UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Andres Zapata Diosa *Petitioner* v. Warden, Metropolitan Detention Center (MDC) Brooklyn *Respondent* *(name of warden or authorized person having custody of petitioner)*	)	Case No. **26-cv-04068-AMD** *(Supplied by Clerk of Court)* **Donnelly , J**

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

Personal Information

1. (a) Your full name: Andres Zapata Diosa
   (b) Other names you have used: None
2. Place of confinement:
   (a) Name of institution: Metropolitan Detention Center (MDC) Brooklyn
   (b) Address: Metropolitan Detention Center Brooklyn
   80 29th Street, Brooklyn, NY 11232
   (c) Your identification number: [redacted]
3. Are you currently being held on orders by:
   ☑ 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:
   ☑ Being held on an immigration charge
   ☐ Other *(explain)*:

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Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☑ 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: U.S. Immigration and Customs Enforcement (ICE)
ICE Enforcement and Removal Operations (ERO)

(b) Docket number, case number, or opinion number: [redacted]

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*:
Continued immigration detention by ICE despite significant due process concerns arising from the circumstances of Petitioner's arrest, lack of a meaningful opportunity to challenge his detention, and ongoing immigration proceedings.

(d) Date of the decision or action: 06/30/2026

Your Earlier Challenges of the Decision or Action

7. **First appeal**

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

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

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

(4) Result:

(5) Date of result:

(6) Issues raised:

ICE detention decisions are not subject to a standard administrative appeal process available to Petitioner. Therefore, habeas corpus is the appropriate vehicle to challenge the legality of his detention.

(b) If you answered "No," explain why you did not appeal:

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(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:

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(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:

10. **Motion under 28 U.S.C. § 2255**

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

☐ Yes ☑ 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 ☑ No

If "Yes," provide:

(1) Name of court:

(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 ☐ No

If "Yes," provide:

(1) Name of court:

(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:

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☑ Yes ☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 06/30/2026

(b) Date of the removal or reinstatement order:

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☑ No

If "Yes," provide:

(1) Date of filing:

(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 ☑ No

If "Yes," provide:

(1) Name of court:

(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 ☑ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

(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 (reason) 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.

GROUND ONE: The Petitioner's continued immigration detention violates the Due Process Clause of the Fifth Amendment because he was arrested under circumstances that raise serious constitutional concerns. On June 30, 2026, ICE officers stopped Petitioner's vehicle while he was with his wife and six-year-old daughter, surrounded the vehicle, and detained him without providing a clear legal basis for the arrest.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

According to eyewitness testimony, officers displayed what appeared to be an incomplete warrant that initially did not contain Petitioner's name, later writing his name by hand before attempting to rely upon it as authority for the arrest. Petitioner repeatedly requested to know the reason for his detention, and asked to contact an attorney, but no meaningful explanation was provided.

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes ☑ No

GROUND TWO: Petitioner does not present a danger to the community or a risk of flight. He has established strong family and community ties, has maintained lawful employment, has a stable residence, and has the support of a financially qualified sponsor. Before his detention, Petitioner complied with immigration requirements and has a pending immigration case before the Immigration Court.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes ☑ No

GROUND THREE: Petitioner's immigration proceedings remain pending before the Immigration Court, and no final order of removal has been issued. Continued detention is unnecessary because less restrictive alternatives are available, and Petitioner is willing to comply with all conditions imposed by the Court or DHS.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes ☐ No

GROUND FOUR: Petitioner's continued detention is causing severe hardship to his family, particularly to his wife and six-year-old daughter, who witnessed the arrest and experienced significant emotional trauma during the incident. The unnecessary use of force and intimidation in the child's presence has resulted in ongoing emotional suffering. Petitioner's release would allow him to continue supporting.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

his family while pursuing his immigration case through the proper legal process.

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes ☐ 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: Petitioner has not had a meaningful administrative remedy through which to challenge the legality of his continued immigration detention. Accordingly, a petition for a writ of habeas corpus under 28 U.S.C. § 2241 is the appropriate mechanism for obtaining judicial review of his detention.

Request for Relief

15. State exactly what you want the court to do: Issue a Writ of Habeas Corpus under 28 U.S.C. § 2241; Declare that Petitioner's continued immigration detention violates the Constitution and laws of the United States; Order Petitioner's immediate release from ICE custody, or alternatively order an immediate individualized custody hearing before a neutral decision-maker; Grant any additional relief that the Court deems just and proper under the circumstances.

Declaration Under Penalty Of Perjury

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

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: 06/06/2026

A2D

Signature of Petitioner

Signature of Attorney or other authorized person, if any



7/8/2026

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

Instructions

1. **Who Should Use This Form.** You should use this form if
   - you are a federal prisoner and you wish to challenge the way your sentence is being carried out *(for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits)*;
   - you are in federal or state custody because of something other than a judgment of conviction *(for example, you are in pretrial detention or are awaiting extradition)*; or
   - you are alleging that you are illegally detained in immigration custody.

2. **Who Should Not Use This Form.** You should not use this form if
   - you are challenging the validity of a federal judgment of conviction and sentence *(these challenges are generally raised in a motion under 28 U.S.C. § 2255)*;
   - you are challenging the validity of a state judgment of conviction and sentence *(these challenges are generally raised in a petition under 28 U.S.C. § 2254)*; or
   - you are challenging a final order of removal in an immigration case *(these challenges are generally raised in a petition for review directly with a United States Court of Appeals)*.

3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**

   All questions must be answered clearly and concisely in the space on the form. If needed, you may attach additional pages or file a memorandum in support of the petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. Note that some courts have page limitations. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**

4. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.

5. **Required Filing Fee.** You must include the $5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.

6. **Submitting Documents to the Court.** Mail your petition and copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

   If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.

7. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

HABEUS CORPUS PETITION.

PRELIMINARY STATEMENT.

Andres Zapata Diosa, A# [redacted], respectfully submits this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging the legality of his continued detention by U.S. Immigration and Customs Enforcement (ICE). Petitioner remains in immigration custody despite having a pending immigration case before the Immigration Court and no final order of removal. Throughout his time in the United States, Petitioner has complied with immigration requirements, maintained stable employment, established a permanent residence, and developed strong family and community ties. He also has the support of a financially qualified sponsor who is willing to provide housing, financial assistance, and ensure his compliance with all future immigration proceedings.

This Petition is based upon serious due process concerns arising from the circumstances of Petitioner's arrest and continued detention. According to the evidence submitted, Petitioner was detained while returning home with his wife and six-year-old daughter, who witnessed the incident and suffered significant emotional trauma as a result of the officers' actions. Petitioner fully cooperated with law enforcement, repeatedly requested an explanation for his detention, and asked to speak with an attorney. However, he contends that he was not provided a meaningful explanation for the legal basis of his arrest and that irregularities existed regarding the document presented as authority for his detention. Petitioner further asserts that he has never posed a danger to the community, has never attempted to evade immigration authorities, and does not present a risk of flight.

Andres, Zapata Diosa. 07-06-2026

Full Name Date

Respondent, Pro Se

A-Number: [redacted].

1-Habeus Corpus Form.

THE INDEX.

1-Habeus Corpus Form.

2-Affidavits and letters of support.

3-Identification documents.

4-Detention Center.

5-Proof of current address.

6-Lease Agreement.

7-Banking Status.

8-Constitution of the United States, Habeus Corpus Article 1, seccion 9.

09-Aplication I-589 for Asylum.

10-Notice to Appear.

11-Birth certificates for the detainee and his children.

12-File a complaint with the public prosecutor's office.

13-Human Rights and Country Conditions Colombia.

2-Affidavits and letters of support.

AFFIDAVIT.

I, **Andres Zapata Diosa, A#** [redacted], being of lawful age and under penalty of perjury pursuant to the laws of the United States, respectfully submit this declaration in support of my Petition for a Writ of Habeas Corpus. I make this declaration voluntarily based upon my personal knowledge and experience to explain the circumstances surrounding my detention by officers of U.S. Immigration and Customs Enforcement ("ICE"), as well as the reasons why I believe my continued detention is unjust and contrary to the protections guaranteed by the Constitution and laws of the United States. The statements contained herein are true and correct to the best of my knowledge.

I came to the United States seeking safety and the opportunity to rebuild my life in a country governed by the rule of law. Since my arrival, I have made every effort to comply with the laws of this country and with every requirement imposed upon me by the immigration authorities. At no time have I attempted to evade my immigration proceedings, conceal my whereabouts, or disregard any lawful instruction issued by the government. I have always understood that my responsibility was to respect the legal process while presenting my immigration case through the proper legal channels.

My immigration proceedings remain pending before the Immigration Court, and, to the best of my knowledge, there is no final order of removal against me. My only intention has been to continue pursuing my immigration case lawfully and to fully comply with every stage of the legal process. I have always been willing to appear before immigration authorities whenever required, and I have never intended to flee or avoid my legal obligations.

On June 30, 2026, at approximately 3:35 p.m., my life changed unexpectedly. I was returning home with my wife, Gloria Fabiola Ortiz Villa, and our six-year-old daughter. We had been spending time together as a family and were arriving at our residence when several ICE officers suddenly surrounded our vehicle.

As I was carefully attempting to park, another vehicle struck the rear of our car. Almost immediately afterward, another vehicle blocked us from the front while a third vehicle positioned itself alongside us, leaving us completely surrounded. Everything happened within seconds. Neither my wife nor I understood what was happening before several armed individuals exited their vehicles and approached us aggressively.

The officers were wearing tactical equipment, and some had their faces partially covered. One individual was dressed in civilian clothing and was visibly carrying a conducted electrical weapon. From the very beginning, the officers' conduct was intimidating and aggressive. Rather than calmly identifying themselves or explaining the reason for the stop, they immediately began shouting commands and demanding that I lower my window and provide identification. I fully cooperated and voluntarily handed over my driver's license because I believed it was my obligation to comply with law enforcement.

Despite my cooperation, one officer reached through the partially opened window and turned off my vehicle while another attempted to unlock the doors from the outside. My wife, frightened and confused about what was happening, locked the doors again because neither of us knew who these individuals were or why they had surrounded our family. Our actions were motivated solely by fear and uncertainty, not by any intention to interfere with law enforcement.

Throughout the encounter, I repeatedly asked why I was being detained. I also requested the opportunity to speak with an attorney before any further action was taken against me. Despite these requests, no officer clearly explained the legal basis for my detention. I firmly believe that every individual has the right to understand why he is being deprived of his liberty, yet that basic explanation was never provided to me.

One of the most disturbing moments occurred when an officer displayed what was represented as the document authorizing my arrest. Upon observing the document, I noticed that it did not initially contain my name. After obtaining my driver's license, I observed the officer manually write my name onto the document before attempting to rely upon it as authority for my arrest. Witnessing this caused me serious concern regarding the validity of the document and the legality of the entire arrest. I voiced my concerns at that moment, but my questions were completely ignored.

While these events were unfolding, my six-year-old daughter began crying uncontrollably. The sight of several armed officers surrounding our vehicle, shouting commands, displaying weapons, and forcibly removing her father caused her to suffer what appeared to be a severe panic attack. As her father, one of the most painful moments of my life was hearing my daughter scream in fear while I was unable to comfort or protect her.

Although I never attempted to flee, resist, threaten, or assault any officer, the level of force continued to escalate. The officer dressed in civilian clothing displayed his conducted electrical weapon in a threatening manner, further increasing the fear experienced by my wife, my daughter, and me. At no point did my behavior justify such an overwhelming display of force.

Several officers eventually forced open the vehicle and physically removed me. They restrained my arms, neck, and legs while taking me into custody in front of my family.

Throughout the entire incident, I continued asking why I was being arrested and requested permission to contact an attorney. Those requests were ignored. I did not physically resist the officers or attempt to obstruct them. My only concern was understanding why I was being taken away and minimizing the emotional trauma being inflicted upon my wife and child.

After removing me from the vehicle, the officers placed me against my family's vehicle, spread my legs apart, handcuffed me behind my back, and escorted me into one of their vehicles. Before leaving the scene, one officer simply informed my wife that the vehicle belonged to her and instructed her to leave. That was essentially the only explanation my family received before I was taken away.

As I was transported into ICE custody, my greatest concern was not for myself but for my wife and my young daughter. I knew they had been left alone after witnessing an extremely traumatic event. My daughter had just watched several armed officers surround our family vehicle, use force against her father, and take me away without any meaningful explanation. No child should ever be forced to experience such a traumatic event.

Since my detention, I have remained in ICE custody even though my immigration case remains pending. Throughout my time in the United States, I have demonstrated my willingness to comply with immigration authorities and with every legal obligation imposed upon me.

I have never attempted to abscond or avoid my immigration proceedings. I do not present a danger to the community, nor do I represent a flight risk. I have maintained stable employment, established strong family ties, lived at a fixed residence, and have the support of a qualified sponsor who is willing to assist me throughout the remainder of my immigration proceedings.

My continued detention has imposed severe emotional and financial hardship upon my family.

My wife has been forced to face this difficult situation alone, while my daughter continues to experience emotional distress resulting from the traumatic manner in which I was arrested. In addition to the emotional suffering, my detention has deprived my household of my financial support, placing additional burdens upon those who depend on me.

I respectfully submit that my continued detention serves no legitimate purpose. There are reasonable alternatives available that would ensure my appearance before the Immigration Court while allowing me to remain with my family. I am fully willing to comply with any conditions this Honorable Court may consider appropriate, including periodic reporting requirements, supervision by ICE, travel restrictions, or any other lawful condition deemed necessary.

I have great respect for the institutions of the United States and for the rule of law. It is precisely because of that respect that I believe governmental authority must always be exercised consistently with the Constitution and the guarantees of due process. I respectfully ask this Honorable Court to carefully examine the circumstances surrounding my detention and determine whether my continued confinement is consistent with the constitutional protections afforded to every individual within the United States.

For all of the foregoing reasons, I respectfully request that this Honorable Court grant my Petition for a Writ of Habeas Corpus, order my release from immigration custody, and allow me to continue defending my immigration case while living with my family and complying

fully with all lawful conditions imposed by the Court or the Department of Homeland Security.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Andres Zapata Diosa

A# [redacted]

Signature of Declarant: AZD

CERTIFICATE OF TRANSLATION.

I, Emmanuel Marcano, hereby certify that I am fluent in both the Spanish and English languages, and that I am competent to translate from Spanish into English and from English into Spanish.

I further certify that the attached document titled "Sworn Declaration in Support of Request for Continuance" is a true and accurate translation of the original document written in Spanish, to the best of my knowledge, ability, and belief.

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

Executed on this date:

Date: 06-19-2026.

Signature: Emmanuel Marcano

Emmanuel Marcano.
Document Preparer / Translator.
Immigration Services in America.

DECLARATION OF EDWAR ALEXANDER ZAPATA DIOSA IN SUPPORT OF THE PETITION FOR WRIT OF HABEAS CORPUS.

I, **Edwar Alexander Zapata Diosa**, being of lawful age and a Lawful Permanent Resident of the United States, hereby declare under penalty of perjury pursuant to the laws of the United States that the following statements are true and correct to the best of my personal knowledge and belief. I voluntarily submit this declaration in support of my brother, **Andres Zapata Diosa, A#** [redacted], so that this Honorable Court may better understand his character, the type of person he is, and the significant impact that his continued detention has had on our family.

Andres is my brother, and I have known him my entire life. We were raised together in Colombia by the same family, where we learned the importance of honesty, hard work, respect, and responsibility. Throughout our lives, we have maintained a close relationship and have always supported one another through difficult times. Because I have known him since childhood, I can confidently say that he has always been a peaceful, respectful, and hardworking individual. I have never known him to be a violent person or someone who poses a danger to others. On the contrary, he has always been committed to resolving problems peacefully and treating everyone with dignity and respect.

Even after our lives took different paths, we remained in close contact. I have personally witnessed the sacrifices Andres has made to build a stable and honest life in the United States. He did not come to this country to violate the law or avoid responsibility. His goal has always been to provide a better future for his family through honest work while pursuing his immigration case through the legal process established by the United States.

As a Lawful Permanent Resident of this country, I understand the importance of respecting its laws and institutions. For that reason, I have always encouraged Andres to comply with every legal requirement related to his immigration case. From everything I have personally observed, he has done exactly that. He has never expressed any intention of avoiding immigration authorities, ignoring court proceedings, or refusing to comply with government requirements. Instead, he has consistently shown respect for the legal process and has always wanted to resolve his immigration case lawfully.

One of the qualities I admire most about my brother is his dedication to his family. Andres is a loving husband and an exceptional father who has always worked tirelessly to provide for his wife and children. He takes tremendous pride in supporting his family through honest employment and teaching his children the values of integrity, responsibility, and respect. Everything he has accomplished has been the result of hard work and determination.

The circumstances surrounding his detention have caused tremendous suffering for our entire family. Learning that he was arrested in front of his wife and his young daughter was heartbreaking. As a father myself and as his brother, I cannot imagine the emotional pain of watching a child witness several armed officers remove her father without fully understanding what was happening. No child should experience such fear or trauma. Since his detention, I have witnessed the emotional pain his family continues to endure every day.

I have remained in close communication with Andres' wife and have done everything within my ability to support her during this difficult period. She has been forced to carry the emotional and financial burden of caring for the family while worrying constantly about her husband's well-being. Their children miss their father deeply and continue to suffer emotionally because of his absence. Seeing the hardship this family has experienced has strengthened my commitment to help them in every possible way.

Because I know my brother better than almost anyone, I can state without hesitation that he does not represent a danger to the community. Throughout his life, I have never known him to engage in violent behavior or criminal activity. He has always treated others with respect, maintained positive relationships with neighbors and coworkers, and conducted himself as a responsible member of the community. His character is defined by honesty, humility, and dedication to his family.

I also know that Andres has established significant ties within the United States. He has maintained stable employment, developed meaningful relationships within his community, and built a home with his wife and children. These are not the actions of someone intending to flee or disregard the law. They are the actions of a person committed to creating a stable and productive life while respecting the legal process.

For these reasons, I willingly agreed to serve as his sponsor and have formally expressed my commitment to provide him with housing, financial assistance, and whatever support may be necessary if he is released from immigration detention. I have the financial ability and the sincere willingness to assume these responsibilities. If this Honorable Court grants his release, I will ensure that Andres fully complies with every condition imposed by the Court or by the Department of Homeland Security. I am prepared to assist him in attending every immigration hearing, every ICE appointment, and every legal proceeding required during the remainder of his immigration case.

I firmly believe that my brother presents absolutely no risk of flight. Everything important in his life is here. His wife, his children, his home, his employment, his family, and his future are all in the United States. He has every reason to continue complying with the immigration process because he wants nothing more than the opportunity to remain with his family while presenting his case through the lawful procedures established by this country.

Our family will continue standing beside him throughout this process. We are fully committed to providing emotional, financial, and practical support to ensure that he fulfills every legal obligation placed upon him. My commitment does not end with this declaration. I will continue assisting my brother for as long as necessary because I know the kind of person he is and because I firmly believe he deserves the opportunity to continue his immigration proceedings while living with his family rather than remaining in unnecessary detention.

I respectfully ask this Honorable Court to consider my testimony when evaluating my brother's Petition for a Writ of Habeas Corpus. Based on my lifelong knowledge of Andres, I firmly believe that his release would not endanger the community or undermine the immigration process. Instead, it would allow him to continue supporting his family, caring for his children, maintaining his employment, and fully complying with every legal requirement while his immigration case remains pending.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Edwar Alexander Zapata Diosa

Signature of Declarant: _____

CERTIFICATE OF TRANSLATION.

I, Emmanuel Marcano, hereby certify that I am fluent in both the Spanish and English languages, and that I am competent to translate from Spanish into English and from English into Spanish.

I further certify that the attached document titled "Sworn Declaration in Support of Request for Continuance" is a true and accurate translation of the original document written in Spanish, to the best of my knowledge, ability, and belief.

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

Executed on this date:

Date: 06-19-2026.

Signature: Emmanuel Marcano

Emmanuel Marcano.
Document Preparer / Translator.
Immigration Services in America.

Declarant: Gloria Fabiola Ortiz Villa
Spouse of: Andres Zapata Diosa
A-Number: [redacted]
Address: [redacted]

I, **Gloria Fabiola Ortiz Villa**, being of lawful age, hereby declare under penalty of perjury that the following statements are true and correct to the best of my knowledge and belief.

On **Tuesday, June 30, 2026, at approximately 3:35 p.m.**, my husband, **Andres Zapata Diosa**, our six-year-old daughter, [redacted] **Zapata Ortiz**, and I were arriving at our home located at [redacted].

We were traveling in our **white Mazda SUV**, bearing [redacted] My husband was driving, I was seated in the front passenger seat, and our daughter was properly seated in the rear seat.

As we arrived on our street, the only available parking space was approximately four houses away from our residence. While my husband was carefully maneuvering the vehicle into the parking space, a **white Dodge Durango**, bearing **New York license plate LWL8386**, struck the rear of our vehicle in an apparent attempt to prevent us from parking.

Immediately afterward, a **white Jeep 4x4**, bearing **New York license plate LZZ1397**, blocked the front of our vehicle, while a **black Ford**, bearing **New York license plate MCW9113**, positioned itself alongside us, leaving us completely surrounded.

Several armed men then exited the vehicles. Most had their faces partially covered, exposing only their eyes, and wore dark sunglasses. They were dressed in green shirts, blue jeans, and tactical vests displaying the words **"POLICE"** and **"ICE."** One individual was dressed in civilian clothing, wearing a light blue shirt, blue jeans, gray sneakers, and a black cloth covering the lower part of his face. He wore a badge displaying the initials **"US"** on his chest and carried a yellow electronic control device (Taser) on his belt.

From the very beginning, the officers acted in an extremely aggressive manner. The man dressed in civilian clothing yelled at my husband to roll down the window and turn off the vehicle. My husband complied by lowering the window and calmly asked why he was being stopped and who they were. Instead of answering, the officers demanded that he produce his identification.

My husband voluntarily handed over his driver's license. However, another officer reached inside the open window, pressed the ignition button to shut off the vehicle, and attempted to unlock the doors

locks because I was afraid they would forcibly remove both my daughter and me from the vehicle.

I wish to emphasize that the officers acted aggressively without any regard for the fact that a six-year-old child was inside the vehicle. Because of their yelling and aggressive conduct, my daughter began crying uncontrollably, trembling, and suffering what appeared to be a panic attack.

I asked the officers whether they had a warrant authorizing my husband's arrest and informed them that I intended to contact his attorney. My husband also requested to speak with his attorney and attempted to call him, but the call went unanswered.

At that point, one of the officers displayed a document that did not contain my husband's name. I immediately stated that it was not a valid warrant. I then observed the man in civilian clothing become upset with another officer and hand the paper back to him, instructing him to fill in my husband's name using the information from the driver's license they had just taken from him. They simply wrote the name "Andres" on the document and signed it. They then presented the paper to my husband, claiming it was the warrant authorizing his arrest. My husband replied that it was not a valid warrant.

The officers then attempted to forcibly remove him from the vehicle. During this confrontation, the man in civilian clothing drew his yellow Taser and threatened to use it if my husband did not immediately exit the vehicle.

Upon witnessing this, my daughter became even more terrified. She screamed uncontrollably and cried in complete panic while I recorded the entire incident on my cell phone.

The officers then put the Taser away but immediately began physically forcing my husband out of the vehicle. They grabbed him by his arms, neck, and legs, and several officers pulled him from the vehicle against his will.

Throughout the entire encounter, my husband repeatedly told the officers that our young daughter was present and pleaded with them to show respect because she was witnessing everything. He never insulted, threatened, or physically resisted the officers. He only continued asking them to produce a valid warrant authorizing his arrest.

After removing him from the vehicle, the officers forced him against our SUV, spread his legs apart, and handcuffed him behind his back. They then pushed and pulled him into the white Dodge Durango with New York license plate **LWL8386**.

Once my husband had been placed inside the vehicle, the man dressed in civilian clothing closed the driver's door of our SUV and told me only, **"The vehicle is yours. Leave."**

After they left, I immediately got out of the vehicle to comfort my daughter. She was completely traumatized, crying uncontrollably, trembling, screaming, and repeatedly asking where they were taking her father. She eventually fell to her knees on the ground in a state of panic.

I was also in complete shock. I could not understand why my husband had been taken away because, to my knowledge, he had complied with the officers' instructions, and no one ever explained the legal reason for his arrest.

To this day, I firmly believe that the manner in which this operation was conducted caused severe emotional and psychological trauma to both my six-year-old daughter and me due to the unnecessary use of force, intimidation, and aggressive conduct displayed in front of a young child.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: 07/01/2026

Signature: _____

Gloria Fabiola Ortiz Villa

Honorable Immigration Judge
Executive Office for Immigration Review (EOIR)

Re: **Sponsor Support Letter for Immigration Bond Request**
Detainee: Andres Zapata Diosa
A-Number: [redacted]

Dear Honorable Immigration Judge,

My name is **Edwar Alexander Zapata Diosa**, and I respectfully submit this letter in support of **Andres Zapata Diosa** and his request for release on immigration bond.

am the owner of [redacted] a well-established company in the United States, and I earn an annual income of approximately [redacted] Based on my financial stability, I am fully prepared to serve as his sponsor and provide him with the support necessary while his immigration proceedings remain pending.

My contact information is as follows:

Name: Edwar Alexander Zapata Diosa

[redacted]

the Court grants Andres Zapata Diosa release on bond, I make the following commitments:

- I will provide him with a safe, stable, and permanent residence.
- I will ensure that his basic needs, including housing, food, transportation, and other necessary living expenses, are fully covered.
- I will provide financial support for him throughout the duration of his immigration case.
- I will make every effort to ensure that he appears at every scheduled immigration court hearing and complies with all appointments and requirements established by the Immigration Court and the Department of Homeland Security (DHS).
- I will assist him in fully complying with all conditions imposed by the Court.

know Andres Zapata Diosa personally and can attest to his good moral character, honesty, and sense responsibility. I firmly believe that he **does not pose a danger to the community and is not a flight** sk. He has a strong support system, and I am fully committed to helping him comply with every legal bligation while his case is pending.

I understand the seriousness of serving as a sponsor and accept this responsibility in good faith. I respectfully ask this Honorable Court to consider my financial stability, my commitment, and my willingness to support Andres Zapata Diosa when deciding his request for immigration bond.

Thank you for your time, consideration, and attention to this matter.

Respectfully submitted,

Edwar Alexander Zapata Diosa

[redacted]

Telephone: [redacted]

[redacted]

Signature: _____

Family Member

Date: July 1, 2026

To the Honorable Immigration Judge:

My name is ____ Juan C. Escobar _____, and I respectfully submit this letter in strong support of **Mr. Andres Zapata Diosa (A# [redacted])**.

I am his _____Amigo_____ and have known Andres for approximately _3___ years. Throughout the time I have known him, he has consistently demonstrated honesty, integrity, compassion, and a strong commitment to his family.

Andres has always been a responsible individual who works hard to provide for himself and to help those around him. He has shown respect for others, has maintained positive relationships within our family, and has always conducted himself in a peaceful and respectful manner.

If he is granted bond

I will provide him with stable housing, transportation, and emotional support while his immigration case is pending.

I understand the importance of complying with Immigration Court requirements, and I personally commit to ensuring that Andres attends every scheduled hearing and complies with every order issued by the Court.

Based on my knowledge of Andres, I firmly believe that he does not present any danger to the community and is not a flight risk. He has every intention of appearing before this Court and resolving his immigration case through the proper legal process.

For these reasons, I respectfully request that this Honorable Court grant Andres the opportunity to be released on bond.

Thank you for your time and consideration.

Respectfully,

Name Juan C Escobar

[redacted]

Relationship Amigos

Family Member

Date: July 1, 2026

To the Honorable Immigration Judge:

My name is ____Jenny Velez Roman_____, and I respectfully submit this letter in strong support of **Mr. Andres Zapata Diosa (A#** [redacted]**)**.

I am his ___jefe inmediato_ and have known Andres for approximately ___3___ years. Throughout the time I have known him, he has consistently demonstrated honesty, integrity, compassion, and a strong commitment to his family.

Andres has always been a responsible individual who works hard to provide for himself and to help those around him. He has shown respect for others, has maintained positive relationships within our family, and has always conducted himself in a peaceful and respectful manner.

If he is granted bond.

I will provide him with stable housing, transportation, and emotional support while his immigration case is pending.

I understand the importance of complying with Immigration Court requirements, and I personally commit to ensuring that Andres attends every scheduled hearing and complies with every order issued by the Court.

Based on my knowledge of Andres, I firmly believe that he does not present any danger to the community and is not a flight risk. He has every intention of appearing before this Court and resolving his immigration case through the proper legal process.

For these reasons, I respectfully request that this Honorable Court grant Andres the opportunity to be released on bond.

Thank you for your time and consideration.

Respectfully,

Name Jenny Velez Roman

[redacted]

Relationship Amigos

Saint Michael's Parish
19 E. Central Boulevard
Palisades Park, NJ 07650-1799
(201) 944-1061
Fax. (201) 947-1798

7/2/2026

To Whom It May Concern:

I am pleased to write this letter on behalf of **Mr. ANDRES ZAPATA DIOSA**, who has been a faithful member of **St. Michael Church, Palisades Park, New Jersey**, since May 2025..

I have come to know **Mr. ANDRES ZAPATA DIOSA** through his participation in the life of our parish. He attends Mass faithfully and has demonstrated good moral character, honesty, respect for others, and a sincere commitment to our faith community. Whenever possible, he willingly participates in parish activities and contributes positively to our church.

To the best of my knowledge, **Mr. ANDRES ZAPATA DIOSA** has always conducted himself in a respectful and responsible manner and has never been known to be involved in any misconduct within our parish community.

Mr.Andres Zapata Diosa has been a faithful member of our parish for the past two (2) years. He and his family moved to New York approximately one month ago, after previously residing within our parish boundaries.
Telephone: [redacted]

Mr. Andres Zapata Diosa is married and has two (2) **children:** [redacted]

Based on my personal knowledge and pastoral experience, I believe **Mr. Andres Zapata Diosa** to be a person of integrity and good moral character. I respectfully ask that you give favorable consideration to his/her case.

Should you require any additional information, please feel free to contact me.
Thank you for your time and consideration.
Respectfully

Rev. Minyhun Cho. Pastor

3-Identification documents.