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CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
BY DEPUTY

Name: Gilda Ordoñez
A number: [redacted]

Address: 1705 E Hanna Rd, Eloy AZ. 85131

PRO SE:

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Case No. CV26-2664-PHX-DWL-JFM

Petitioner

V.

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. s 2241

ERIC ROKSKY
Warden of Eloy Detention Center

JASON CILIBERTI.
United States Immigration and Custom Enforcement Field Office Director

KRISTI NOEM.
Secretary, United States Department of Homeland Security:

PAMELA R. BONDI.
United States Attorney General

Respondents

PARTIES

1) Petitioner Gilda Ordoñez is a native citizen of Cuba. Petitioner was taken into ICE custody on August 09th ,2025 and has remained in ICE custody continuously since that date. Petitioner is subject is waiting for a final order of removal.

2) Respondent ERIC ROKOSKY warden of ELOY Detention Center where petitioner is currently detained under the authority of ICE, alternatively may be considered to be petitioner's immediate custodian.

3) Respondent JASON CILIBERTI is one of the ICE Field Director and is petitioner's immediate custodian who signed petitioner's continued detention letters.

4) Respondent Kristi Noem is the secretary of the Department of Homeland Security. She is responsible for the administration of ICE and the Implementation and Enforcement of the Immigration and Nationality Act (INA) As such KRISTI NOEM is the Legal Custodian of petitioner.

5) Respondent PAMELA R. BONDI is the Attorney General of the United States and is responsible for the Administration of ICE and the implementation and Enforcement of the Immigration and National Act (INA) As such PAMELA R. BONDI has ultimate custodial authority over petitioner.

6) All respondent's are sued-in their official capacities

FACTUAL ALLEGATIONS

Petitioner entered the United States legally on May 6th , 1980.

Petitioner was detained by ICE on August 09th , 2025.

Petitioner has remained continuously detained since that date.

Petitioner has complied with all institutional rules and has maintained good conduct during detention.

LEGAL FRAMEWORK

The Fifth Amendment protects non-citizen from deprivation of liberty without due process of law.

In Zadvydas v. Davis, the supreme court held that post-removal detention is presumptuously reasonable for six months.
After six months, if there is no significant likelihood removal in the reasonably foreseeable future continued detention violates the constitution.

The court made clear that civil detention cannot become indefinite.

INTRODUCTION

Petitioner Gilda Ordoñez respectfully petitions this Court for a Writ of Habeas Corpus to 28 U.S.C s 2241.

Petitioner has been detained by Immigration and Customs Enforcement for an extended period following a final order of removal. Her continued detention exceeds the presumptuously reasonable period recognized by the Supreme Court in Zadvydas v. Davis, 533 U.S 678 (2001) , and violates the Due Process Clause of the Fifth Amendment.

Petitioner seeks immediate release under supervision because her continued detention is no longer constitutionally.

ARGUMENT

I.

Petitioner has been living in the United States during 46 years. Entered at the age of 5 years old in 1980 During the Mariel boat lift from Cuba.

Petitioner was given a parole immediately upon arriving to the United States.

Petitioner is a permanent resident since November of the year 2000.

Petitioner's oldest son Juan C. Gonzalez born in the United States is an active member of the United States Army Reserve.

Petitioner has 2 other children 18 year old son whom is in high school and a 12 year old daughter whom is also in public school born in the United States.

II.

Violation of the Fifth Amendment Due Process Clause.

Freedom from physical restraint lies at the core of the liberty protected by the Due Process Clause.

Petitioner's continued detention is civil in nature and must bear a reasonable relationship to its purpose.

Whatever justification initially existed for Petitioner's detention has become constitutionally excessive due to length of confinement.

III.

This detention period greatly exceeds the brief detention period contemplated in Demore v. Kim.

Petitioner's detention has therefore become arbitrary, excessive (during 8 months), and unconstitutional.

Petitioner courts has been postponed multiple times (no movements).

Petitioner native country Cuba will not accept her.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully request that this Court:

Assume jurisdiction over this matter;

Declare that Petitioner's prolonged detention violates the Due Process Clause of the Fifth Amendment;

Order Respondent's to immediate release Petitioner from Immigration detention under appropriate conditions of supervision:

OR, in the alternative

Order Respondent's to provide Petitioner with an individualized bond hearing before an Immigration Judge within three days.

Grant such other and further relief as the Court deems just and proper.

PETITIONER PRESENTS A STABLE RELEASE PLAN:

If released, Petitioner will reside at:

Address: [redacted]

Petitioner will be received and supported by:

Name: Jaime Quiñones Reeser

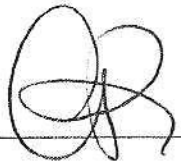
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Petitioner is willing to comply with all conditions of supervision imposed by ICE.

Respectfully submitted,

Gilda E. Ordoñez
Pro Se

Eloy Detention Center

Date: April 12th 2026 Sign: 

CERTIFICATE OF SERVICE

Name Gilda Ortiz A Number A [redacted]

I hereby certify that on the date indicated below copies of the attached were delivered to the united states immigration court and to immigration and customs Enforcement (ICE) in separate envelopes by placing those envelopes into intro-facility mail.

Date April 12th 2026 Signature