JUDGE KATHLEEN CARDONE

RECEIVED

AUG 26 2026

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

UNITED STATES DISTRICT COURT

for the

Banegas-Ramos Yen Abner
Petitioner

v.

Secretary Markwayne Mullin
U.S. Attorney General
Todd Blanche
Respondent
(name of warden or authorized person having custody of petitioner)

EP26CV2216

Case No. _____
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: Banegas - Ramos Yen Abner
   (b) Other names you have used: _____
2. Place of confinement:
   (a) Name of institution: El Paso Processing Center
   (b) Address: 8915 Montana Ave, El Paso, TX 79925
   (c) Your identification number: A# [redacted]
3. Are you currently being held on orders by:
   ☒ Federal authorities ☐ State authorities ☐ Other - explain:
   Immigration and Customs Enforcement
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)*: _____

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: El Paso Processing Center 8915 Montana Ave, El Paso, TX 79925

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

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*: The Petitioner challenges the legality of his detention and Notice of Removal to Mexico

(d) Date of the decision or action: 08/20/2026

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: _____

(b) If you answered "No," explain why you did not appeal: I did not appeal the case before, because it's 1st time Habeas Corpus petition

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: N/A

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: July 24, 2026

(b) Date of the removal or reinstatement order: 09/12/2025 and 08/20/2026

(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 government must obtain the noncitizen during the 90-day removal period, which begins when the removal order becomes administratively final. Statutory Violation of 8 U.S.C. section 1231 (a) 2adujdas

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 Do not cite cases or law.)*:

The Petitioner's six-month period for presumptively reasonable detention has expired, Zadvydas and there is no significant likelihood of removal in the reasonably foreseeable future. The Goverment wrongful removed the Petitioner to Honduras on January, 2026 and brought him back on July, 2026 on parole.

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

☐ Yes ☑ No

GROUND TWO: No significant likelihood of removal in the reaseeable foreseeable future

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

There is no evidence that any country is willing to accept the Petitioner, but ICE was trying illegally, deport him to Mexico without any legal documents and ICE proved that there is no other countries that can accept the Petitioner

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

☐ Yes ☑ No

GROUND THREE:

(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:

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

(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:

Request for Relief

15. State exactly what you want the court to do: the petitioner prays to the Court the following relief: - order petitioner's immediate release from the custody; - declare that petitioner's detention violates the Fifth Amendment & U.S.C. section 1231(a) - release the petitioner on supervision if any of above reliefs cannot to be applied;

Declaration Under Penalty Of Perjury

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

August 24, 2026

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: 08/24/2026

Yen Abner Banegas Ramos

Signature of Petitioner

Signature of Attorney or other authorized person, if any

Hello,

My name is Banegas-Ramos Yen Abner, [redacted] Citizen of Honduras (A# [redacted]). My address is [redacted]

I am currently detained in El Paso Processing Center, Texas since 07/24/2026. I am respectfully requesting Your assistance regarding my prolonged immigration detention, my past deportation to Honduras.

I entered the United States in 2000 as a non-citizen and asked about Asylum at the age of 16. At the time of the entrance Petitioner provided evidences that he cannot to come back to his Country of Citizenship. Since 2000 Petitioner was legally working in the United States of America, filled Taxes and obtain necessary documents to live in the United States of America. On March 16, 2017 Immigration Court granted Deferral of Removal under the Convention Against Torture.

On July 24, 2025 ICE arrested Petitioner and put him in the custody. Since the arrest ICE never reviewed the case, even that on October 22, 2025 it was supposed to be 90 days review.

On January 5, 2026 ICE forced the Petitioner to be deported to Honduras, even that Petitioner never signed any deportation papers to be deported from the United States of America.
At the same date the Petitioner was deported to Honduras in violation of the Court Order from 03/16/2017.

On July 24, 2026 ICE brought the Petitioner back from Honduras to the United States of America on parole. The Petitioner requested many times to get copies all legal documents (including parole documents), but ICE never provided them to the Petitioner.

On August 20, 2026 ICE again attempted to serve to the Petitioner legal papers containing information regarding his deportation to Mexico, that Petitioner refused to sign.

During my staying in the country I have been working, the authorities provided me a valid Social **Security Number Card (SSN)** since 2017, and a **WORK PERMIT** and **driver license.** I have never had an immigration status as undocumented.

I have two kids who are Citizens of the United States of America. My older daughter is 21 years old is the Citizen of the United States of America. She is a college student and working legally. My other daughter is 8 years old. She is going to the school.

Since I came in the United States of America I worked at RVS.

During the time when I was not incarcerated I was a perfect example for my kids how to live the legal life in the United States of America, follow the Laws, pay taxes and be thankful to this Country for the opportunity to live here.

On July 24, 2025 ICE arrested me when I was released from prison in Indiana and they put me in the ICE custody. Since the arrest ICE had never reviewed my case, even that on October 22, 2025 it was supposed to be 90 days review.

On January 5, 2026 ICE forced me to be deported to Honduras, even that I have never signed any deportation papers to be deported from the United States of America.

At the same date I was deported to Honduras in violation of the Court Order from 03/16/2017.

[redacted]

On July 24, 2026 ICE brought me back from Honduras to the United States of America on the parole.

With all these circumstances, I am respectfully asking Your assistance with following reliefs:

- Please help me to figure out why ICE is continue to keep me in their custody for such a long period of time including my deportation back to Honduras and then bringing me back to the USA (I think it was illegal deportation);
- I am not trying to hide any information from ICE and DHS if they have any question regarding my case;
- My kids are Citizens of the United States of America;
- Why I can not to have an opportunity to be realized on Supervision;

If you need any further information please response to me please.

Yen A. Banegas Ramos

Sincerely, Banegas-Ramos, Yen Abner
A#[redacted]
El Paso Processing Center
8915 Montana
El Paso, TX 79925

Date:

Your Honor, I am sorry for the quality of my print outs, because in the detention facility we do not have an access to the printer with normal print and quality.

Yen A Banegas Ramos

[redacted]

U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

Alien Name: **Banegas-Ramos, Yen**

Alien Number (A #): [redacted]

Date: 09/12/2025

NOTICE OF REMOVAL

This letter is to inform you that U.S. Immigration and Customs Enforcement (ICE) intends to remove you to MEXICO.

CERTIFICATE OF SERVICE

I certify that, on today's date, the contents of this notice were read to Yen Banegas-Ramos in the Spanish language, and I served the alien a copy of this notice in person.

Signature of Alien

Date of Service

Deportation Officer
Title and Signature of ICE Official

Time of Service

Name or Number of Interpreter (if applicable)

U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

Alien Name (Nombre del extranjero): **Banegas-Ramos, Yen**

Alien Number (A #) (Numero de extranjero) [redacted]

Date (Fecha): 8.20.2026

AVISO DE DEPORTACIÓN

Esta carta le informa que Inmigración y Control de Aduanas de los Estados Unidos tiene la intención de deportarlo a **MEXICO.**

CERTIFICATE OF SERVICE

I certify that, on today's date, the contents of this notice were read to **Banegas-Ramos, Yen** in the **SPANISH** language, and I served the alien a copy of this notice in person.

refused to sign
Signature of Alien

8.20.2026
Date of Service

M Morgan DO
Title and Signature of ICE Official

10:30 AM
Time of Service

Name or Number of Interpreter (if applicable)

IMMIGRATION COURT
525 W. VAN BUREN, SUITE 500
CHICAGO, IL 60607

In the Matter of: Case No: [redacted]

BANEGAS-RAMOS, YEN ABNER

Applicant IN WITHHOLDING-ONLY PROCEEDINGS

On Behalf of the Applicant On Behalf of the DHS

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on Mar 16, 2017 and is issued solely for the convenience of the parties. If the proceedings should be appealed or reopened, the oral decision will become the official opinion in the case.

ORDER: It is hereby ordered that the applicant's request for:

[ ] 1. Withholding of Removal under INA 241(b)(3) is:
- [ ] Granted
- [ ] Withdrawn
- [ ] Denied

[ ] 2. Withholding of Removal under the Convention Against Torture is:
- [ ] Granted
- [ ] Withdrawn
- [ ] Denied

[✓] 3. Deferral of Removal under the Convention Against Torture is granted.

Date: Mar 16, 2017

KATHRYN L. DEANGELIS
Immigration Judge

APPEAL: NO APPEAL
APPEAL DUE BY: 4/17/17

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: [ ] ALIEN [ ] ALIEN [illegible]

Attachments: [ ] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other

05

[redacted]

Enforcement and Removal Operations

U.S. Department of Homeland Security
101 Ida B Wells Drive
Chicago, IL 60605

U.S. Immigration and Customs Enforcement

[redacted]

Banegas-Ramos, Yen
c/o Immigration and Customs Enforcement
Chicago Field Office

Notice to Alien of File Custody Review

You are detained in the custody of U.S. Immigration and Customs Enforcement (ICE) and you are required to cooperate with ICE in effecting your removal from the United States. If ICE has not removed you from the United States within the removal period as set forth in INA 241(a) (normally 90-days of either: 1) your entering ICE custody with a final order of removal, deportation or exclusion, or 2) the date of any final order you receive while you are in ICE custody), ICE's Deciding Official will review your case for consideration of release on an Order of Supervision. Release, however, is dependent on your demonstrating to the satisfaction of the Attorney General that you will not pose a danger to the community and will not present a flight risk.

Your custody status will be reviewed on or about October 22, 2025. The Deciding Official may consider, but is not limited to considering the following:

1. Criminal convictions and criminal conduct;
2. Other criminal and immigration history;
3. Sentence(s) imposed and time actually served;
4. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
5. Probation history;
6. Disciplinary problems while incarcerated;
7. Evidence of rehabilitative effort or recidivism;
8. Equities in the United States;
9. Cooperation in obtaining your travel document.
10. Any available mental health reports.

You may submit any documentation you wish to be reviewed in support of your release, prior to the date listed above, to the attention of the Officer and address below. English translations must be provided pursuant to 8 CFR 103.2(b)(3). An attorney or other person may submit materials on your behalf. The deciding official will notify you of the decision in your case. Attached to this notice is a list of free or low cost legal representatives who may be able to provide assistance to you in preparing your case.

Office of Enforcement and Removal Operations

U.S. Department of Homeland Security
11541 Montana Avenue, Suite E
El Paso, TX 79936

U.S. Immigration and Customs Enforcement

Banegas-Ramos, Yen
c/o Immigration and Customs Enforcement
El Paso Field Office

[redacted]

Notice to Alien of File Custody Review

You are detained in the custody of U.S. Immigration and Customs Enforcement (ICE) and you are required to cooperate with ICE in effecting your removal from the United States. If ICE has not removed you from the United States within the removal period as set forth in INA 241(a) (normally 90-days of either: 1) your entering ICE custody with a final order of removal, deportation or exclusion, or 2) the date of any final order you receive while you are in ICE custody), ICE's Deciding Official will review your case for consideration of release on an Order of Supervision. Release, however, is dependent on your demonstrating to the satisfaction of the Attorney General that you will not pose a danger to the community and will not present a flight risk.

Your custody status will be reviewed on or about 10/11/2026 . The Deciding Official may consider, but is not limited to considering the following:

1. Criminal convictions and criminal conduct;
2. Other criminal and immigration history;
3. Sentence(s) imposed and time actually served;
4. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
5. Probation history;
6. Disciplinary problems while incarcerated;
7. Evidence of rehabilitative effort or recidivism;
8. Equities in the United States;
9. Cooperation in obtaining your travel document;
10. Any available mental health reports.

You may submit any documentation you wish to be reviewed in support of your release, prior to the date listed above, to the attention of the Officer and address below. English translations must be provided pursuant to 8 CFR 103.2(b)(3). An attorney or other person may submit materials on your behalf. The deciding official will notify you of the decision in your case. Attached to this notice is a list of free or low cost legal representatives who may be able to provide assistance to you in preparing your case.

Banegas-Ramos, Yen [redacted]

PROOF OF SERVICE

(1) Personal Service (Officer to complete both (a) and (b) below.)

(a) I Mercier (Name of ICE Officer), Deportation Officer (Title), certify that I served Banegas-Ramos, Yen (Name of detainee) with a copy of this document at EPC (Institution) on 6.8.26 (Date), at 1:00 PM (Time)

(b) I certify that I served the custodian _____ (Name of Official), _____ (Title), at _____ (Institution), on _____ (Date) with a copy of this document.

OR

(2) Service by certified mail, return receipt. (Attach copy of receipt)

I _____ (Name of ICE Officer), _____ (Title), certify that I served _____ (Name of detainee) and the custodian _____ (Name of Official), with a copy of this document by certified mail at _____ (Institution) on _____ (Date).

Detainee Signature: [signature] Date: 6.8.2026

☐ cc: Attorney of Record or Designated Representative
☒ cc: A-File