

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ESTEFANY MARIA RODRIGUEZ FLORES,)
)
Plaintiff,)
)
v.)
)
Scott LADWIG, Field Office Director of)
Enforcement and Removal Operations, New)
Orleans Field Office, Immigration and)
Customs Enforcement; Kristi NOEM,)
Secretary, U.S. Department of Homeland)
Security; DEPARTMENT OF HOMELAND)
SECURITY; ICE ENFORCEMENT &)
REMOVAL OPERATIONS, Nashville Field)
Office.,)
)
Defendants.)

Case No. 3:26-cv-00247
Judge Richardson
Magistrate Judge Holmes

**RESPONDENTS' PRELIMINARY RESPONSE TO THE
EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS**

Respondents, by and through the undersigned counsel, submit this preliminary response to the Emergency Petition for Writ of Habeas Corpus pursuant to this Honorable Court's order. (D.E. 6). Petitioner, on March 4, 2026, filed this petition that included in the heading "Emergency," and alleged that she was taken into custody without a warrant. That is simply not true. Respondents submit that Petitioner was arrested pursuant to a valid arrest warrant, lawfully detained and she has clearly misrepresented facts in her petition. Therefore, Respondents oppose the petition and ask that it be denied.

Petitioner, a citizen of Columbia not in possession of valid immigration documents, was arrested on March 4, 2026, pursuant to a valid arrest warrant, and subsequently served with a Notice to Appear. (See Exhibit A, Form I-200, Warrant for Arrest of Alien; Exhibit B, Form I-213, Report of Deportable/Inadmissible Alien). She is currently lawfully detained in the Etowah

County Jail where she was allowed to contact her lawyer after being processed. (*Id.*) At the time of arrest, Petitioner’s authorization to stay in the United States on her B2 visa was expired. Her reference to an asylum application or work permit (D.E. 1) does not negate the fact that she is an undocumented alien and should be detained pending a bond hearing which she has not yet requested at the filing of this response. Petitioner repeatedly represents that she was subjected to a “warrantless arrest;” however, that is not correct. (D.E. 1). The Warrant for her Arrest as an Alien was issued on March 2, 2026, two days prior to her arrest. (*See* Exhibit A, Form I-200). The arrest warrant clearly indicates the cause for her arrest. (*Id.*) She was even later provided with a Notice of Rights and Advisals. (*See* Exhibit C, Form I-826). Petitioner has unlawfully remained in the United States since at least September 9, 2021. During her arrest, she was advised of the reasons for being removable. (*See* Exhibit B, Form I-213).

Pursuant to 8 CFR § 287.5(c), (e)(2), immigration officials have the authority to issue arrest warrants. On a warrant issued by the Attorney General, an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States. 8 U.S.C. § 1226(a).

Respondents submit that Petitioner’s arrest and detention are not in violation of any laws or regulations. She has not even requested a bond hearing. *See* 8 C.F.R. 1003.19(b) (“Application for an initial bond redetermination by a respondent, or his or her attorney or representative, may be made orally, in writing, or, at the discretion of the Immigration Judge, by telephone.”)

Therefore, Respondents ask that Petitioner’s “Emergency” petition be denied.

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Respectfully submitted,

BRADEN H. BOUCEK
United States Attorney
Middle District of Tennessee

s/ Mercedes C. Maynor
MERCEDES C. MAYNOR, BPR #013330
Assistant United States Attorney
719 Church Street, Suite 3300
Nashville, TN 37203
Telephone: (615) 736-5151
mercedes.maynor@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2026, a copy of the foregoing was filed electronically. A copy will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, a copy was sent by United States First Class Mail, postage prepaid, to the following:

Joel Hugh Coxander MIRA Legal 486 Bell Road, Suite B Nashville, TN 37217	Julio Quiroz Colby Tennessee Immigrant & Refugee Rights Coalition 3310 Ezell Road Nashville, TN 37211
Michael C Holley The Law Office of Michael C. Holley 922 Main Street, Suite C-161 Nashville, TN 37206	

s/ Mercedes C. Maynor
MERCEDES C. MAYNOR
Assistant United States Attorney