

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

FREDERICO ABREU,

A 

Civil Action No. 25-20821-CIV-MD

Petitioner.

v.

ZOELLE RIVERA, in her official capacity as
ASSISTANT FIELD OFFICER DIRECTOR
KROME PROCESSING CENTER
PAM BONDI, in her official capacity as
ATTORNEY GENERAL; KRISTI NOEM, in
her official capacity as SECRETARY OF THE
DEPARTMENT OF HOMELAND SECURITY;
CALEB VITELLO, in his official capacity as
DIRECTOR OF UNITED STATES
IMMIGRATION AND
CUSTOMS ENFORCEMENT,

Respondents.

**PETITIONER FREDERICO ABREU'S MOTION TO SUPPLEMENT THE RECORD
OF PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241**

Petitioner Federico Abreu files this Motion to Supplement the Record for his Petition for Writ of Habeas Corpus and in support states:

Petitioner Federico Abreu filed his reply to Respondents' response to his petition for writ of habeas corpus on March 27, 2025. Mr. Abreu asserted that Respondent attached a different and incomplete NTA to its response. This NTA asserted that Mr. Abreu was originally charged with removability solely pursuant to Section 237(a)(2)(B)(i), 8 U.S.C. § 1227(a)(2)(B)(i), of the INA as an alien convicted of a controlled substance violation.

Mr. Abreu demonstrated that the correct NTA issued on September of 2013 charged him with removability pursuant to Section 237(a)(2)(B)(i), 8 U.S.C. § 1227(a)(2)(B)(i), of the INA as

an alien convicted of a controlled substance violation and Section 237(a)(2)(A)(iii), 8 U.S.C. § 1227(a)(2)(A)(iii), as an alien convicted of an aggravated felony.

Additionally, Mr. Abreu established that Respondent's response included a superseding NTA dated March 13, 2025 (2025 NTA) as its Exhibit "U" charging him with removability pursuant to Section 237(a)(2)(B)(i), 8 U.S.C. § 1227(a)(2)(B)(i), of the INA as an alien convicted of a controlled substance violation and Section 237(a)(2)(A)(iii), 8 U.S.C. § 1227(a)(2)(A)(iii), of the INA as an alien convicted of an aggravated felony. The charges described in the 2025 NTA are identical to those contained in the 2013 NTA.

On April 1, 2025, Mr. Abreu had a Master Hearing before Immigration Judge Christina Martyak at Krome Immigration Court in Miami, Florida. *See* Immigration Court Master Hearing Transcript attached as Exhibit "A". During this hearing, the Immigration Judge made a factual determination that the allegations and charges in the 2025 NTA are identical to those in the 2013 NTA. This is a critical fact that supports Petitioner's legal arguments and should be made part of the official record for full and fair adjudication of his petition.

The confirmation by the Immigration Judge directly impacts the adjudication of the petition because it confirms that the government reviewed Mr. Abreu's risk of failing to attend his removal proceedings and whether he posed a danger to society three times by two different agencies. In all three instances, the government found that Mr. Abreu was neither a flight risk, nor a danger to the community. A failure to include this evidence in the record may lead to an incomplete consideration of the facts and potential prejudice against Mr. Abreu.

WHEREFORE, Petitioner Frederico Abreu respectfully requests that this Court grant his Motion to Supplement the Record.

Date: April 4, 2025

Respectfully submitted:

/s/ Louize Fiore

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-and-

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