JUDGE KATHLEEN CARDONE

FILED
AUG 19 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY
DEPUTY CLERK

UNITED STATES COURT
FOR THE WESTERN DISTRICT OF TEXAS

Alain Bidias-Sadjeu

A[redacted]

Petitioner,

EP26CV2165

v.

Todd Blanche, ATTORNEY GENERAL,

Mark Wayne Mullin, SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY. Maria Deandra Ybarra, U.S. ICE FIELD OFFICER DIRECTOR,

Respondents

Civil Action No.

PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. §2241. BY A PERSON SUBJECT TO INDEFINITE IMMIGRATION. DETENTION

BACKGROUND

1. Petitioner, Alain Bidias-Sadjeu, hereby petition this Court for a writ of habeas corpus to remedy Petitioner's unlawful detention by Respondents, and to enjoin Petitioner's continued unlawful detention by the Respondent.

In support of this petition and complaint for injunctive relief, Petitioner alleges as follows:

CUSTODY

2. Petitioner is in the physical custody of Respondents and U.S. Immigration and Customs Enforcement ("ICE"). Petitioner is detained at the El Paso Processing center in El Paso, Texas. Petitioner is under the direct control of Respondents and their agents.

JURISDICTION

3. The constitution guarantees that writ of habeas corpus is "available to every individual detained within the United States." *Hamdi v. Rumsfield*, 542 U.S. 507, 525, 124 S. Ct. 2633, 159 L. Ed. 2d 578 (2004). (citing U.S. CONST. Art. 1, §9, cl.2) This includes immigration related detention. *Zadvydas v. Davis*, 533 U.S. 678, 687, 121 S. Ct. 2491, 150 L. Ed 2d 653 (2001). The petitioner seeking habeas relief must demonstrate they are in custody in violation of the Constitution or federal law: 28 U.S.C. §2241 (c)(3); *Walker v. Johnston*, 312 U.S. 275, 286, 61 S. Ct. 574, 85 L. Ed. 830 (1941).

EXHAUSTION OF REMEDIES

4. Petitioner has exhausted his administrative remedies to the extent required by law, and his only remedy is by way of this judicial action.

5. The Petitioner was denied a bond without proper consideration and was not given a reason for why the bond was denied. The Petitioner does not have a violent past.

PARTIES

6. Petitioner is a native of Cameroon who came to the United States in 2017.

On September 17th of 2025 he was detained by ICE. He is now in the El Paso Processing Center.

7. Respondent Todd Blanche is the Attorney General of the United States and is responsible for the administration of ICE and the implementation and enforcement of the Immigration and Naturalization Act (INA). As such, Todd Blanche has ultimate custodial authority over Petitioner.

8. Respondent Mark Wayne Mullin is the Secretary of the Department of Homeland Security. He is responsible for the administration of ICE and the implementation and enforcement of the INA. As such, Mark Wayne Mullin is the legal custodian of Petitioner.

9. Respondent Maria Deandra Ybarra is the ICE field Office Director of the EOIR Field Office of ICE and is Petitioner's immediate custodian. *See Vasqyez v. Reno*, 233 F.3d 688, 690 (1st cir. 2000), cert. Denied, 122 S. Ct. 43 (2001).

HISTORY AND AFFIDAVIT

10. I, Alain Bidias-Sadjeu, Petitioner was born on [redacted] in Cameroon.

11. In the year of 2017, I entered the United States legally as Diplomatic Statue "A2 Visa" to attend Navciat Academy

12. I attended Navciat Academy in Mississippi where I graduated.

13. After the academy I moved to Chicago where I worked 4 years as a mobile mechanic. Then in 2021 I moved to D.C and worked as [redacted]

14. Two years later in 2024 I merry a United States Lawful Permanent Resident and adopted her autistic son.

15. I had some arrests but never resulted in conviction.

16. I continued to live in D.C and working and help my wife. Because of my autistic stepson my wife needed my support and that is what I concentrated on.

17. On September 17th 2025, I was leaving to work at 5:00 in the morning and as I was opening my vehicle's door I quickly got surrounded by several men all in black with the face covered. The men asked me my name and I answered "Alain Bidias-Sadjeu" right after they said I had a Final Order of Removal.

18. I was taken into their custody to a Baltimore facility where later on those men identify themselves as DHS agents.

19. After 2 days in Baltimore I got transferred to East Montana Camp in El Paso, Texas for 6 months. Then transferred to 8915 Montana Avenue at the ICE Processing Center in El Paso, Texas.

20. I have now been detained for 10 months and when I requested a bond hearing I was told that I do not qualify. My bond was denied without any reason.

21. I have now lived in the United States for 9 years. I do not have criminal history on my record.

22. I pray that I may be allowed the opportunity to continue my immigration proceeding while I am out of detention. Thank you.

COUNT ONE PROCEDURAL DUE PROCESS VIOLATION LEGAL FRAMEWORK:

23. Recently, in similar habeas petitions. the Respondents have argued that the recent panel opinion of the 5th circuit in the *Buenrostro-Mendez v. Bondi* case held that the statue does not entitle people in the Petitioner's position to a bond hearing when they are detained pending removal.

24. However, the Petition is not arguing on the basis of statutory interpretation. The Petitioner is challenging the violation of his Constitutional Due Process Violation.

25. In *Marceau v. Noem*, No. 3:26-cv-237-KC, 2026 WL 368953, at *2 (W.D. Tex. Feb. 9, 2026) the Court states, "*Buenrostro-Mendez* has no bearing on this Court's determination of whether [a habeas petitioner] is being detained in violation of her constitutional right to procedural due process."

26. The petitioner is not challenging his immigration removal proceeding but he is challenging his procedural due process because he has not been given a bond hearing during which the government bore the burden of proof.

27. The Petitioner's detention violates the Fifth Amendment's Due Process Clause. The Fifth Amendment's Due Process Clause forbids the government to "deprive any person... of... liberty... without due process of law."

27. To determine whether there is a Procedural Due Process violation the supreme Court has applied the "Matthew" test, "to determine whether a civil detention violates a detainee's due process rights, courts apply the three-part test set forth in *Matthews v. Eldridge*, 424 U.S. 319, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976)." Martinez v. Noem, No. 5:25-cv-1007-JKP, 2025 U.S. Dist. LEXIS 174 415, 2025 WL 2598379, at *2 (W.D. Tex. Sep. 8, 2025).

28. The three-part test consists of (3) factors: (1) "the private interest that will be affected by the official action"; (2) "the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any of additional or substitute procedural safeguards"; (3) "the Government's interest, including the function involved and the fiscal and administrative burden that the additional or substitute procedural requirements would entail."

THE FIRST FACTOR:

29. The Petitioner has been living in the United States since 2017. Therefore he has acquired a liberty interest. "Freedom from imprisonment – from government custody, detention, or other forms of physical restraint – lies at the heart of the liberty [Due Process] Clause protects. *Zadvydas*, 533 U.S. at 690. In the case of *Dominguez v. Noem*, 2026 U.s. Dist. LEXIS 3031, the Court has stated, "Like many courts across the country dealing with similar circumstances, the Court finds Petitioner possess a strong liberty interest in his freedom from detention because he has established a life here – albeit without authorization."

30. The petitioner come to the U.S. in 2017 and has lived in D.C for 9 years. He attended Navciat Academy and after he graduated worked and got merry and started to support his wife with his autistic stepson.

THE SECOND FACTOR:

31. The Petitioner is faced with a substantial risk of erroneous deprivation of his interest in being free from arbitrary confinement pending resolution of his removal proceeding. The risk lies in the continued deprivation of liberty because the government is not affording the Petitioner his procedural due process in the form of a bond hearing. When the Petitioner requested a bond the immigration judge denied the bond without considering any of the factors that point to him not being a danger nor a flight risk. The Petitioner does not have a violent history and was denied a bond without reason. He is being deprived of liberty even though he has Fifth Amendment protection.

32. The value of additional safeguards in a form of a bond hearing is high given that it would allow an immigration judge to conduct a hearing to determine whether continued detention is necessary and/or allow the federal court to rule in favor of immediate release.

THE THIRD FACTOR:

33. The Petitioner does not have a violent history. The Petitioner is merry to a Lawful Permanent Resident. His life has been established in D.C for 9 years. The governments interest is generally protected by affording a bond hearing and/or supervision requirements.

34. Any fiscal or administrative burdens on the government's part would not be significant in contrast to the fiscal and administrative necessities entailed in detaining an individual. In the history of ICE and their procedures they have always conducted bond hearing and have allowed cases similar to the Petitioner's to be released on bonds and/or supervision requirements.

CONCLUSION:

35. The Petitioner has been detained unlawfully because he has been denied a proper bond hearing. He has not had an opportunity to show that he is not a danger to the community nor a flight risk. The immigration court has not give him a hearing, during which the gorvernment bore the burden of proof to show that the Petitioner is a danger to the community or a flight risk, and to determine whether he is suitable to be released on a bond and/or placed and does not pose a threat.

RELIEF SOUGHT:

Petitioner prays that this Court grant the followingfelief:

1) Assume jurisdiction over this matter;

2) Grant petitioner a writ of habeas corpus directing the Respondentsto immediately release petitioner from custody under reasanable conditions of supervision.

3) Order Respondentsto refrain from transfering the petitioner out of jurisdiction of the ICE El Paso SPC. director during the pendency of this proceding and while the petitioner remains in Respondents custody; and

4) Award prtitioner attorney's fee and cost under the Equal Access to Justice Act ("EAJA") as amended 5 U.S.C. § 504 and 28 U.S.C §2412 and on any other basic justified under law; and

5) Order Respondents to grant bond hearing for petitioner to fight his casa outside of ICE custody due to long time of being detained

6) Grant any other and futher relief that this Court deems just and proper.

I affirm, under penalty of perjury, that the foregoing is true and correct. Respectfully submitted this AUGUST - 17TH - 2026.

Alain Bidias-Sadjeu, *Pro Se*

A# [redacted]

El Paso SPC

8915 Montana Ave

El Paso, Texas 79925

CERTIFICATE OF SERVICE

[redacted]

I, Alain Bidias-Sadjeu, certify that a true copy of the above document (petitioner for writ of Habeas corpus) was served on AUGUST-17TH 2026, upon the following:

Western District Court of Texas

Albert Armendariz, Sr. United States Courthouse

525 Magoffin Avenue

Room 105

El Paso, Texas 79901

by placing a copy of the above in the mail system at the facility where I am detained.

Alain Bidas-Sadjeu, *Pro se*

A# [redacted]

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U.S. District Court

Texas Western - El Paso

Receipt Date: Aug 20, 2026 8:31AM

Alain Bidias-Sadieu
[redacted]

Rcpt. No: 4974 Trans. Date: Aug 20, 2026 8:31AM Cashier ID: #DACa (6582)

CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
202	Writ of Habeas Corpus		1	5.00	5.00

CD	Tender			Amt
MO	Money Order	#55309909059	08/20/2026	$5.00
			Total Due Prior to Payment:	$5.00
			Total Tendered:	$5.00

Comments: WRIT OF HABEAS CORPUS 3:26CV2165 Bidias-Sadjeu v. Blanche et al

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