MARIO ALEJANDRO MACIEL FIERRO
A No. [redacted]
Central Arizona Florence Correctional Complex
P.O. Box 6300
Florence, Arizona 85132

Pro Se

FILED ___ LODGED
___ RECEIVED ___ COPY
APR 17 2026
CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
BY _____ DEPUTY

IN THE UNITED STATES DISTRICT COURT
for the District of Arizona

Mario Alejandro Maciel Fierro,

Petitioner,

v.

Luis Rosa, Jr. in his official capacity as Facility Administrator of the CoreCivic Central Arizona Florence Correctional Complex;

John Cantu, in his official capacity as Phoenix Field Office Director for U.S. Immigration and Customs Enforcement;

Todd Lyons, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement;

Markwayne Mullin, in his official capacity as Secretary of the Department of Homeland Security; and

Pamela Bondi, in her official capacity as Attorney General of the United States,

Respondents.

No. CV26-2667-PHX-AMM--ASB

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the District of Arizona

Mario Alejandro Maciel Fierro
Petitioner,

v.

Luis Rosa Jr., et al.
Respondents.
(name of warden or authorized person having custody of Petitioner)

Case No. _____
(supplied by Clerk of Court)

PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C § 2241

Personal Information

1. (a) Your full name: *Mario Alejandro Maciel Fierro*
   (b) Other names you have used: *Not applicable*
2. Place of confinement:
   (a) Name of institution: *CoreCivic Central Arizona Florence Correctional Complex*
   (b) Address: *P.O. Box 6300*
   Florence, Arizona – 85132
   (c) Your identification number: [redacted]
3. Are you currently being held on orders by:
   [X]Federal authorities [ ]State authorities [ ]Other – explain:
4. Are you currently:
   [ ]A pretrial detainee (waiting for trial on criminal charges)
   [ ]Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
   If you are currently serving a sentence, provide:
   (a) Name and location of court that sentenced you: _____
   (b) Docket number of criminal case: _____
   (c) Date of sentencing: _____
   [X]Being held on an immigration charge
   [ ]Other *(explain)*: _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
   [ ] How your sentencing is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

[ ]Pretrial detention
[X]Immigration detention
[ ]Detainer
[ ]The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
[ ]Disciplinary proceedings
[ ]Other *(explain)*: _____

6. Provide more information about the decision or action you are challenging:
(a) Name and location of the agency or court: *Not applicable*
(b) Docket number, case number, or opinion number: *Not applicable*
(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*: *Not applicable*
(d) Date of the decision or action: *Not applicable*

Your Earlier Challenging of the Decision or Action

7. **First appeal**
Did you appeal the decision, file a grievance, or seek an administrative remedy?
[ ] Yes [X] No
(a) If "Yes" provide:
(1) Name of the authority, agency, or court: *Not applicable*
(2) Date of filing:
(3) Docket number, case number, or opinion number:
(4) Result:
(5) Date of result:
(6) Issues raised:
(b) If you answered "No", explain why you did not appeal: *Not applicable*

8. **Second appeal**
Did you appeal the decision, file a grievance, or seek an administrative remedy?
[ ] Yes [X] No

(a) If "Yes" provide:

(1) Name of the authority, agency, or court: *Not applicable*

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No", explain why you did not file a second appeal: *Not applicable*

9. **Third appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

[ ] Yes [X] No

(a) If "Yes" provide:

(1) Name of the authority, agency, or court: *Not applicable*

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No", explain why you did not file a third appeal: *Not applicable*

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

[ ] Yes [X] No

If "Yes", answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

[ ] Yes [X] No

If "Yes" provide:
(1) Name of court: *Not applicable*
(2) Case number:
(3) Date of filing:
(4) Result:
(5) Date of result:
(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?
[ ] Yes [X] No
If "Yes" provide:
(1) Name of court: *Not applicable*
(2) Case number:
(3) Date of filing:
(4) Result:
(5) Date of result:
(6) Issues raised:

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:
Not applicable

11. **Appeals of immigration proceedings**
Does this case concern immigration proceedings?
[ ] Yes [X] No
If "Yes", provide:
(a) Date you were taken into immigration custody:
(b) Date of the removal or reinstatement order:
(c) Did you file with the Board of Immigration Appeals?
[ ] Yes [X] No

If "Yes" provide:
(1) Name of court: *Not applicable*
(2) Case number:
(3) Result:
(4) Date of result:
(5) Issues raised:

(d) Did you appeal the decision to the United States Court of Appeals?
[ ] Yes [X] No
If "Yes" provide:
(1) Name of court: *Not applicable*
(2) Date of filing:
(3) Case number:
(4) Result:
(5) Date of result:
(6) Issues raised:

12. **Other appeals**
Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?
[ ] Yes [X] No
If "Yes", provide:
(a) Kind of petition, motion, or application: *Not applicable*
(b) Name of the authority, agency, or court:
(c) Date of filing:
(d) Docket number, case number, or opinion number:
(e) Result:
(f) Date of result:
(g) Issues raised:

Grounds for Your Challenge in This Petition

13. State every ground (reasons) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Violation of Fifth Amendment Due Process Clause, Petitioner was detained, released on bond and re-detained without a pre-deprivation hearing before a neutral arbiter. Petitioner seeks immediate release from custody.

(a) Supporting facts (*Be brief. Do not cite case laws.*)
Petitioner was detained by Immigration and Customs Enforcement (ICE) on or about July 2011, released on a $5,000 bond. Petitioner was re-detained on or about November 15th, 2025, without a warrant, hearing, notice or explanation and is currently still in custody.

(b) Did you present Ground One in all appeals that were available to you?
[ ] Yes [X] No

GROUND TWO: Violation of Administrative Procedure Act (APA) & Fifth Amendment Due Process Clause. ICE violated it's own rules and regulations in the revocation of bond without Due Process or authorization of and appropriate supervisor according to 8 C.F.R § 241.4 and 8 C.F.R § 241.13, Petitioner seeks immediate release.

(a) Supporting facts (*Be brief. Do not cite case laws.*)
Petitioner abided by all conditions of bond release. When he was re-detained he was not served with revocation, notice, or any type of documentation signed by appropriate supervisor or a warrant. He was deprived a day in court and he was deprived a day in court.

(b) Did you present Ground Two in all appeals that were available to you?
[ ] Yes [X] No

GROUND THREE: Immigration Judge (IJ) abused their discretion and violated Petitioner's Fifth Amendment Due Process rights when he was denied a bond hearing on or about 2025, being he was detained on 8 U.S.C. § 1226(a) not 8 U.S.C. § 1225.

(a) Supporting facts (*Be brief. Do not cite case laws.*)
Through his counsel Petitioner requested a bond hearing and was denied, he was told he did not qualify or the Court had no jurisdiction. He is entitled to a bond hearing. He requests immediate release to remedy the matter.

(b) Did you present Ground Three in all appeals that were available to you?
[ ] Yes [X] No

GROUND FOUR: Punitive and unconstitutional conditions of detention for a civil detainee. Petitioner argues that his standard as a civil detainee is more protective of his rights than the standard for pretrial detainees or convicted prisoners under the Eighth and Fourteenth Amendments. Petitioner requests immediate release.

(a) Supporting facts (*Be brief. Do not cite case laws.*)
Petitioner is held by ICE at the CoreCivic Central Arizona Florence Correctional Complex (CAFCC) in Florence, AZ, a private facility sub-contracted for county jail, federal prison, state prison and immigration. Petitioner is subject to 23 hour pod lock downs, with 1 hour of yard/rec in 2 man cells, locked down several times during the day and subpar medical and mental health providers and supplies.

(b) Did you present Ground Four in all appeals that were available to you?
[ ] Yes [X] No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: *Not applicable*

Request for Relief

15. State exactly what you want the court to do:

1) assume jurisdiction over this matter;

2) consider preliminary injunction;

3) grant petition for Writ of Habeas Corpus;

4) order Petitioner's immediate release from custody to the same terms previous release;

5) enjoin Respondents and all their officers, agents, employees, attorneys, and persons acting on their behalf or in concert with them and restrict or restrain them from:

(a) re-arresting or re-detaining Petitioner without notice and a pre-deprivation hearing before a neutral arbiter;

(b) relocating or transferring Petitioner from this district before this Court decides this case;

6) any additional relief that this court deems just, proper and equitable.

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date you place this petition in the prison mail system:

04-09-2026

I declare under penalty of perjury that I am the Petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 04-09-2026

Signature of Petitioner

Signature of Attorney or other authorized person, if any

MARIO ALEJANDRO MACIEL FIERRO
A No. [redacted]
Central Arizona Florence Correctional Complex
P.O. Box 6300
Florence, Arizona 85132

Pro Se

CERTIFICATE OF SERVICE

On 04-09-2026, I, Mario Alejandro Maciel Fierro, served a copy of this: '***PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 1224***'

and any attached pages by United States Postal Service (U.S.P.S.) and Institutional Mail to:

- **United States District Court, District of Arizona – Phoenix Division**
  Sandra Day O'Connor U.S. Courthouse, Suite 130
  401 West Washington Street, SPC 1
  Phoenix, Arizona 85003 – 2118

- **ICE Headquarters (ERO Removal Division)**
  Potomac Center North
  500 12th Street, SW
  Washington, D.C. 20536

- **ICE/DHS Litigation**
  3250 North Pinal Parkway
  Florence, Arizona 85132

Date: 04-09-2026 Signature: _____

Mario Alejandro Maciel Fierro
Petitioner, Pro Se