

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION
CASE NO. 25-60755-CIV-SMITH/HUNT

VIGDALIA MARTITZA MARTINEZ GOMEZ,

Plaintiff,

v.

JUAN AGUDELO, INTERIM FIELD
OFFICE DIRECTOR, U.S. DEPARTMENT
OF HOMELAND SECURITY (DHS)
IMMIGRATION AND CUSTOMS
ENFORCEMENT (ICE) ENFORCEMENT
AND REMOVAL OPERATIONS (ERO)
MIAMI FIELD OFFICE; TODD M. LYONS,
ACTING DIRECTOR U.S. DHS ICE;
KRISTI NOEM, SECRETARY DHS;
PAMELA J. BONDI, U.S. ATTORNEY
GENERAL; and U.S. CITIZENSHIP AND
IMMIGRATION SERVICES (USCIS),

Defendants.

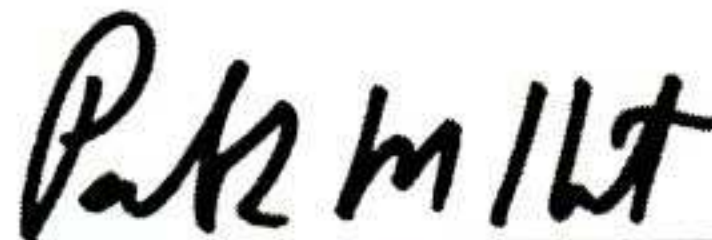
REPORT AND RECOMMENDATION

THIS CAUSE is before the Court on Petitioner Vigdalia Martitza Martinez Gomez's Emergency Motion for Preliminary Permanent Injunction and/or Emergency Motion for Temporary Restraining Order. ECF No. 6. The Honorable Rodney Smith, United States District Judge, referred this Matter to the undersigned United States Magistrate Judge for a Report and Recommendation. ECF No. 8; *see also* 28 U.S.C.A. § 636(b); S.D. Fla. L.R., Mag. R. 1. Upon thorough review of the Motion, the entire case file, the applicable law, the arguments of counsel at an April 24, 2025, hearing, and being otherwise fully advised in the premises, the undersigned respectfully RECOMMENDS that Petitioner's Motion be denied as moot.

Petitioner's counsel informed the Court at the beginning of the hearing that Petitioner had been released from Defendants' custody. As a result, Petitioner expects to file a notice of voluntary dismissal of her petition. The Parties agreed at the hearing that, given the new circumstances, Petitioner's emergency request for a temporary restraining order is now moot. The undersigned therefore recommends this Motion be denied as such.

Within three (3) days after being served with a copy of this Report and Recommendation, any party may serve and file written objections to any of the above findings and recommendations as provided by the Local Rules for this district. 28 U.S.C. § 636(b)(1); S.D. Fla. Mag. R. 4(b). Any response shall be filed within one (1) day of the objections. The parties may also file a notice of non-objection. The parties are hereby notified that a failure to timely object waives the right to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions contained in this Report and Recommendation. 11th Cir. R. 3-1 (2016); *see Thomas v. Arn*, 474 U.S. 140 (1985).

DONE and SUBMITTED at Fort Lauderdale, Florida, this 24th day of April 2025.

A handwritten signature in black ink, appearing to read "Patrick M. Hunt", written over a horizontal line.

PATRICK M. HUNT
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
The Honorable Rodney Smith
All counsel of record