

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA**

**COLUMBUS DIVISION** FILED '25 MAG 1 AM 8:03 MDCR-COL

HERMAN FLORES,

Petitioner,

**Case No.: 425-CV-70-CDL-AGH  
28 U.S.C Section 2241**

v.

WARDEN, STEWART DETENTION CENTER,

Respondent.

**Petitioner's Response Respondent Motion To Dismiss**

Now Comes HERMAN FLORES, the Petitioner, pro se, hereinafter respectfully move this honorable Court to denied respondents motion to dismissed and grant the petitioner relief. Petitioner support the facts as follows:

**Background**

The Petitioner herein incorporates as background in the respondent motion to dismiss as his entire background

**Argument**

The respondent argues that the petitioner petition should be dismiss for two reason. First, "the Petitioner's *Zadvydas* claim is premature on its face because he has not been detained post-final order of removal for six months."

Second, “even assuming Petitioner could state a claim for relief under *Zadvydas* - which he cannot- he fails to show that he is entitled to relief.”

**Petitioner's Petition Should Not Be Dismissed As Premature Under *Zadvydas***

As per the Respondent first reason – Petitioner entered ICE /ERO custody in August 2, 2024. and was ordered removed on September 9, 2024, therefore Petitioner post-final order of removal date commenced on September 9, 2024. Petitioner filed his writ of habeas corpus claim on February 24, 2025 five months and fifteen days after he was ordered removed and thirteen days short of six months pursuant to *Zadvydas*. The Petitioner's six-month presumptively reasonable detention period under *Zadvydas* ended on or about March 9, 2025 before the Respondent filed his response to the Petitioner's Writ of Habeas Corpus pursuant to 28 U.S.C. Section 2241 and after Petitioner filed his response to the Respondent's response. Therefore, the Respondent did not suffer any prejudice. In other words the Respondent was allowed the fair opportunity of six months to address and respond to the Petitioner's Motion.

**Petitioner Is Entitled To Relief Under *Zadvydas***

Petitioner has been detained for an unreasonably prolonged period after his order of removal became final, and, for this reason, should be “discharged from his unconstitutional immigration confinement.”

Accordingly, the Supreme Court recognized that a six-month detention was "presumptively reasonable" under the statute. *Id.* at 689. For the detention to remain reasonable, "as the period of prior

post-removal confinement grows, what counts as the 'reasonably foreseeable future' conversely would have to shrink." *Id.* This presumption applies uniformly to all categories of aliens covered by section 1231. *See Tran v. Mukasey*, 515 F.3d 478, 482 (5th Cir. 2008) (citing *Clark v. Martinez*, 543 U.S. 371, 378, 125 S. Ct. 716, 160 L. Ed. 2D 734 (2005)). However, the Supreme Court noted that this presumption does not mean that every alien must be released after six months. *See Zadvydas*, 533 U.S. at 689.

After the presumptively reasonable six-month period expires, aliens can attack the reasonableness of their detention by providing "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.*; *Andrade v. Gonzales*, 459 F.3d 538, 543 (5th Cir. 2006). As such, aliens bear the initial burden of proof. *See Andrade*, 459 F.3d at 543-44. To meet this burden, aliens must allege sufficient evidence establishing "that there is no significant likelihood of removal in the reasonably foreseeable future," and not merely offer conclusory statements suggesting that removal will not occur immediately following the resolution of their appeals. *Id.* (citing *Zadvydas*, 533 U.S. at 701). Once the alien makes that showing, "the Government must respond with evidence sufficient to rebut [it]." *Zadvydas*, 533 U.S. at 701.

Here, Petitioner has been in Respondents' custody beyond the presumptively reasonable six-month period of detention. Petitioner's prolonged detention of over six months in ICE custody violates his constitutional rights because his removal is not reasonably foreseeable. Accordingly, Petitioner seeks release from custody, or, at the very least, an individualized hearing to determine his custody status. 28 Pet. at 13; Resp. 6, 11.

Since August of 2024 Petitioner has been diligently putting forth the effort to assist ICE/ERO in

obtaining is travel document and have been adamant as to why ICE/ERO have not yet receive his travel document. Petitioner emailed his ICE Officer(s) on numerous occasions in quest of obtaining his travel document.

Petitioner emailed his ICE Officer Addison on August 7, 2024 Time: 18: 59: (Summary of Request) "I need your help". "So. Hi, I need your help me with my deportation process as you know I want to go back home soon – anything you can do for me or you need from me please . Let me know. Appreciate." ICE Officer Mr. Addison respond on August 8, 2024, Time 8:48 (Conformation # [REDACTED]): " Your case just arrived. We need your passport. If you do not have it, we will have to fill out an application and apply for you to enter into your country."

Petitioner emailed his ICE Officer Addison on August 8, 2024 Time: 09:59, (Summary of Request) "I wish to get deported fast as possible to my country can you please help me." On August 09, 2024 Time 18:19 (Conformation # [REDACTED]) Mr. Addison respond to Petitioner: "Your case being prepared for removal."

On August 8, 2024, Time 10:06 Petitioner emailed his ICE Officer: "I never had a passport in my life but I my ID number [REDACTED]." On August 8, 2024, Time 18:19 (Conformation # [REDACTED]) ICE respond: "your case is being prepared for removal."

Petitioner emailed his ICE Officer On August 13, 2024, 26, Time 11:07: (Summary of Request: "Need travel document") "Hello Addison. This is Herman Flores. I Just want to let you know something. I don't have passport and I think I need travel document so can you contact with my embassy? I can share with you my information. My country no Nicaragua and my ID number:

[REDACTED] and my full name is Herman Delston Flores prudo I born [REDACTED]. please contact with my embassy as soon as possible and if you need anything else please keep posted me thank you!" On August 13, 2024 Time 15:55 (Conformation # [REDACTED]) Mr. Addison respond to Petitioner: "you are from costa rica"

Petitioner emailed his ICE Officer On August 14, 2024, Time 10:06 (Conformation # [REDACTED]): "Need travel document I from Nicaragua please my hold family is Nicaragua mother sister grandmother and father I don't have family Costa Rica my wife is form children Nicaragua thanks you sir." NO RESPONSE

Petitioner emailed his ICE Officer On August 17, 2024, Time 12:23 ([REDACTED]): "Good day Mr. Addison it was 9 person on the boat 6 cost arica and 3 Nicaragua so their we're the error made so please understand I is from Nicaragua all my friend their thanks you for understand me. I need to get back home soon please help me" (NO RESPONSE)

Petitioner emailed his ICE Officer On August 20, 2024, Time 19:08: "Can you please give me a date when I can leave this place and get sent home as soon as possible or can you tell me wat is the problem wy I'm still bing held hear please let me know and tell me something". On August 29, 2024, Time 09:48 (Confirmation # [REDACTED]) Mr. Addison response emailed the Petitioner: "you have to a document and your case has to arrive to me. If I need something I will contact you".

Petitioner emailed his ICE Officer On August 22, 2024, Time 10:54: "I never had a documents only I'd this is my [REDACTED] that's my Nicaragua's identification can you use this so I can get home soon I never had a pass port in my life this is the first time I travel from my country" On August

no documents please be prepared to wait as your country will have to verify this”

Petitioner emailed his ICE Officer On August 28, 2024, Time 10:42 (Summary of Request: Mr. Maurice”) “Mr. maurice I wants to get back to my country soon as possible I from Nicara this is my I'd number [REDACTED] I never have one passport first time out from my country born the first of August all my family there my wife Mom father brother sister and grandmother so please help me I already send my hair I never see my counsel”. On August 28, 2024, Time 15:37 (Confirmation # [REDACTED]) Mr. Murice response emailed the Petitioner: “Right now your deportation officer is working your case and working on getting a travel document from your country. Once a travel document is issued by your country, you will be deported to your country.”

Petitioner emailed his ICE Officer On August 28, 2024, Time 15:49 (Summary of Request: Mr. Maurice”) “ On August 28, 2024, Time 16:50 (Confirmation # [REDACTED]) Mr. Murice response emailed the Petitioner: “You are welcome.”

Petitioner emailed his ICE Officer On September 03, 2024, Time 17:15 (Summary of Request: “Good day friend”) “Mr. Murice with all respect why it is I still in jail when I spen my time already please look out for me you know when a father don't around there family things go bad you is a father too you most no WHO life goes I have a bad day to day hearing my children on the roads please deport me to my country back please so I could get back my family together”. Petitioner emailed his ICE Officer On September 04, Time 14:28 (Confirmation # [REDACTED]): “officer Maurice is not your officer. I told you that you require a travel document. You have given me no cedula number or information at all concerning this”

Petitioner emailed his ICE Officer On September 05, 2024, Time 09:48: "O.K. I already send my cedula number this is it [REDACTED] cedula number please help me I need to get back to my country this is my Bron day the [REDACTED] thanks you please understand me". On September 06, 2024, Time 09:37 (Confirmation # [REDACTED]) Mr. Addison response emailed the Petitioner: "Your request is being processed."

Petitioner emailed his ICE Officer On September 06, 2024, Time 11:10 (Summary of Request: "It is wrong writing you all sorry about it just deported me that is all I want thanks you.") "Good morning Mr. Addison WHO long it take me to get my travel document my friend we're I get lock upwith the same time them get deported to Nicaragua, September. The 19 why I still hair I spen all my jail time already please deport me back to Nicaragua please deported me asking you send me back I need to get to my family soon as you could help me thanks you". On September 08, 2024, Time 16:31 (Confirmation # [REDACTED]): "Mr. Addison response emailed the Petitioner: "you case is currently being reviewed."

Petitioner emailed his ICE Officer On September 17, 2024, Time 17:28: "Good day you could Tell me when my update for live or left form this place I passed Mount already in her I just asking when I well get deported to Nicaragua my years and years already passes deport me man or Mr thanks you all". On September 19, 2024, Time 15:16, (Confirmation # [REDACTED]): "Mr. Addison response emailed the Petitioner: "Your request is being processed."

Petitioner emailed his ICE Officer On September 28, 2024, Time 8:00 (Summary of Request: "Please give me a time even that I getting deported back to my country so I could see my family soon thanks you office"). "Sorry I for get my ID number [REDACTED] please give news my family

needs me a last thanks you for understanding me". On September 28, 2024, Time 08:00, (Confirmation # [REDACTED]): "Mr. Addison response emailed the Petitioner: "There was a storm and there may have been a delay in your response. The officers are working on your case Please submit one request so that the officer can attend to the others."

Petitioner emailed his ICE Officer On October 09, 2024, Time 11:20: "Wen will be my deportation please let me know I fell I'm being held against my will and wish to be deported". On October 9, 2024, Time 11:50, (Confirmation # [REDACTED]): "Mr. Addison response emailed the Petitioner: "we are waiting for Costa Rica to verify your Citizenship".

Petitioner emailed his ICE Officer On October 10, 2024, Time 19:02: "Officer good day I not from cost arica I from Nicaragua all my family's I s from Nicaragua I don't have no one in Costa Rica so please understand me and get me a travel documents for Nicargua my I'd number [REDACTED] my full name Herman Flores prudo Bron [REDACTED] my family's need me alost so please understanding me and deport me soon as you can I done spend! Y prison time". On October 11, 2024, Time 09:42, (Confirmation # [REDACTED]): "Mr. Addison response emailed the Petitioner: "I will process this".

Petitioner emailed his ICE Officer On October 10, 2024, Time 19:15 (confirmation # [REDACTED]): "I am a citizen of Nicaragua not cost arica my grandmother father sister brother and rest of my family from Nicaragua not me from cost arica no mistake why you all telling me that place deport me officer you could give me a date for my flight please thanks you all for understanding me".  
No Response.



On September 19, 2024, Time 15:16, (Confirmation # [REDACTED]): "Mr. Addison response emailed the Petitioner: "

On October 17, 2024, Time 09:20 (Summary of Request" To Mr. Maurice) "Good morning mr. maurice I already get my papers works saying I most deported months so I asking you to please Tell me something sr so please help get me travel documents so I could get back to my family soon!" On October 17, Time 09:30 (Confirmation # [REDACTED]) "You consulate has been given you packet we are waiting for a document."

On October 17, 2024, Time 12:40 Petitioner emailed ICE Officer Maurice, (Summary of Request: "To Officer Maurice): "Officer Maurice thank you for yor help on you tell me how long it will take to get my travel documents if you need help let me know please". On October 17, 2024, Time 13:06 (Confirmation # [REDACTED]) Mr. Maurice: "I am unsure at this time".

On October 23, 2024, Time 16:20: Petitioner emailed Mr. Maurice: "what's good news you have for me". On October 24, 2024, Time 08:00, (Confirmation # [REDACTED]): "Mr. Maurice is not your DO. Your application is being reviewed by your consulate emailed the Petitioner:"

On October 31, 2024, Time 08:53 Petitioner emailed his ICE Mr. Addison: "Good morning Mr. Addison you are my deportation officer please looks out for me I don't spend my time already I need to get back to my country Nicaragua to my family my family needs me alost so please understand me thanks you for your day". On November 01, 2024, Time 12:32, (Confirmation # [REDACTED]): "Then you need to call your consulate and complain. Until they issue a travel document, nothing ICE can do."

On November 02,, 2024, Time 09:45 Petitioner emailed his ICE Mr. Addison: "Good morning officer please call johanie prudo Martin her number 305 417 1556 so she well contact you true email and get by with my consulate thanks you for your fever." On November 04, 2024, Time 10:51(Confirmation # [REDACTED]) Mr. Addison emailed the Petitioner : "Your document has been denied by the consulate they state you are not from Nicaragua."

On November 04, 2024, Time 16:38 (Summary of Request: "Herman Flores my time up".)  
"Good morning officers please give me my consuls number from Nicaragua so their could no way my mother father sister brother hold family form Nicaragua my id number [REDACTED] I Born [REDACTED] [REDACTED] my full name Herman Delston Flores prudo tell my consuls stop play and look out for me please if any disrespected words sorry about it I need to get to my family in Nicaragua thanks you".  
"On November 05, 2024, Time 07:51(Confirmation # [REDACTED]) Mr. Addison emailed the Petitioner :  
"I will pass this along to them".

On November 12, 2024, Time 15:50 Petitioner emailed his ICE Mr. Addison (Summary of Request: "Officer addison that my home that we're live sends me back there please".): "Sir I signed my final order of deportation on July 16 at buner north Carolina and left from their on 08/2/2024 and got here on 8/16/2024 so I've bin here over three months already so pleas expedite my deportation to Nicaragua". On November 12, 2024, Time 15:55 (Confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "Nicaragua will not accept you."

On November 04, 2024, Time 18:03, (Conformation # [REDACTED]) Petitioner emailed his ICE Mr. Addison: "Officers ice please pass this information to my consuls I have two panga register in Nicaragua one name take time more than 19 years the next one name one day 4 year I work for the

company cafe fishermen lobsters my wife lovania leban Carlos my son [REDACTED] I have my wife 21 year my mother Katrein prudo Howard my father Herman Flores their well fine me please help me out my person time pass my family needs me Alost thanks you for passed my information". NO RESPONSE.

On November 07, 2024, Time 11:30, Petitioner emailed his ICE Mr. Addison: "Morning officer ice you told me my consulate denied my document my mother already Rich the consulate form nicaragua. Their are waiting on your request so please touch them back for me please the sonsulate have all my document and infromation their in Nicaragua wait on you all thanks you have a nice day". On November 08, 2024, Time 07:55 (Conformation # [REDACTED]) Mr. Addison emailed Petitioner: "Your request is being processed."

On November 12, 2024, Time 13:29, Petitioner emailed his ICE Mr. Addison: "Good day Mr. Addison you are deportation officer please look out for me I have 102 day hair already if you not please give my deportation officer name and number so I can communicate with him? I'm not hear on my own will was brought here thanks you." On November 12, Time 13:45 (confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "your final order date is currently day 64. Please advise if you have a place to stay and phone number so ICE can add that to your file".

On November 12, 2024, Time 20:16, Petitioner emailed his ICE Mr. Addison: "So I can give an address here in the U.S. and will I be release soon?" On November 13, Time 07:55 (confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "Yes after your case is review I need a phone number too".

On November 12, 2024, Time 18:53 Petitioner emailed his ICE Mr. Addison: "How long do you plan to keep me here? Than wy not have the coast gard take me back to were they picked me up in the Pacific ocean? Please contact my consulate form Nicaragua if I born and growth in Nicaragua why I not from Nicaragua?" On November 13, Time 07:58 (confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "Your govt. denied your document"

On November 13, 2024, Time 09:45, Petitioner emailed his ICE Mr. Addison: "OK my adress here in the U.S. is [REDACTED] Alejandro Nelson # [REDACTED]" On November 13, Time 10:17 (confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "received thank you"

On November 13, 2024, Time 16:23 Petitioner emailed his ICE Mr. Addison: "God know every one reason thanks you all to helping me out have a nice day sr." NO RESPONSE"

On November 14, 2024, Time 11:54, Petitioner emailed his ICE Mr. Addison: "Officer please write name correctly for me it is Herman Flores it is not Flores, I don't no were flores comes from Flores. my Full name is Herman Delston Flores prudo." On November 14, 2025, Time 15:03 ( Confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "ICE has the correct name listed".

On November 14, 2024, Time 21:06, Petitioner emailed his ICE Mr. Addison: "Officer ice my mom the rest off family riched my consuls from Nicaragua again you all have my name spel incorrect my consuls waiting and your request call my consuls from miami and please give my information from this place so they will find me CU.S my family is waiting to hear from you or pleas give me your phone number so they can communicate with you? Pleas". On November 18, 2025, Time 09:45( Confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "I will resubmit a request".

On November 25, 2024, Time 17:57 Petitioner emailed his ICE Mr. Addison: "Officer ice you have my mother up and down like fool the consul's form Nicaragua say you all don't send no request to them I and Nicaragua my name there is the sistum. My mother is tired of going to immigration she is sick and did pleas dont lie to me first you told me strom was keeping me from leaving and now I'm tired pleas give me results." On November 25, 2025, Time 07:32 ( Confirmation # [REDACTED]) Mr. Addison emailed Petitioner: "Your consulate has our request we sent to them."

On November 26, 2024, Time 17:08 Petitioner emailed his ICE Mr. Addison: "Officer can you please give me the phone number of consulate that you are giving my file to so my family can call and have clear communication? I wish to speed up my deportation." On November 26, Time 17:44 (Confirmation # [REDACTED]), Mr. Addison emailed Petitioner "Have them contact the consulate in Miami your request was uploaded on the 21<sup>st</sup>"

On December 04, 2024, Time 11:45, Petitioner emailed his ICE Mr. Addison: "Good morning office ice my mother already have were the consul's form Miami and Nicaragua there Singh the pepper last month so look out for me please send me home." On December 04, 2024, Time 15:03 ([REDACTED]) Mr. Addison emailed Petitioner: "I have contacted your consulate concerning a document and am waiting on a reply. Should they not issued I need and address and phone number in the united states where you will live."

On December 04, 2024, Time 21:04 Petitioner emailed his ICE Mr. Addison: "Officer the consuls in Miami already accept me and the Nicaragua consuls too my mother have papper we're their Singh it so don't fighting to in united States I just need my deportation first you told me their denied my documents now you telling me story and story why me? Please keep my name correct I finished my


time already thank you". On December 05, 2024, Time 09:20 ( Confirmation # [REDACTED] ) Petitioner emailed his ICE Officer Mr. Addison (Request Summary of Request: Oh it hurt) "Who his your document then if your mother has your document you need to send it to me."


On December 12, 2024, Time 13:27 emailed Petitioner Mr. Addison: "Your rasere email last week papper we're sent to you I don't wont to be stuck in th U.S. pleas send me home my family already contact the cunsul and they told them I was expected their so pleas remove me". On December 12, 2024, Time 14:32 ( [REDACTED] ) Mr. Addison emailed Petitioner: "I can not demand a document from them. Your family can since you are a citizen of Nicaragua."


On December 12, 2024, Time 10:44 Petitioner emailed Mr. Addison: "Good morning Mr. Addison you get my email last weeks all asking for you please deport me to my country I have a family not their my children getting on the road you no who that field I hearing my children on the road Nicaragua emigration accept city sing form Nicaragua right now you telling me things we're I don't believe all I asking to get deported so I could get to my family soon please deport me with all respect thanks you". On December 12, 2024, Time 13:04 ( [REDACTED] ) Mr. Addison emailed Petitioner: "Please have your family keep contacting the consulate".

On December 13, 2024, Time 10:27 Petitioner emailed Mr. Addison: "Good morning Addison you can not demand documents but you have right to tell my consuls in miami I have going five months hear now. And you also have the right to get me a travel documents you are my deportation officers remember I never wanted to come in the united states the u.s. coast guard brought me here God helps and strength have a happy Christmas with your family by the strength of God ICE will release me one day happy Christmas to everyone". On December 13, 2024, Time 11:04 ( Conformation # [REDACTED] ) Mr. Addison emailed Petitioner: "I have checked again today and a document has still not

been issued”.

On January 06, 2025, Time 09:31 Petitioner emailed Mr. Addison: “Good morning Mr. Addison I going 6 months here now I well want to get back to my country to my family some night I don't no if my children eat or drink there before there get to bed I love my children them please deported me all I asking my deportation please thanks you”. On January 06, 2025, Time 10:27 (Conformation # ) Mr. Addison emailed Petitioner: “I do not have a document so I have to do a custody review for you I am going to recommend release and send it to my supervisor is the address in Miami still valid?”

On January 09, 2025, Time 09:47 Petitioner emailed Mr. Addison: “ Yeah sr that is the address where I give you already it is right thank you”. On January 10, 2025, Time 12:10 (Conformation # ) Mr. Addison emailed Petitioner: “Request received”.

On January 30, 2025, Time 11:17 Petitioner emailed Mr. Addison: “Good morning Mr. Addison you don't letting me no update about my case what going and with my case I have my wife and children out there needs me I done me jail time already all I asking is to please deport me to my country I done fighting to bein America with all respect”. On January 30, 2025, Time 14:21 (Conformation # ) Mr. Addison emailed Petitioner: “I am waiting for your custody review to come back from Atlanta.”

On February 06, 2025, Time 13:43 Petitioner emailed Mr. Addison: “A week pass and I don't her nothing yet remember my 6 months up so please looks out for me Mr. Addison ice say after 180 day their got right to release you or deported you to your country so all asking is my deportation please”.

On February 11, 2025, Time 07:25( Conformation # [REDACTED]) Mr. Addison emailed Petitioner: "Your travel document is pending travel and awaiting arrival."

On February 20, 2025, Time 10:57 Petitioner emailed Mr. Addison: "Good morning mr. Addison you telling me things were I don't understand all I want to here went I getting my deportation I already pass my time heir. With all my respect". On February 21, 2025, Time 18:36 ( Conformation # [REDACTED]) Mr. Addison emailed Petitioner: "You were already, awaiting travel documents arrival."

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On February 28, 2025, Time 11:37 Petitioner emailed sddo Jackson: "Sir my deportation officer is telling me that he's waiting on you for my deportation papers. I've bin here over 6 months and I want to get deported wy am I sill here? Can you pleas get me out of here please? I'm not fighting to stay here my family is needing me home." On March 01, 2025, Time 09:26 (Conformation# [REDACTED]) ICE/ERO Mr. sddo Jackson emailed Petitioner: " Your travel docs have been put on hold and we are waiting for confirmation once that is complete the process of getting you removed will being you have been told this numerous times."


On March 13, 2024, Time 18:58 Petitioner emailed ICE Officer Mr. Carter: "you email is not working so please check it Gabriel e ice dhs. Gov I trying to send my paper work to you". On March 13, Time19:58 (Conformation # [REDACTED]) ICE Officer Gabriel Carter was replaced as my new ICE officer. Officer Gabriel Carter emailed Petitioner." "Gabriel.carter@ice.dhs.gov".

On March 20, 2025, Time 15:17 Penetration emailed ICE Officer Carter: "Mr. carter I just looked out the review then you gave me. And I wanted to ask you so that I can leave here faster can I ask my family to pay for my flight home so it wont cost you nothing I dont want to be release here I just want

15.



to go back to Nicaragua I have my wife and kids waiting please”.



On March 23, 2025, Time 14:15 (Conformation # ) Mr. Carter emailed Petitioner: “Good afternoon we've spoken about this concern your TD – is still pending when the TD is issued we will be able to move forward with your removal until the - we have to wait I've done what needed on our part and agin – when the TD is issued we can move forward with removal.”

It is evident by the record that Petitioner did everything beyond and withing his ability to aid and ICE/ERO with more than sufficient information to obtain his travel document. The Petitioner cooperated in every way that he could, he gave his all and his last to ICE/ERO since August 8, 2024, two day after he was detained in immigration custody on August 6, 2024. The Petitioner did everything asked of ICE/ERO - almost for nine Petitioner has been constantly voluntarily assisting ICE/ERO in a number of ways to obtain his travel document so he could be deported to his country and still to date ICE/ERO has failed to make any progress in obtaining the Petitioner's travel document. Here, the Petitioner make the showing of sufficient evidence establishing “that there is no significant likelihood of removal in the reasonably foreseeable future and the Government failed to meet its burden of showing sufficient evidence. See *Zadvydas*, 553 U.S. at 701.

### Conclusion

For the aforementioned reasons, this Court should find that Respondent is bound by the Due Process Clause to Grant Petitioner's Petition for release from custody.

Respectfully submitted on this 24 day of April 2025.

  
HERMAN FLORES  
A No.:   
Stewart Detention Center  
146 CCA Road  
P.O. 248  
Lumpkin, Georgia 31815

**CERTIFICATE OF SERVICE**

The Petitioner certify that he on this 24 date of April 2025 filed the **PETITIONER'S REPLY TO RESPONDENT'S RESPONSE MOTION PURSUANT TO 28 U.S.C. SECTION 2241 (WRIT OF HABEAS CORPUS)** with the Clerk of the United States District Court by hand delivering to the Stewart Detention Mail-room official.

Petitioner further certify that he on this 24 day of April 2025 mailed by United States Postal Service the document and a copy of the aforesaid Petition to the following parties:

ROGER C. GRANTHAM, JR.  
Assistant United States Attorney's Office  
Middle District of Georgia

Post Office Box 2568  
Columbus, Georgia 31902-2568; and  
Department Homeland Security

Stewart Detention Center  
P.O. Box 248  
Lumpkin, GA 31815

Executed under penalty of perjury pursuant to 28 U.S.C. Section 1746 on this 24 day of April  
2025.

  
\_\_\_\_\_  
HERMAN FLORES  
A No.: 

**PUBLIC NOTARY**

Miketavious Hallback  
\_\_\_\_\_  
Print

Date: 4/24/25

  
\_\_\_\_\_  
Signature

