UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

CARBAYO-POSADAS, JARIN JONDANY

A# [redacted]

Petitioner,

v.

Warden, El Paso Service Processing Center

Caleb Vitello
Director de
U.S. Immigration and Customs Enforcement

Alejandro Mayorkas
Secretario de
U.S. Department of Homeland Security

Respondents.

MOTION FOR IMMEDIATE RELEASE OR, IN THE ALTERNATIVE, FOR A BOND HEARING

Petitioner respectfully moves this Honorable Court for an order granting immediate release from immigration detention, or in the alternative, ordering a prompt bond hearing while the Court considers the accompanying Petition for Writ of Habeas Corpus.

Petitioner has been detained by Immigration and Customs Enforcement (ICE) at the El Paso Service Processing Center. During this time, Petitioner has remained in custody without an individualized bond hearing before an immigration judge. This prolonged and indefinite detention without meaningful procedural safeguards violates the Due Process Clause of the Fifth Amendment to the United States Constitution.

Petitioner is not a danger to the community and does not pose a flight risk. Petitioner has strong family and community ties and is willing to comply with any conditions of release imposed by the Court. Continued detention without an opportunity for release on bond is unreasonable and constitutionally excessive.

Federal court retain authority to order release or require a bond hearing where immigration detention becomes prolonged and unjustified. Given the length of detention and the absence of an individualized bond determination, relief is warranted in this case.

WHEREFORE, Petitioner respectfully requests that this Court order his immediate release from custody, or in the alternative, order Respondents to provide a prompt bond hearing before an immigration judge, and grant any other relief the Court deems just and proper.

Respectfully submitted,

/s/ CARBAYO-POSADAS, JARIN JONDANY
Petitioner, pro se
A# [redacted]
El Paso Camp East Montana
Date: 08/15/2026