EUILMER GUERRERO CORDOVA. (Pro-Se)
MIDWEST REGIONAL RECEPTION CENTER
100 HIGHWAY TERRACE
LEAVENWORTH, KS 66048

DETAINED

FILED
U.S. District Court
District of Kansas
04/28/2026
Clerk, U.S. District Court
By: SND Deputy Clerk

UNITED STATES DISTRICT COURT
FOR KANSAS – KANSAS CITY DIVISION

In the Matter of	
EUILMER GUERRERO CORDOVA	
Respondents,	26-3105-JWL
Director, Midwest Regional Reception Center, and	
Field Office Director, ICE Enforcement and	
Removal Operations (ERO),	
	File No. A [redacted]

PETITION FOR WRIT OF HABEAS CORPUS

UNITED STATES DISTRICT COURT
FOR THE KANSAS – KANSAS CITY DIVISION

PETITION FOR WRIT OF HABEAS CORPUS

I, Euilmer Guerrero Cordova, am filing this petition pro se, as I do not have legal representation and have been detained by ICE for a prolonged and indefinite period, without any legitimate purpose for my continued detention.

FACTS:

I entered the United States on May 22, 2024, through El Paso, Texas, where I was processed by CBP and granted entry parole under INA §212(d)(5). I was placed in removal proceedings, which are currently before the BIA, due to an appeal filed by DHS.

I have always been willing to comply with all appointments and requirements of the immigration process.

On July 5, 2025, I was transferred to the Midwest Regional Reception Center, where I remain detained to this day. I have been detained for more than eight months, without a realistic deportation date or any clear progress in my case.

Because I was admitted on parole, ICE is holding me under INA §235, which prevents me from obtaining bond, even though I am willing to comply with any supervised conditions.

I have a seven-month-old U.S. citizen son whom I have not been able to meet in person. I have only seen him via video call.

My family depends on me emotionally and financially. They are alone and going through many hardships while I remain detained without valid reason.

In addition to my U.S. citizen son, I also have a stepdaughter, a girl who is about to graduate from the fifth grade, and for whom I am the only stable father figure in her life. My prolonged detention has had a profound emotional impact on her. Her mother has informed me that the girl has shown sadness, anxiety, and changes in her school behavior due to my absence. She expected me to be present at her graduation ceremony, an important moment for any child, and my inability to attend has caused her significant psychological harm. I have been an active part of her upbringing, helping her with her homework, attending her activities, and providing her with

emotional support. My arrest not only affects my newborn son but also this minor who depends on me as a father figure.

Before my arrest, I owned and operated Guerrero Construction, a registered and active company that provided construction services.

Since my arrest:

• The company has been unable to operate,

• Services cannot be provided,

• Clients have been lost,

• And my family has been left without income.

My tax returns are up to date and are attached as evidence of my financial and employment responsibility.

In addition, my former employer has provided a letter certifying my good conduct, responsibility, work ethic, and respect for my colleagues. This letter demonstrates that, before my arrest, I was a stable, reliable, and dedicated worker. I have never posed a risk to the community. On the contrary, I have been a positive contributor, both at work and to my family. This evidence confirms that, if released under supervision, I will continue to fulfill all my legal and family obligations.

Before ICE detained me, I had a pending court case. I posted bail to face that case while free, but ICE immediately arrested me and did not allow me to appear in court, leaving the case unresolved and unable to defend myself.

I am not asking for my charges to be dropped.

I simply want to be able to continue my legal process like anyone else who has already posted bail.

I have been transferred to several jails and prisons, including:

• Indiana – Call Field Office Jeffersonville

• Missouri – Greene County Jail

• Federal – FCI Leavenworth, Kansas

In these places I suffered:

• Insufficient and repetitive food

• Lack of hygiene in cells and bathrooms

• Being held for up to 72 hours in small cells without access to sunlight

• Only one yard visit per week

• Discriminatory treatment toward immigration detainees

• Use of excessively small handcuffs that caused bleeding wounds, without receiving adequate medical attention.

An officer took photos of my wounds, but I still received no treatment.

In addition to all of the above, I want to emphasize that my health has been one of the areas most severely affected during my prolonged detention. I have been through several centers, jails, and prisons, and in all of them, I have experienced a systematic lack of medical care, neglect, and conditions that jeopardize my physical and mental well-being. This is not an isolated incident, but a continuous pattern of neglect. I have suffered from severe toothache for weeks without receiving treatment, even after repeatedly asking for help. In another facility, I was ordered to have medical tests performed that were never carried out, leaving me without a diagnosis or follow-up. On multiple occasions, I have been denied basic medications, including antibiotics that must be taken with food, but the food I receive is so limited that it causes me discomfort and side effects. I have also suffered from chronic insomnia, anxiety, and extreme stress due to the conditions of confinement, the lack of sunlight, prolonged isolation, and constant worry about my family. During one of the transfers, the handcuffs, which were too small, caused open and bleeding wounds. Even though an officer took photos, I received no medical attention, bandages, treatment, or follow-up. This lack of basic care demonstrates a direct violation of my human rights, as even people in custody have the right to receive adequate medical care. My health has deteriorated significantly, and remaining detained under these conditions poses a real risk to my physical and mental well-being.

I work inside the facility, in the police station, helping to prepare orders for detainees.I am a hardworking young man, not a bad person, and I have always followed the facility's rules.

Attached are affidavits from individuals attesting that I am responsible, hardworking, and dedicated to my family. I have a pending adjustment of status (I-485) application due on May 30, 2025, for which I was sent a biometrics appointment, but I was unable to attend because I was in the detention center. Regarding my court charges, as I stated previously, they are currently under appeal before the Board of Immigration and Customs Enforcement (BIA) by the Department of Homeland Security (DHS), as I am appealing the judge's decision to terminate my court proceedings based on my eligibility for the Cuban Adjustment Act.

My immigration case is active and ongoing.

There is no reason to keep me detained indefinitely.

ARGUMENTS IN FAVOR:

My detention no longer serves any legitimate purpose. There is no evidence that ICE can deport me in the near future, and keeping me detained indefinitely violates the United States Constitution, including my right to due process under the Fifth Amendment and protection from cruel and unusual punishment under the Eighth Amendment.

My prolonged detention is unlawful and violates my rights for the following reasons:

1. ***Violation of Due Process – Fifth Amendment***

My detention has directly interfered with my fundamental rights:

a. My criminal case

I paid my bond to appear in court, but ICE immediately arrested me and prevented me from attending, leaving my case pending without my being able to defend myself. This was not my fault.

b. My immigration process

I have a pending adjustment of status application as of May 30, 2025. My detention has prevented me from:

• attending appointments (fingerprinting)

• submitting documents,

• and actively participating in my defense.

c. My Physical and Mental Health

I have been in several facilities, including prisons with sentenced inmates, and in all of them I have suffered:

• severe toothache without treatment,

• ordered medical examinations that were never performed,

• denial of basic medications,

• injuries caused by handcuffs that were too small and were never treated,

• insomnia, anxiety, and emotional distress due to the conditions of confinement,

• antibiotics that I must take with food, but the food is insufficient.

The lack of adequate medical care and the unnecessary suffering I have experienced constitute a direct violation of my constitutional rights.

My Family and Children

I have a 7-month-old U.S. citizen son whom I have never been able to hold. I have a stepdaughter who is about to graduate from 5th grade and for whom I am the only father figure. My absence has caused her sadness, anxiety, and emotional distress. My family depends on me emotionally and financially.

2. ***Eighth Amendment Violation – Inhumane Conditions***

The conditions I have faced in multiple detention centers and prisons have been:

• unsanitary,

• dangerous,

• degrading,

• and contrary to human dignity.

I have been held in filthy cells, without adequate access to sunlight, with insufficient food, and without medical care. These conditions amount to cruel and unusual punishment, especially considering that I am in civil, not criminal, detention.

3. My Detention Is Not Related to Any Legitimate Purpose

ICE has not demonstrated that my detention is necessary to ensure my appearance or to protect the community.

I:

• have no history of violence,

• have a stable home,

• own a registered business (Guerrero Construction),

• am current on my taxes,

• have letters of good conduct, including one from my previous employer,

• have U.S. citizen family members who depend on me,

• and have an active immigration process.

I pose no danger to anyone. My intention is to continue my legal process responsibly.

4. I am ineligible for bail due to my entry document.

Because I entered on parole under INA §235, I am ineligible for bail, which means I have no recourse to request a review of my detention. This leaves me in a situation of indefinite detention without any mechanism to request release, which is unjust and unconstitutional.

5. ***Less restrictive alternatives exist, and I am willing to comply with them.***

I am fully prepared to comply with any reasonable conditions, including:

• electronic ankle monitor,

• ISAP supervision,

• telephone or in-person reporting,

• or any other measure the Court deems appropriate.

Civil detention should be the last resort, not the general rule. In my case, sufficient and appropriate alternatives exist.

PRAYER FOR RELIEF:

THEREFORE, the Petitioner respectfully requests that this Court:

1. Order his immediate release from ICE custody, as his prolonged detention violates the Constitution.

2. Order his release under reasonable conditions of supervision, including:

- Electronic shackle
- ISAP
- Telephone or in-person report
- Or any condition the Court deems appropriate

3. Order ICE to allow Petitioner to continue his immigration and criminal proceedings in liberty.

4. Grant any further relief the Court deems just and proper.

I make this request respectfully and with the hope of being able to return to my loved ones while I continue my legal process in a proper manner.

I, Euilmer Guerrero Cordova, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Respectfully submitted,



Petitioner: Euilmer Guerrero Cordova

Alien Number: [redacted]