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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
PHOENIX DIVISION

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Henry Santos Morales,
Petitioner,

Civil Action No.:

v.

Warden, Florence Service Processing Center;
Ice Field Officer Director (Phoenix Field Office);
Secretary of Homeland Security;
Attorney General of the United States,

Respondents.
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AMENDED PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)
EMERGENCY RELIEF REQUESTED

1. This case presents a textbook example of unconstitutional civil detention.
2. Petitioner, Henry Santos Morales, has been detained by ICE since March 4, 2026, without a meaningful opportunity for release, following a chain of unlawful police conduct, coercive arrest practices, and constitutionally deficient immigration proceedings.
3. Petitioner was first subjected to a warrantless, nighttime home entry and arrest, in violation of the Fourth Amendment—an event that directly set into motion his subsequent ICE detention.
4. He was then arrested by ICE immediately after appearing in municipal court—effectively punished for complying with the judicial process.

5. Once in immigration custody, Petitioner was denied bond under a misapplication of law and refusal of jurisdiction, leaving him indefinitely detained with no meaningful process.
6. ICE then transferred Petitioner across the country—from New Jersey to Arizona—without notice, justification, or regard for his access to counsel, further compounding the constitutional violations.
7. The Government's actions reflect a system where:
    A. Arrests occur without warrants,
    B. Detention occurs without process, and
    C. Transfers occur without accountability.
8. That is precisely what the Great Writ of Habeas Corpus exists to prevent.
9. Without immediate intervention, Petitioner will remain detained under unconstitutional conditions while pursuing a meritorious asylum claim based on fear of persecution.
10. This Court should not permit such detention to continue.

11. This Court has jurisdiction under 28 U.S.C. § 2241, which exists to prevent unlawful executive detention.
12. The Suspension Clause guarantees that individuals in custody may challenge unlawful detention, particularly where no meaningful process has been afforded.
13. This Court has broad equitable authority under the All Writs Act to remedy ongoing constitutional violations.
14. On February 25, 2026, police officers responded to a noise complaint at Petitioner's residence in Hackensack, New Jersey. During that interaction, officers discovered that Petitioner had an outstanding minor traffic-related warrant.
15. Petitioner was taken into custody solely on that basis.
16. Petitioner's brother promptly went to the Hackensack Police Department and paid the outstanding warrant/fine in full, resolving the matter.
17. Following payment, Petitioner was lawfully released from custody.
18. At that point, the matter giving rise to the arrest had been fully resolved, and Petitioner returned home.
19. On February 25–26, 2026, police officers returned to Petitioner's home at approximately 2:00 a.m..

20. Officers:

A. Did not present a warrant,
B. Did not articulate probable cause, and
C. Entered the home over objection.

21. Petitioner was seized from his bedroom while asleep.
22. This was a non-consensual, warrantless entry into a private residence, the very core of Fourth Amendment protection.
23. Petitioner was later released without explanation, underscoring the lack of lawful basis for the arrest.
24. On March 4, 2026, Petitioner appeared in municipal court in compliance with a summons.
25. Immediately upon leaving the courtroom, ICE officers arrested him.
26. This sequence of events demonstrates that Petitioner was effectively penalized for complying with judicial process, raising serious due process concerns.
27. On March 26, 2026, an Immigration Judge refused to grant bond.
28. The Immigration Judge:

A. Claimed lack of jurisdiction under *Matter of Yajure-Hurtado*, and
B. Simultaneously labeled Petitioner a danger.

29. This created a procedural paradox:

A. The Court refused jurisdiction,
B. Yet made factual findings against Petitioner.

30. As a result, Petitioner has been detained with no meaningful opportunity to seek release.
31. ICE transferred Petitioner from New Jersey to Arizona between April 1–5, 2026.
32. This transfer:

A. Severed access to family support,
B. Disrupted legal representation, and

C. Undermined his ability to prepare his asylum case.

33. Such transfers, when combined with lack of process, function as a tool of detention rather than administration.
34. Petitioner remains detained at Florence Service Processing Center.
35. He has a pending asylum claim based on fear of persecution in Ecuador.
36. Continued detention imposes severe hardship and serves no legitimate purpose.

Legal Framework

37. Civil immigration detention must comply with the Fifth Amendment.
    See *Zadvydas v. Davis*, 533 U.S. 678 (2001).
38. Due process requires a meaningful opportunity to be heard.
    See *Mathews v. Eldridge*, 424 U.S. 319 (1976).
39. Warrantless home entries are presumptively unconstitutional.
    See *Payton v. New York*, 445 U.S. 573 (1980).
40. Detention without adequate procedural safeguards is unlawful.
    See *Jennings v. Rodriguez*, 583 U.S. 513 (2018).

Claims for Relief

COUNT ONE

Fifth Amendment Due Process Violation

41. Petitioner is detained without a meaningful bond hearing.
42. The Immigration Judge's refusal to exercise jurisdiction deprived Petitioner of any avenue for release.
43. This constitutes arbitrary detention, which due process forbids.

COUNT TWO

Fourth Amendment Violation

44. Petitioner was arrested following a warrantless home entry.

45. This unconstitutional seizure directly contributed to his detention.

46. Continued detention flowing from unconstitutional conduct is unlawful.

COUNT THREE

47. The Government's combined actions:

A. Warrantless arrest

B. Courtroom apprehension

C. Denial of bond

D. Cross-country transfer

48. Together, these actions shock the conscience and violate fundamental fairness.

PRAYER FOR RELIEF

Petitioner respectfully requests that this Court:

1. Immediately issue an Order to Show Cause within 3 days;
2. Declare that Petitioner's detention violates the Constitution;
3. Issue a Writ of Habeas Corpus ordering:

    A. IMMEDIATE RELEASE, or

    B. At minimum, a prompt, constitutionally compliant bond hearing;

4. Enjoin Respondents from further transferring Petitioner;
5. Grant all additional relief necessary to remedy these violations.

Respectfully submitted,

John J. Garzon
Attorney for Petitioner

Date: April 9, 2026.