis*, No. 5:20-cv-5-DCB-MTP, 2020 WL 7379211 (S.D. Miss. Oct. 9, 2020) (granting Habeas relief to petitioner detained for seventeen months after Iranian officials failed to respond a travel document request for more than seven months).

month because ICE had not been able to secure necessary travel documents); *Balza*, 2020 WL 6143643, at *5 (ordering release of petitioner and nothing that "[a]fter more than a year of detention, Petitioner's removal need not necessarily be imminent, but it cannot be speculative") (internal quotation marks omitted).

23. Under *Zadvydas*, courts have found that there is no significant likelihood of removal and granted relief where:

- No country will accept the petitioner. *See, e.g. Jabir v. Ashcroft*, No. 03-2480, 2004 WL 60318 (E.D. La. Jan. 8, 2004) (granting habeas relief to petitioner detained for more than fourteen months after numerous countries refused to repatriate the petitioner).[2]
- The Petitioner's country of origin refuses to issue a travel document, *See. e.g., Alexis v. Smith*, No. 11-0309, 2011 WL 3924247 (W.D. La. Aug. 3, 2011) (granting habeas release to petitioner detained for approximately one year due to the Haitian government rejecting the quality of identity documents provided); *Fermine v. Dir. Of Immigr. Custom Enf't*, No. 2:06-cv-1578, 2007 WL 2284606 (W.D. La. May 23, 2007) (granting habeas relief to petitioner detained for fifteen months due to Trinidad's refusal to issue travel documents); *Lijadu v. Gonzales*, No. 06-1208, 2006 WL 3933850 (W.D. La. Dec. 18, 2006) (granting habeas relief to petitioner detained nineteen months because Nigeria refused to issue travel documents due to petitioner's HIV status).[3]

2 *See also Hassoun v. Sessions*, No. 18-CV-586-FPG, 2019 WL 78984, at *4 (W.D.N.Y. Jan. 2, 2019) (ordering release of petitioner detained fourteen months after petitioner showed "that the countries with he has any affiliation will not accept him"), *Yusupov v. Love*, No. 4:CV-06-1804, 2007 WL 5063231 (M.D. Pa. Jan. 12, 2007); *Abel-Muhti v. Ashcroft*, 314 F. Supp. 2d 418 (M.D. Pa. 2004) (ordering release of petitioner detained approximately two years after refusal of several countries to accept petitioner).

3 *See also Ka v. Bureau of Immigr. & Custom Enf't*, No. B-07-197, 2008 WL 11462867, at *8 (S.D. Tex. June 24, 2008) (ordering release of petitioner detained twelve months after Senegal "refuses to issue Ka a travel document because he d[id] not have proper identity documentation"); *Moreira v. Gonzales*, No. CIVA CV05-588 A, 2006 WL 3861972 (W.D. La. Nov. 2, 2006) (granting habeas relief to petitioner detained for three years because Cape Verde advised that it would not accept the petitioner for repatriation); *Khan v. Gonzales*, 481 F. Supp. 2d 638 (W.D. Tex. 2006).

- There is not removal agreement between the United States and a country. In this scenarios, courts have found that the lack of a normal agreement regarding repatriation, lack of diplomatic relationship, and lack of a functioning government support a finding that there is no significant likelihood of removal. *See, e.g. Negusse v. Gonzales*, No. 06-1382, 2007 WL 708615 (W.D. La. Mar. 1, 2007) (granting habeas relief to petitioner detained for approximately one year because the United States did not have a repatriation agreement with Ethiopia and Ethiopia would not issue travel documents because one of the petitioner's parents was not Ethiopian).[4]
- There is either no response from a country designated for removal or a significant delay in receiving a response. *See. e. g., Gonzales-Rondon v. Gillis*, 5:19-cv-109-DCB-MTP, 2020 WL 3428983 (S.D. *Miss. June 23, 2020) (granting habeas relief to petitioner detained thirteen months where there was no response from Venezuelan officials.*[5]
- ICE fails to take action to secure travel documents for a prolonged period. *See, e.g. Senor*, 401 F. Supp. 3d at 430-31 (granting habeas relief after ICE initially requested travel documents but where "there [wa]s no identification from the record that anyone ha[d] taken

4 *See also Gomez Barco*, 2020 WL 7393786, *Islam v. Kane*, No. CV-11-515-PHX-PGR (LOA), 2011 WL 4374226, at *3 (D. Ariz. Aug. 30, 2011) (ordering release of petitioner detained ten months where petitioner presented evidence that Bangladesh "is one of fifteen countries identified by ICE as least likely to issue travel documents"); *Carreno*, 2020 WL 8366735, *Simoza Rangel v. Gillis*, No. 5:19-cv-118-DCB-MTP, 2020 WL 7223258 (S.D. Miss. Sept. 2, 2020) (granting habeas relief to petitioner detained for sixteen months due to lack of diplomatic relation with Venezuela); *Abduelle v. Gonzales*, 422 F. Supp. 2d 774 (W.D. Tex. 2006) (concluding that the petitioner met the burden to show removal was not reasonably foreseeable after being detained for more than one year when an injunction restricted the government's ability to remove the petitioner to Somalia).

5 *See also Sharif*, 2020 WL 7379211; *Aung v. Barr*, No. 20-CV-681-LJV, 2020 WL4581465 (W.D.N.Y. Aug. 10, 2020); *Edwards v. Barr*, No. 4:20cv350-WS-MAF, 2020 WL 6747737 (N.D. Fla. Oct. 14, 2020); *Rual v. Barr*, No. 6:20-CV-06215 EAW, 2020 WL 3972319 (W.D.N.Y. July 14, 2020); *Rodriguez Del Rio v. Price*, No. EP-20-CV-00217-FM, 2020 WL 7680560 (W.D. Tex. Nov. 3, 2020); *Singh v. Whitaker*, 362 F. Supp. 3d 93 (W.D.N.Y. 2019); *Butt v. Holder*, No. CA 08-0672-CG-C, 2009 WL 1035354 (S.D. Ala. Mar. 19, 2009) (holding that petitioner met his initial burden where he was held in ICE custody for more than ten months after the issuance of his removal order with no indication from the Pakistan Embassy that travel documents would be issued); *Lawrikov v. Kollus*, No. CV-08-1403-PHX-GMS (LOA), 2009 WL 2905549 (D. Ariz. July 27, 2009); *Reid v. Crawfort*, No. 06-02436 PHX-JWS (MEA), 2007 WL 1063413 (D. Ariz. Jan. 31, 2007); *Gui v. Ridge*, No. 3CV031965, 2004 WL 1920719 (M.D. Pa. Aug. 13, 2004); *Shefqet v. Ashcroft*, No. 02C 7737, 2003 WL 1964290 (N.D. III. Apr. 28, 2003).

any further action in the eight months since that time. . .to facilitate Senor's receipt of the necessary travel documents").[6]

11. As the length of detention grows, the period of time that would be considered the "reasonably foreseeable future" shrinks. *See e.g., Zadvydas*, 533 U.S. at 701 (stating that as the length of time in detention grows "what counts as the 'reasonably foreseeable future' conversely would be to shrink"); *Senor*, 401 F. Supp. 3d at 430 ("'[T]he passage of time combined with 'the' government [being] no closer to . . . repatriating [a detainee] than they were once they first took him into custody' [is] sufficient to meet that 'initial burden.'"'); *Lawrikow*, 2009 WL 2905549, at *12.

6 *See also Chun Yat Ma v. Asher*, No. C11-1797 MJP, 2012 WL 1432229, at *4 (W.D. Wash. Apr. 25, 2012) (ordering petitioner's release where the government failed "to provide any documentation of efforts. . . to effectuate removal . . . [for] nearly six months").

**E. ADMINISTRATIVE REMEDIES**

On 03/11/25 I talked with an ICE Officer about my custody situation, he told me if I wanted to go to Mexico which I answered him about my fear to that country and any other country besides Cuba. The same day on afternoon, another ICE officer asked me again if I wanted go to Mexico which I answered about my fear to that country and any other country beside Cuba; I told her I fear for mi life could be in danger because I was a victim of kidnapping and extort in the past. At the time I did not get a Custody Determination from ICE. This Application for a Writ of Habeas Corpus is my first legal action regarding to my detention and custody by ICE.



***F. REQUEST FOR RELIEF***

1. Petitioner respectfully requests that this Court order Respondents to show cause why should not be granted, and set a hearing on this Petition, and **grant the Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from their custody.**

2. In order to permit full judicial review of the claim herein and requested relief, Petitioner respectfully requests that the **Court orders Respondents a Temporary Restraint and not to transfer Petitioner outside the jurisdiction of this Court pending considerations of this petition.**



# CERTIFICATE OF SERVICE

JORGE LUIS RODRIGUEZ UZUETA
(Name of Respondent)

[redacted]
("A number" of Respondent)

On _____, I, JORGE L. RODRIGUEZ UZUETA, (Print Name)

served a true and correct copy of this:

APPLICATION FOR A WRIT OF HABEAS CORPUS

and any attached pages to: ✓

US DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
OFFICE OF CHIEF COUNSEL
12445 E. CALEY AVENUE
CENTENNIAL, CO 80111-6432

_____

US DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
OFFICE OF CHIEF COUNSEL (IN COURT)
3130 NORTH OAKLAND STREET
AURORA, CO 80010

By: FIRST CLASS MAIL

X [signature]
(Signature)

03/19/26
(Date)

JORGE LUIS RODRIGUEZ UZUETA
(Name of alien or aliens)

[redacted]
("Alien number" of alien or aliens)

# CERTIFICATE OF SERVICE

On _____ (date), I, JORGE L. RODRIGUEZ UZUETA (printed name of person signing below),

served a copy of this APPLICATION FOR A WRIT OF HABEAS CORPUS (name of document),

and any attached pages to JUAN BALTAZAR (name of party served)

at the following address: 3130 N. OAKLAND ST., AURORA CO 80010 (address of party served)

by FIRST CLASS MAIL (method of service, for example overnight courier, hand-delivery, first class mail).

X _____ _____
(signature) (date)

C-11

[redacted]

12/20/2025

*To all entities that may be interested, I,* [redacted] *resident of* [redacted] *would like to sponsor my husband of more than 28 years, Mr. Jorge Luis Rodriguez Uzueta,* [redacted] *currently detained at the Aurora ICE Processing Center. I commit to providing housing and covering all the needs of my husband, as I have a stable job of more than 4 years working for* [redacted] *as a personal care assistant. I own my home, and our only child together,* [redacted] *20 years old, is an American citizen and is serving in the United States Armed Forces. My husband is not a danger to society; he was simply a victim of the judicial system for being in the wrong place at the wrong time.*

*Thank you, God bless you.*

[redacted]

RICARDO H. HUERTA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20034026467
MY COMMISSION EXPIRES AUGUST 9, 2027

12-20-25

C-11

[redacted]

January 24th, 2026

To : IMMIGRATION COURT / USCIS

RE : Jorge Rodriguez Uzueta

To Whom It May Concern :

I am sending you this letter to let you know that I have known Mr. Rodriguez Uzueta for about three and a half years. When he got out just recently, I had him doing some work for me here at the office. I had doing a variety of tasks around the office. I was disappointed to find out he had been taken into custody, but I am hoping he can get out soon so he can continue working with me.

He was a good worker the time he was working for me. He was responsible in his tasks and has shown me his good work ethic and good conduct. So I am asking that you consider this good character of his, and let him be out here

As for myself, I am a United States citizen and own this business where we do income taxes and I do sales taxes for several restaurants and mobile food trucks. I am an accountant. My son is an independent paralegal who likes to help out different people who are in need.

Please consider this letter, and the information contained therein, in your decision to give him a bond and allow him a chance to seek some kind of status here in the United States.

Sincerely,

[redacted]

Owner

C-11

# LETTER OF REFERENCE

January 10th, 2026

To Whom It May Concern :

I am writing this letter to tell you a little bit about Jorge Luis Roriguez Uzueta. My name is [redacted] and I am resident of Miami, Florida.

I have known Jorge Luis Rodriguez Uzueta since we were children; we went to school together. Jorge is an irreproachable man in every way but fate played a cruel trick on him. However, I an everyone who knows him know that he is incapable of committing any crime, and especially a felony. I respectfully ask for an opportunity for my friend and brother.

Thank you for your time and understanding on the matter

Sincerely,

[redacted]

Signed before me this 10 day of January, 2026

My commission expires : 08/09/27

RICARDO H. HUERTA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20034026467
MY COMMISSION EXPIRES AUGUST 9, 2027

NOTARY PUBLIC

C-11

# LETTER OF REFERENCE

January 13th, 2026

To Whom It May Concern :

My name is [redacted] I am a US citizen. I have known Jorge Rodriguez Uzueta and his family for over 20 years. I cared for his son, [redacted] since he was a child, and who is now just starting at the Air Force Academy. My family and I have been deeply affected emotionally by everything that has happened to Jorge in Colorado. It has been a travesty of the justice system. Jorge has not received justice, but rather injustice. I earnestly ask that you give this family the opportunity to be reunited, as we have complete faith in Jorge's innocence of all charges that were brought against him and that he was (wrongfully) convicted of. It is a very sad case and all he has had to go through as an innocent person. How could justice go so awry.

I ask that you consider him innocent and release him immediately.

Sincerely,

RBones

[redacted]

Signed before me this 13 day of JANUARY, 2026

My commission expires : 08/09/27

RICARDO H. HUERTA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20034026467
MY COMMISSION EXPIRES AUGUST 9, 2027

NOTARY PUBLIC