Maria G. Maillazhungo Saeteros PRO SE
A# [redacted]

United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT – N.D. OF N.Y.
FILED
Jun 12 - 2026
John M. Domurad, Clerk

MARIA G. MAILLAZHUNGO SAETEROS
and
Maria M. Mayllazhungo Saeteros, as Next Friend

Petitioners/Plaintiffs,

v.

WARDEN, in their official capacity as Warden of the U.S. Border Patrol Station, Wellesley Island, NY;
THOMAS P. BROPHY, in his official capacity as Field Office Director for the U.S. Immigration and Customs Enforcement and the Enforcement and Removal Operations office in Buffalo, NY;
MARCOS CHARLES, in his official capacity as acting Executive Associate Director, Enforcement and Removal Operations;
TODD M. LYONS, in his official capacity as Acting Director Immigration and Customs Enforcement;
MARKWAYNE MULLIN, in his official capacity as Secretary, U.S. Department of Homeland Security; and
ATTORNEY GENERAL, in their official capacity as Attorney General

Respondents/Defendants.

*** EMERGENCY ***

Civil Action No.:

Maria G. Maillazhungo Saeteros PRO SE
A# [redacted]

PETITIONER'S NOTICE OF EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER

Moving Parties: Plaintiff-Petitioner *** Spanish Interpretation Required ***
Maria G. Maillazhungo Saeteros
A# [redacted]
Detained at U.S. Border Patrol Station
45764 Landon Rd,
Wellesley Island,
Fineview, NY 13640

Next Friend *** Spanish Interpretation Required ***
Maria M. Mayllazhungo Saeteros
[redacted]

Place: United States District Court for the Northern District of New York
James M. Hanley Federal Building & U.S. Courthouse,
100 S. Clinton St,
Syracuse, NY 13261

Relief Sought: Pursuant to Federal Rules of Civil Procedure 65(b)(2) ("Fed. R. Civ. P."), Petitioner respectfully moves the Court for an Emergency temporary restraining order pending adjudication of her Complaint and Verified Petition for Writ of Habeas Corpus ("Petition")

Papers Submitted in Support: Petition and Exhibits thereto.

Intent to Reply: Petitioner respectfully requests the opportunity to respond to any responses filed by Respondents to the instant motion.

Dated:June 12, 2026

Respectfully submitted,

Maria Mayllazhungo

Maria M. Mayllazhungo Saeteros

Maria G. Maillazhungo Saeteros PRO SE
A# [redacted]

Next Friend for Maria G. Maillazhungo Saeteros

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARIA G. MAILLAZHUNGO SAETEROS
and
Maria M. Maillazhungo Saeteros, as Next Friend

Petitioners/Plaintiffs,

v.

WARDEN, in their official capacity as Warden of the U.S. Border Patrol Station, Wellesley Island, NY;
THOMAS P. BROPHY, in his official capacity as Field Office Director for the U.S. Immigration and Customs Enforcement and the Enforcement and Removal Operations office in Buffalo, NY;
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TODD M. LYONS, in his official capacity as Acting Director Immigration and Customs Enforcement;
MARKWAYNE MULLIN, in his official capacity as Secretary, U.S. Department of Homeland Security; and
ATTORNEY GENERAL, in their official capacity as Attorney General

*** EMERGENCY ***

Civil Action No.:

Verified Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241

Maria G. Maillazhungo Saeteros PRO SE
A# [redacted]

Respondents/Defendants.

INTRODUCTION

1. MARIA G. MAILLAZHUNGO SAETEROS (hereinafter "Petitioner") is a 33 year old woman from Ecuador.
2. Despite working hard to provide a safe life in the United States for her two children, Petitioner was arrested when she was a passenger in a vehicle going to a temporary work location. The vehicle was stopped and the petitioner was detained on June 11, 2026. Despite the fact that Petitioner had not been accused of a crime and had no criminal record, ICE agents detained her without cause.
3. She never returned home to her two children, ages 13 and 14. Both of her children have been approved for Special Immigrant Juvenile Status (SIJS) by USCIS and are waiting for their Legal Permanent Resident (LPR) status (also known as their Green Card). The petitioner had been supporting her children financially, physically, and emotionally. Since her detention, the children have had to stay with their aunt (the next friend).
4. Presently, upon information and belief, the petitioner is incarcerated at the U.S. Border Patrol Station, 45764 Landon Rd, Wellesley Island, Fineview, NY 13640.
5. Petitioner has been detained in immigration custody even though no neutral decisionmaker, whether a federal judge or an immigration judge, has conducted a hearing to determine whether this incarceration is warranted based on danger or flight risk.
6. Petitioner's unlawful and continued detention without any individualized determination as to why detention is appropriate, has caused immense and ongoing harm to Petitioner. Petitioner brings this petition to enforce her rights under the Due Process Clause of the

Fifth Amendment and the Immigration and Nationality Act ("INA") and to seek her immediate release.

7. Accordingly, this Court should declare ICE's actions unlawful, enjoin her transfer outside of this District, and order her immediate release.

PARTIES

8. Petitioner, Maria G. MAILLAZHUNGO SAETEROS, (henceforth "Petitioner") is a 33 year-old individual who has been living in the United States. Upon information and belief, Petitioner is detained at U.S. Border Patrol Station, 45764 Landon Rd, Wellesley Island, Fineview, NY 13640. Petitioner is in the custody and direct control of Respondents and their agents.

9. Petitioner, and next friend, Maria M. MAYLLAZHUNGO SAETEROS (hereinafter "her Sister"), is the Sister of Petitioner. Next friend is Petitioner's sister. Petitioner is a single mother with two children. The next friend is very close with Petitioner and has been taking care of the children since their mother's detention. Petitioner called the next friend when she was allowed one phone call from detention. The next friend knows Petitioner's wishes. Other than that one phone call, no one has heard from Petitioner since her detention. Additionally, Petitioner is not in the ICE detainee locator as of the signing of this petition. During the one phone call, Petitioner told her sister that she was in detention at Wellesley Island, NY, but there is no ability for anyone, neither a family member nor a lawyer, to contact Petitioner at that location. Therefore, the only recourse for Petitioner to seek habeas corpus is for the next friend to do it on her behalf.

10. Respondent WARDEN is named in their official capacity as Warden of the U.S. Border Patrol Station, Wellesley Island, NY, a person in charge of the facility holding the

Petitioner. Respondents' address is U.S. Border Patrol Station, 45764 Landon Rd, Wellesley Island, Fineview, NY 13640.

11. Respondent THOMAS P. BROPHY, is named in their official capacity as Field Office Director for the U.S. Immigration and Customs Enforcement and the Enforcement and Removal Operations office in Buffalo, NY, as such, is responsible for the administration of immigration laws and the execution of detention and removal determinations, is a custodian of petitioner, and routinely transacts business in the Northern District of New York. Respondent's address is 250 Delaware Avenue, Floor 7, Buffalo, NY 14202.

12. Marcos CHARLES, is named in his official capacity as acting Executive Associate Director, Enforcement and Removal Operations, and as such leads ERO in arrest and removal operations and routinely transacts business in the Northern District of New York. This respondent's address is Immigration and Customs Enforcement, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.

13. Respondent Todd LYONS is the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in the Northern District of New York; is legally responsible for pursuing any effort to remove the Petitioner; and as such is a custodian of the Petitioner. This respondent's address is Immigration and Customs Enforcement, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.

14. Respondent Markwayne MULLINS is Secretary of Homeland Security in the United States Department of Homeland Security. In this capacity, he is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. §

1103(a) (2007); routinely transacts business in the Northern District of New York; is legally responsible for pursuing any effort to detain and remove the Petitioner; and as such is a custodian of the Petitioner. The Secretary of Homeland Security's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528-0485.5.

15. Respondent ATTORNEY GENERAL is the Attorney General of the United States. In this capacity, he/she routinely transacts business in the Northern District of New York; is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(g)(2007); and as such is a custodian of the Petitioner. This respondent's address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530- 0001.

Jurisdiction and Venue

16. This Court has jurisdiction under the U.S. Constitution. U.S. Const. art. I § 9, cl. 2 ("The privilege of the Writ of Habeas Corpus shall not be suspended, unless, when in Cases of Rebellion or Invasion, the public safety may require."). The Suspension Clause protects the right to the writ of habeas corpus where no adequate or effective alternative remedy exists. *See Boumediene v. Bush*, 553 U.S. 723, 745 (2008).
17. This Court also has subject matter jurisdiction under 28 U.S.C. § 2241 (Habeas Corpus); 28 U.S.C. § 1331 (Federal Question); 28 U.S.C. § 1651 (the All-Writs Act); and 5 U.S.C. § 701 (the Administrative Procedure Act).
18. This Court has additional remedial authority under 28 U.S.C. §§ 2201-02 (the Declaratory Judgment Act), to grant injunctive and declaratory relief.
19. Administrative exhaustion is unnecessary as it would be futile.

20. Venue is proper in the U.S. District Court for the Northern District of New York because Respondents are officers of United States agencies, and at the time of filing, Petitioner is detained at U.S. Border Patrol Station, 45764 Landon Rd, Wellesley Island, Fineview, NY 13640, which is within the jurisdiction of the Northern District of New York. A substantial part of the events or omissions giving rise to these claims occurred in New York, and there is no real property involved in this action. *See* 28 U.S.C. § 1391(e)(1).

RELEVANT FACTS AND PROCEDURAL HISTORY

21. On information and belief, Petitioner was arrested and detained by ICE agents when Petitioner was a passenger in a vehicle going to a temporary work location. The vehicle was stopped and the petitioner was detained on June 11, 2026.
22. On information and belief, there was no warrant for Petitioner's arrest. Petitioner was not asked any questions about his ties to the community or criminal history.
23. On information and belief, Respondents did not make a lawful, individualized custody assessment within 48 hours of arresting Petitioner without a warrant, have not made such an individualized determination since then.
24. Upon information and belief, Petitioner is currently being held in immigration detention at U.S. Border Patrol Station, 45764 Landon Rd, Wellesley Island, Fineview, NY 13640.
25. Petitioner is not a flight risk, because of her past history and her family ties. Petitioner is a single mother. She was living with and raising her two children, ages 13 and 14
26. Both of her children were granted Special Immigrant Juvenile Status (SIJS) by USCIS. The children were both issued a Special Findings Order through a family court process, then had their I-360 petitions approved by USCIS, and are hence waiting for their priority

date to become current so that they can obtain their Legal Permanent Resident (LPR) status (commonly known as a "Green Card").

27. The children had been attending school. The petitioner had been supporting her children financially, physically, and emotionally. Since her detention, the children have been staying with their aunt (the next friend).

28. Petitioner is not a danger to the community. Petitioner has been a peaceful and productive member of society. On information and belief, she has not been arrested or charged with any crime in the United States or in any other country. On information and belief, she did not resist arrest when approached by ICE.

29. Petitioner's ongoing detention has caused enormous harm by separating her from her family, her friends, and her community and risks further harm if not remedied.

30. Petitioner's detention has also placed undue burden on her ability to search for or consult with counsel with limited access to meaningful access to non-profit organizations.

31. ICE.'s actions violate Petitioner's rights under the Fifth Amendment of the U. S. Constitution, the INA, the Administrative Procedure Act and its own federal regulations.

LEGAL FRAMEWORK

I. Detaining Petitioner is arbitrary and capricious in violation of due process

32. Petition must be allowed to seek her claim for asylum and demands that an independent authority decide if she should be at liberty. ICE has arbitrarily and capriciously detained Petitioner depriving her of her basic due process rights.

33. Pursuant to 28 U.S.C. § 2243, the Court either must grant the instant petition for writ of habeas corpus or issue an order to show cause to Respondents, unless Petitioner is not entitled to relief. If the Court issues an order to show cause, Respondents must file a

response "within *three days* unless for good cause additional time, *not exceeding twenty days*, is allowed." 28 U.S.C. § 2243 (emphasis added).

34. "It is well established that the Fifth Amendment entitles [noncitizens] to due process of law in deportation proceedings." *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

35. This fundamental due process protection applies to all noncitizens, including both removable and inadmissible noncitizens. *See id.* at 721 (Kennedy, J., dissenting) ("[B]oth removable and inadmissible [noncitizens] are entitled to be free from detention that is arbitrary or capricious."). It also protects noncitizens who have been ordered removed from the United States and who face continuing detention. *Id.* at 690.

36. The Court's ruling in *Zadvydas* is rooted in due process's requirement that there be "adequate procedural protections" to ensure that the government's asserted justification for a noncitizen's physical confinement "outweighs the 'individual's constitutionally protected interest in avoiding physical restraint.'" *Id.* at 690 (quoting *Kansas v. Hendricks*, 521 U.S.

A. Defendants' Pattern of Illegal Conduct Is Officially Sanctioned

37. Defendants' unlawful arrests, denial of access to counsel and deplorable holding conditions are the predictable result of directives from top officials to agents and officers.

38. In January 2025, the administration gave ICE field offices an arrest quota of 75 arrests a day.[1] As offices attempted to carry out such a mandate, workplace raids increased,[2] ICE check-ins became traps, and courthouse arrests surged.[3] Also, to help meet the quota, the administration granted agencies outside of DHS immigration enforcement powers.[4]

39. Meanwhile, the administration began systematically dismantling internal accountability mechanisms and restraints on immigration agents' and officers' conduct. The administration shut down multiple oversight agencies (retaining only a version of their former selves after the administration was sued).[5] Investigations were closed. Officers no longer had to abide by enforcement priorities.[6] Long-standing guidance restricting enforcement operations in sensitive locations—schools, hospitals, places of worship and public demonstrations—was rescinded.[7]

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[1] Nick Miroff & Maria Sacchetti, Trump Officials Issue Quotas to ICE Officers to Ramp Up Arrests, The Washington Post (last updated Jan. 26, 2025), https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump- quota/.
[2] Marianne LeVine, et al., ICE is Arresting Migrants in Worksite Raids. Employers are Largely Escaping Charges, The Washington Post (June 30, 2025), https://www.washingtonpost.com/immigration/2025/06/30/ice-raids-arrests-workers-companies/ (noting an April announcement by ICE officials that the agency had arrested more than 1,000 workers during Trump's first 100 days and collecting stories of workplace raids across the country); Mark Moran, ICE Detains More than 530 People in Workplace 'Raids' in U.S. Northeast, United Press International (Jan. 23, 2025), https://www.upi.com/Top_News/US/2025/01/23/ice-details-538-ion- workplace-raids/7811737692376/.

[3] Julia Ainsley, Trump admin tells immigration judges to dismiss cases in tactic to speed up arrests, NBC News (June 11, 2025), https://www.nbcnews.com/politics/national-security/trump-admin-tells-immigration-judges-dismiss-cases-tactic-speed-arrest-rcna212138; Luis Ferré- Sadurní, Inside a Courthouse, Chaos and Tears as Trump Accelerates Deportations, N.Y. Times (June 12, 2025),
[4] Press Release, DHS, Statement from a DHS Spokesperson on Directive Expanding Immigration Law Enforcement to Some Department of Justice Officials (Jan. 23, 2025), https://www.dhs.gov/news/2025/01/23/statement-dhs-spokespersondirective-expanding-immigration-law-enforcement.
[5] Nicolae Viorel Butler, Court Forces DHS to Preserve Immigrant Rights Offices, Migrant Insider (May 27, 2025), https://migrantinsider.com/p/court-forces-dhs-to-preserve-immigrant?utm_source=CLINIC%2BMail&utm_campaign=f9e1ee6428-tips-6-2-25&utm_medium=email&utm_term=0_-663ab9ab77- 284225192
[6] Press Release, DHS, Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole (Jan. 21, 2025), https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse
[7] Marisa Kabas, ICE agents get green light to make unjustified warrantless arrests, The Handbasket (June 12, 2025), https://www.thehandbasket.co/p/ice-warrantless- arrests-castanon-nava.

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40. But these changes were not enough, according to the administration. In late May, Deputy Chief of Staff Stephen Miller summoned 25 ERO Field Office Directors and 25 HSI Special Agents to a meeting to demand that "everybody" be targeted.[8]

41. Under Miller's directive, agents no longer needed to develop vetted target lists of individuals suspected of being in the United States unlawfully. ICE agents were instructed in an email to "aggressively "push the envelope," including by pursuing "collaterals"—individuals that by definition would not have warrants. [9]

42. The administration set a new arrest quota of 3,000 arrests per day and reportedly threatened job consequences if officials failed to meet arrest quota.[10]

43. The overriding message to agents and officers carrying out immigration operations on the ground was to prioritize arrest numbers, regardless of the law. Agents and officers were granted sweeping discretion to achieve this goal.

B. Defendants' Illegal Conduct Will Continue if Not Enjoined

44. The federal government has repeatedly made clear its intent to continue its operations and unlawful detentions. Defendants have been candid about their determination to continue pursuing these unlawful policies and practices, unless this Court enjoins them from doing so.

45. While immigration enforcement may be done lawfully, these statements demonstrate a commitment to continue operations at any cost, including at the expense of individuals' constitutional and legal rights. Plaintiffs have already been harmed, and they face a

[8] Stuard Anderson, Stephen Miller's Order Likely Sparked Immigration Raids and Protests, Forbes, Jun. 9, 2025, https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order- likely-sparked-immigration-arrests-and-protests/.
[9] José Olivares, US immigration officers ordered to arrest more people even without warrants, The Guardian (June 4, 2025), https://www.theguardian.com/us- news/2025/jun/04/immigration-officials-increased-detentions-collateral-arrests.
[10] Elizabeth Findell, et al., supra note 2; Julia Ainsley, et al., A sweeping new ICE operation shows how Trump's focus on immigration is reshaping federal law enforcement, NBC News (June 4, 2025), https://www.nbcnews.com/politics/justicedepartment/ice-operation-trump-focus-immigration-reshape-federal-lawenforcement-rcna193494

reasonable likelihood of continuing harm, as a result of Defendants' unlawful policies and practices described herein.

46. Plaintiffs have no plain, adequate, or complete remedy at law to address the wrongs described herein. Injunctive and declaratory relief is necessary to redress their ongoing injuries.

D. Defendants' Illegal Conduct Will Continue if Not Enjoined

58. The federal government has repeatedly made clear its intent to continue its operations and unlawful detentions. Defendants have been candid about their determination to continue pursuing these unlawful policies and practices, unless this Court enjoins them from doing so.

59. While immigration enforcement may be done lawfully, these statements demonstrate a commitment to continue operations at any cost, including at the expense of individuals' constitutional and legal rights. Plaintiffs have already been harmed, and they face a reasonable likelihood of continuing harm, as a result of Defendants' unlawful policies and practices described herein.

60. Plaintiffs have no plain, adequate, or complete remedy at law to address the wrongs described herein. Injunctive and declaratory relief is necessary to redress their ongoing injuries.

CLAIMS FOR RELIEF

COUNT ONE

VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION PROCEDURAL DUE PROCESS

61. The allegations in the above paragraphs are realleged and incorporated herein.

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62. Petitioner is being detained without cause and in violation of her Constitutional right to Due Process under the Fifth Amendment.

63. The Procedural Due Process Clause of the Fifth Amendment prohibits the government from depriving an individual of a protected interest without notice and an opportunity to be heard. Mathews v. Eldridge, 424 U.S. at 319, 333 (1976).

64. Respondents provided Petitioner with no notice or opportunity to be heard prior to detaining her.

65. Respondents have offered Petitioner no meaningful opportunity to be heard or challenge her detention since incarcerating her

66. Petitioner's detention thereby deprives her of Petitioner's rights to Due Process under the Fifth Amendment of the United States Constitution.

67. Petitioner has no adequate remedy at law.

COUNT TWO

VIOLATION OF THE OF THE FIRST AND FIFTH AMENDMENTS TO THE UNITED STATES CONSTITUTION

68. Petitioner realleges and incorporates by reference the paragraphs above.

69. U.S. citizens and noncitizens alike are guaranteed the right to due process under the Fifth Amendment to the United States Constitution, which includes the rights to access courts. U.S. citizens and noncitizens alike are guaranteed the right of petition under the First Amendment to the U.S. Constitution, which includes the right to petition the Government for a redress of grievances. This right to petition includes the right to access courts and to participate in court proceedings as a witness, party or complainant.

70. As a result of Respondents' unlawful arrest and detention of Petitioner, her rights were violated, and she has and continues to suffer prejudice.

71. Petitioner has no adequate remedy at law.

COUNT THREE

RELEASE ON BAIL PENDING ADJUDICATION

72. Petitioner realleges and incorporates by reference the paragraphs above.

73. This Court has the "inherent authority" to grant release or bail to habeas petitioners like this. See Vega v. United States, 514 F. Supp. 2d 767, 770 (W.D. Pa. 2007) (citing Johnston v. Marsh, 227 F.2d 528, 531 (3d Cir.1955)); see also Mapp v. Reno, 241 F.3d 221, 230 (2d Cir. 2001).

74. Release on bail pending habeas is appropriate when a petitioner raises "substantial constitutional claims upon which he has a high probability of success, and also when extraordinary or exceptional circumstances exist which make the grant of bail necessary to make the habeas remedy effective." Landano v. Rafferty, 970 F.2d 1230, 1239 (3d Cir. 1992).

75. Petitioner meets this standard here. This petition raises constitutional claims on which she has a high probability of success. And Petitioner's immediate release is necessary to make this remedy effective. As long as Petitioner remains detained, her physical and mental health is at continued, serious risk, and his ability to litigate <Pn3>> asylum and immigration claims is jeopardized.

COUNT FOUR:

VIOLATION OF THE INA, REGULATIONS THEREUNDER, AND THE FIFTH AMENDMENT'S DUE PROCESS CLAUSE

76. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

77. Respondents' presumed basis for detaining Petitioner is unknown. As discussed above, she was released after crossing the border. In the intervening time, petitioner has applied for asylum and built a productive life in the United States.

78. Under the terms of the INA and the governing regulations, Petitioner's detention is unlawful.

COUNT FIVE:

VIOLATION OF 8 U.S.C. § 1357(A)(2) WARRANTLESS ARRESTS WITHOUT PROBABLE CAUSE OF FLIGHT RISK

79. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

80. 8 U.S.C. § 1357(a)(2) requires that arrests without a warrant be accompanied by "reason to believe" that an individual is "likely to escape before a warrant can be obtained for [their] arrest."

81. Respondents have a policy, pattern, and practice of making arrests without any warrant without making an individualized determination of flight risk. They have no mechanism for ensuring compliance with the statutory limits of agents' and officers' warrantless arrest authority and do not provide guidance to agents and officers on how to make an individualized determination of likelihood of escape. Respondents permit agents and officers to make warrantless arrests carte blanche in violation of law.

82. Respondents' policy, pattern, and/or practice of making warrantless arrests without the required individualized flight risk analysis is "final agency action" that is "in excess of statutory jurisdiction, authority, or limitations" under 8 U.S.C. § 1357(a)(2). 5 U.S.C. §§ 704, 706(2)(C).

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83. Separate from the APA, Respondents' policy, pattern, and practice of making warrantless arrests without the required individualized flight risk analysis is ultra vires.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

1) Assume jurisdiction over this matter;
2) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, the Administrative Procedure Act; Section 1225(b)(1)(A) of the Immigration and Nationality Act; the First Amendment, and the Rehabilitation Act;
3) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately.
4) Order that Petitioner not be transferred outside the Northern District of New York or Southern District of New York except to be released;
5) Order that Petitioner shall not be re-detained without notice and an opportunity to be heard at a pre-deprivation bond hearing before a neutral decisionmaker, where Respondents will have the burden of showing that his detention is authorized;
6) Order that Respondents are directed to return to Petitioner any and all funds or property seized from Petitioner at the time of his arrest upon her release;
7) Grant any further relief this Court deems just and proper.

Respectfully submitted,

Maria Mayllazhungo

Maria M. Mayllazhungo Saeteros , Next Friend Petitioner

12th day of June 2026

Maria G. Maillazhungo Saeteros PRO SE
A# [redacted]

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I am the Next Friend Petitioner, Maria M. Mayllazhungo Saeteros , and submit this verification on my own behalf. I hereby swear under penalty of perjury that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 12h day of June, 2026.

Name: Maria M. Mayllazhungo Saeteros

Signature: Maria Mayllazhungo