UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

JOSE GUERRA-CASTRO	)	
Petitioner,	)	
v.	)	**Civil Action No.** 1:25-cv-22487-DPG
GARRETT, ***et al.***	)	
Respondents.	)	

PETITIONER'S REPLY TO RESPONDENTS' RETURN TO WRIT OF HABEAS CORPUS

INTRODUCTION

Petitioner Jose Guerra-Castro submits this Reply to Respondents' Return (Doc. 34). At the threshold, Respondents' framing is misplaced.

Primarily, this case has never been "premature" under *Zadvydas v. Davis*, 533 U.S. 678 (2001), because Petitioner has never advanced a *Zadvydas* cause of action. The gravamen of this petition is not prolonged detention beyond six months, but unlawful detention from the moment ICE revoked his Order of Supervision without legal or factual basis.

Second, the OSUP was never lawfully revoked. ICE claimed revocation was necessary to effectuate removal to Cuba. But like many other Cubans with final orders, Mr. Guerra-Castro could not be repatriated there—something ICE knew or should have known. Thus, at minimum, his detention from May 29, 2025 forward was unlawful because it rested on a false premise. Now, months later, Respondents pivot to claim removal to Mexico, but still offer no proof of acceptance by that country.

Finally, this Honorable Court should prevent Respondents from transferring Mr. Guerra-Castro outside this District. Petitioner, his family, counsel, and potential government witnesses are all located here. Transferring him elsewhere would obstruct his right to counsel, prejudice the development of the factual record, and impede the Court's ability to adjudicate the petition.

In short, this is not a case about *Zadvydas* "prematurity," but about ICE's unlawful re-detention, unsupported revocation of supervision, and continuing failure to show any imminent, lawful removal destination.

PROCEDURAL BACKGROUND

On May 30, 2025, Petitioner filed his habeas petition under 28 U.S.C. § 2241 (Doc. 1), challenging his sudden re-detention by ICE while he was fully compliant with his Order of Supervision ("OSUP"). That same day, Petitioner filed an Amended Petition for Writ of Habeas Corpus and Request for Emergency Injunctive Relief (Doc. 3). The Court promptly set the matter for a hearing (Doc. 4).

In preparation for that hearing, Petitioner filed a Pre-Hearing Memorandum of Law (Docs. 14, 15), outlining that this case does not arise under *Zadvydas v. Davis* but rather challenges ICE's unlawful revocation of supervision and detention without the process required by regulation. Petitioner also filed evidence demonstrating that removal to Cuba was not imminent (Doc. 18). Respondents opposed, filing their Answer and Response on June 13, 2025 (Doc. 17), the morning of the hearing. That hearing proceeded before this Court on June 13, 2025 (Doc. 19), after which the Court stayed removal (Doc. 20). The stay was later extended (Doc. 22). On July 17, 2025, the Court denied Petitioner's request for preliminary injunctive relief (Doc. 23), but explicitly required Respondents to respond to the habeas petition itself. On August 7, 2025, the Court issued an Order to Show Cause (Doc. 32).

Respondents thereafter filed their Return (Doc. 34), which confirms that ICE revoked Mr. Guerra-Castro's OSUP on May 29, 2025, citing "changed circumstances" based on supposed review by Cuba. Respondents' exhibits include a Notice of Revocation (Exh. A), declarations from deportation officers (Exhs. B, C), and a Notice of Removal to a Third Country—Mexico (Exh. D).[1]

LEGAL ARGUMENT

I. This Case Has Never Been a "Premature" *Zadvydas* Claim

Respondents contend in Section A of their Return that the Petition is "premature" because Petitioner has not yet been detained for six months, invoking *Zadvydas v. Davis*, 533 U.S. 678 (2001). Doc. 34 at 4–6, ¶¶ 6–11. They assert that detention under 8 U.S.C. § 1231 is authorized so long as removal is "reasonably foreseeable," and they attempt to minimize Petitioner's detention time by discounting prior periods of custody. Those arguments fail for several reasons.

A. Habeas courts can review detention-based due-process/*Accardi* violations independent of *Zadvydas*

Respondents argue jurisdiction is barred by § 1252(g) and *Zadvydas*'s six-month presumption. Doc. 34 at 4–5, ¶¶ 6–7. That argument misreads both the statute and *Zadvydas*. The Supreme Court has made clear that § 1252(g) applies only to three discrete actions—commencing proceedings, adjudicating cases, or executing removal orders—and does not bar review of detention-process claims. *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 482–87 (1999). Likewise, challenges to detention, as opposed to challenges to the removal order itself, remain cognizable in habeas. *Madu v. U.S. Att'y Gen.*, 470 F.3d 1362, 1366–69 (11th Cir. 2006). And while the Supreme Court in *Jennings v. Rodriguez*, 138 S. Ct. 830, 839–42 (2018), limited

[1] Notably, none of these materials establish that Cuba ever agreed to accept Mr. Guerra-Castro, nor that Mexico has agreed to do so.

one circuit's statutory interpretation, it did not foreclose district-court adjudication of detention claims themselves. Petitioner's claim has always been about unlawful revocation and detention without due process, not about "premature" *Zadvydas* detention.

B. Courts routinely grant habeas for unlawful detention without waiting six months

Respondents argue the Court must wait until six months have passed before intervening. Doc. 34 at 5, ¶ 8. But courts have repeatedly granted habeas relief where ICE re-detained individuals after long periods of supervision without following the safeguards mandated by 8 C.F.R. §§ 241.4 and 241.13. In *Perez-Escobar v. Moniz*, No. 1:25-cv-11781 (D. Mass. July 24, 2025), the court ordered release because ICE violated 8 C.F.R. § 241.4(l) and due process, without waiting for six months. Similarly, in *Ceesay v. Kurzdorfer*, No. 1:25-cv-00267-LJV, 2025 WL 1284720 (W.D.N.Y. May 2, 2025), the court held that seizing a supervised individual at a check-in without meaningful process violated due process and required release. And in *Bonitto v. Bureau of Immigration & Customs Enf't*, 547 F. Supp. 2d 747, 757–58 (S.D. Tex. 2008), the court emphasized ICE's obligation to comply with 8 C.F.R. § 241.4 custody-review procedures. These cases confirm that the six-month clock is not a gatekeeper; the central question is whether detention is lawful now.

C. Respondents contradict themselves on the record, and their footnote only underscores the point

Respondents first acknowledged that Petitioner had already accrued "approximately 62 days" of detention under this removal order. Doc. 17 at 5, ¶ 2. Yet in their Return they omit those days entirely, arguing instead that detention is "premature" because only 85–90 days have passed since May 29, 2025. Doc. 34 at 5 n.1. They attempt to justify this discrepancy by citing *Barrios v. Ripa*, No. 25-cv-22644-GAYLES, 2025 U.S. Dist. LEXIS 153228, at *21, and *Thai v. Hyde*, No.

25-11499-NMG, 2025 U.S. Dist. LEXIS 111179, 2025 WL 1655489, at *3, for the proposition that detention time is not cumulative.

This reasoning fails. First, it contradicts their own earlier statement to the Court in Doc. 17. Second, the argument mis-frames the case as a *Zadvydas* problem, when Petitioner's claim is that detention was unlawful from the outset because ICE revoked supervision without following regulations. And third, *Barrios* and *Thai* are distinguishable: they concerned whether to aggregate wholly separate custody periods, not whether ICE can re-detain after a decade of supervision without any review.

D. ICE has already missed its own regulatory deadlines and cannot "bank" time under 8 U.S.C. § 1231

Mr. Guerra-Castro has now been detained for 92 days if counting the present detention period chronologically since May 29, 2025, 164 days if adding the present detention period and the Respondent's initial math, or 129 days if adopting Respondent's new mathematical formula. Regardless, at no point during the period has ICE conducted the custody review required within the first 90 days of detention under 8 C.F.R. § 241.4. This failure alone confirms that the case is not "premature" but ripe for judicial relief.

Moreover, Petitioner has already stated, but reiterates that 8 U.S.C. § 1231 itself sets strict temporal boundaries: a 90-day "removal period" and a six-month presumptive maximum under *Zadvydas*. ICE cannot "bank" time from a prior detention, then revive the removal period over a decade later when Petitioner was fully compliant with supervision. Courts have rejected attempts to manipulate detention timelines in this manner, emphasizing that timeliness and process are indispensable. See *Bonitto v. Bureau of Immigration & Customs Enf't*, 547 F. Supp. 2d 747, 757–58 (S.D. Tex. 2008) (enforcing § 241.4 review requirements and rejecting unlawful extensions of detention authority). The government's theory here would transform § 1231 into a rolling license to re-detain at will, contrary to both statute and precedent.

E. Respondents' pivot from Cuba to Mexico only highlights the illegality of detention

Respondents now pivot to Mexico, citing a Notice of Removal to a Third Country (Doc. 34, Exh. D). Doc. 34 at 6, ¶ 11. But removal to a third country is not something ICE can simply declare. It must follow 8 U.S.C. § 1231(b)(2), which requires designation by an Immigration Judge or explicit acceptance by the third country. *Jama v. Immigration & Customs Enf't*, 543 U.S. 335, 341–42 (2005). No such designation or acceptance exists here.

This pivot is particularly striking because in their earlier Opposition, Respondents assured the Court that "Cuba accepts repatriation of its nationals." Doc. 17 at 5, ¶ 3. That assurance has now been abandoned. Other courts have already rejected such maneuvers. In *Lioarge Del Nodal v. Barry*, No. SA-25-cv-00606-FB (W.D. Tex. June 26, 2025), the court enjoined ICE from attempting to deport a Cuban national to Mexico absent proof of acceptance. Respondents' shifting justifications — first Cuba, now Mexico — confirm there was never a lawful basis for revocation, and detention has from the outset been unlawful.

To be clear, Respondents in their latest filing do not provide evidence that Mexico has affirmatively accepted Mr. Guerra-Castro. Yet as discussed further below, third country acceptance is required by statute. 8 U.S.C. 1231(b)(2)(E)(vii). *See Jama v. Immigration & Customs Enforcement,* 543 U.S. 335, 341-42 (2005) (unlike preceding subsections, subsection vii contains a third country acceptance requirement); *El Himri v. Ashcroft,* 378 F.2d 932, 939 (9th Cir. 2004).

II. The OSUP Was Never Lawfully Revoked

Respondents insist that revocation of supervision was "proper" and beyond judicial review under 8 U.S.C. §§ 1252(a)(2)(B)(ii) and 1252(g). They argue revocation is discretionary and that Petitioner received an "informal interview" sufficient to satisfy 8 C.F.R. § 241.4(l)(2). Doc. 34 at 6–7, ¶¶ 12–14. Those assertions fail. Revocation here was unlawful from the outset because it was based on a false premise, it contravened mandatory procedures, and it cannot be insulated by jurisdictional provisions meant for discrete actions in removal cases.

A. Revocation must be grounded in evidence of imminent removal, not speculation

Respondents reference 8 C.F.R. § 241.4(l)(2) and claim revocation was within their discretion. Doc. 34 at 6, ¶ 12. But discretion is not boundless. The statute and regulations require that revocation rest on evidence that removal is reasonably foreseeable. See 8 C.F.R. §§ 241.4, 241.13. Respondents did not meet that threshold. Instead, they revoked supervision on May 29, 2025, citing "changed circumstances" because Cuba was "reviewing" issuance of a travel document. That was speculation, not evidence of foreseeability. The government cannot shield unlawful revocation under the mantle of "discretion."

B. ICE's sworn declarations prove the revocation was premised on Cuba, and those statements collapse under scrutiny

Respondents argue revocation was lawful because Petitioner received an "informal interview." Doc. 34 at 6–7, ¶ 13. But their own sworn declarations, filed under penalty of perjury, show that revocation rested entirely on the false premise that Cuba would accept Petitioner.

In the **Declaration of Deportation Officer Jesús R. González Alverio**, Respondents testified:

"On May 29, 2025, Petitioner's order of supervision was revoked to effectuate removal to Cuba. On May 29, 2025, Petitioner was taken into ICE custody at Krome. Currently, Cuba does not require a travel document for repatriation of its citizens. Petitioner has been nominated to be removed from the United States to Cuba. ICE removes aliens via charter flights to Cuba, subject to availability. Inasmuch as there is no issue regarding Petitioner's nationality, I believe there is a significant likelihood of Petitioner's removal in the reasonably foreseeable future." (Doc. 17, Exh. A ¶¶ 21–26).

Those sworn statements collapse under scrutiny:

- **"Petitioner has been nominated to be removed to Cuba"** — Respondents offered no proof that such "nomination" was accepted by Cuba. Nomination alone does not establish removability, let alone justify revocation of supervision.
- **"Cuba does not require a travel document for repatriation of its citizens"** — If true, ICE cannot explain why Petitioner's OSUP had long conditioned revocation on obtaining a valid travel document. This contradiction exposes the pretextual nature of the revocation.
- **"Significant likelihood of removal in the reasonably foreseeable future"** — The record now shows there was never any such likelihood. Cuba did not accept Petitioner, and ICE has abandoned that premise altogether.

Similarly, the **Declaration of Deportation Officer Alana Caraballo** (Doc. 34, Exh. 1) repeats the same flawed premise, asserting that revocation was necessary to effectuate removal to Cuba. Yet no evidence demonstrates Cuba ever agreed to accept Petitioner, and Respondents now pivot to Mexico, again with no evidence of acceptance by Mexico.

These sworn submissions are not harmless misstatements. They were the government's evidentiary foundation for revocation, presented to this Court under penalty of perjury. Having premised revocation on Cuba, Respondents cannot now disavow their own sworn evidence and retroactively justify detention on different grounds. When the government's stated basis collapses, the revocation itself collapses with it.

C. ICE knew or should have known that Cuba would not accept Petitioner

Respondents assert revocation was "appropriate to enforce the removal order" under § 241.4(l)(2)(iii)–(iv). Doc. 34 at 6, ¶ 12. But revocation cannot be premised on a removal that was never possible. ICE has long known that Cuba refuses to accept non-recent Cuban arrivals. Courts have already blocked attempts to substitute Mexico without proof of acceptance. In *Lioarge Del Nodal v. Barry*, No. SA-25-cv-00606-FB (W.D. Tex. June 26, 2025), the court enjoined ICE from deporting a Cuban national to Mexico absent acceptance after Cuba did not respond to the United States request to deport the petitioner, and recognizing that such speculative pivots cannot justify detention. ICE's claim of "changed circumstances" was pretextual. Indeed, in filings on June 13, 2025, Petitioner provided this Court with numerous documents to establish that Cuba was not receiving pre-January 2017 arrivals and was highly unlikely to accept him. (Doc. 18, Exhs. 3-6). There is a Migration Accord in place that Cuba will accept persons who arrived in the United States after January 2017. What's more, Cuba is unlikely to ever accept persons who left the country more than four years ago. *Id.* Upon review of Document 18's exhibits, and the Respondents' own conflicting statements and positions, Respondents' statements that removal is imminent are not reliable. This is stalling and prevarication to justify continued detention.

D. Respondents' reliance on third-country removal cannot cure the unlawful revocation

Respondents cite a Notice of Removal to Mexico (Exh. D) as evidence that revocation was valid. Doc. 34 at 7, ¶ 14. But this shifts the justification after the fact. The question is whether revocation on May 29, 2025, was lawful at that time. It was not. The regulations required ICE to demonstrate removal was reasonably foreseeable then. Cuba was never a viable option, and

Mexico was not designated by an Immigration Judge. A later Notice of Removal cannot retroactively cure an unlawful revocation.

E. Revocation without process violated due process and the *Accardi* principle

Respondents argue this Court lacks jurisdiction under §§ 1252(a)(2)(B)(ii) and 1252(g). Doc. 34 at 6, ¶ 12. But those provisions do not insulate unlawful conduct. The Supreme Court has made clear that § 1252(g) applies only to three discrete actions — commencing proceedings, adjudicating cases, and executing removal orders. *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 482 (1999). Habeas jurisdiction remains where ICE fails to follow mandatory custody procedures. *Accardi v. Shaughnessy*, 347 U.S. 260, 267 (1954), requires agencies to follow their own rules. Here, ICE skipped the notice, findings, and review mandated by §§ 241.4 and 241.13. Jurisdictional bars cannot shield those violations.

F. Third-country removal requires Immigration Judge designation under § 1231(b)(2)

Finally, Respondents argue they may remove Petitioner to Mexico under § 1231(b)(2)(E)(vii). Doc. 34 at 7, ¶ 14. But that provision allows removal to a third country only under narrow conditions and only where designated by the Immigration Judge. *Jama v. Immigration & Customs Enf't*, 543 U.S. 335, at 42. ICE cannot retroactively create a new removal country by issuing an internal notice. Without IJ designation or Mexico's formal acceptance, this pivot lacks statutory basis. Reliance on internal DHS guidance (Exh. E) does not substitute for statutory compliance.

III. Transfer Must Be Prevented to Protect Jurisdiction and Due Process

Respondents have already attempted to shift the basis for detention from Cuba to Mexico, and their track record of changing theories raises concern that they may also attempt to move Petitioner to another facility outside this Court's jurisdiction. The Court should bar such a transfer.

First, the habeas statute itself guarantees Petitioner's right to come before this Court for an evidentiary hearing. 28 U.S.C. § 2243. The Court scheduled an evidentiary hearing, but at Respondents' request—without hearing from Petitioner—cancelled said evidentiary proceedings. Petitioners continue to believe an evidentiary hearing wherein Petitioner testifies is necessary. This will be cumbersome if Petitioner is physically transferred outside South Florida.

A. Jurisdiction Attaches Upon Filing and Cannot Be Defeated by Transfer

Respondents argue this Court lacks jurisdiction to enjoin transfer because § 1231(g)(1) grants the Attorney General discretion to determine "appropriate places of detention," and §§ 1252(a)(2)(B)(ii) and 1252(g) strip jurisdiction. Doc. 34 at 7–8. That argument overstates the jurisdictional bar. The Supreme Court has explained that § 1252(g) applies only to three discrete actions—commencing proceedings, adjudicating cases, and executing removal—not to collateral detention issues. *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 482–87 (1999). Habeas challenges to detention conditions remain squarely within district court jurisdiction. See *Madu v. U.S. Att'y Gen.*, 470 F.3d 1362, 1367–68 (11th Cir. 2006).

Moreover, jurisdiction attached when the habeas petition was filed. *Padilla v. Rumsfeld*, 542 U.S. 426, 441 n.13 (2004). The government cannot defeat jurisdiction by moving the Petitioner to another district. Petitioner raised this concern from the outset. See Amended Petition (Doc. 3 ¶¶ 23–26) (alleging that transfer to another jurisdiction would frustrate meaningful judicial review); Pre-Hearing Memo (Doc. 15 at 1–2) (same). The Court's jurisdiction is therefore firmly established and cannot be undone by transfer.

B. Equitable Authority Authorizes the Court to Preserve the Status Quo

Respondents rely on *Calla-Collado v. Att'y Gen.*, 663 F.3d 680 (3d Cir. 2011), to argue transfer is discretionary. Doc. 34 at 8. But district courts retain broad equitable power to prevent government actions that would frustrate judicial review. *Ex parte Endo*, 323 U.S. 283, 307 (1944); *Califano v. Yamasaki*, 442 U.S. 682, 705 (1979). Preventing transfer here preserves this Court's jurisdiction and ensures the habeas petition is adjudicated meaningfully, not rendered moot by ICE's logistical maneuvers. That is especially important in this case, where Respondents have already shifted their detention theory from Cuba to Mexico in an effort to justify ongoing custody.

C. Access to Counsel and Evidence Requires Petitioner to Remain in This District

Respondents dismiss Petitioner's argument that transfer would impair access to counsel by noting there is no Sixth Amendment right to counsel in habeas. Doc. 34 at 8–9. That misses the point. While habeas petitioners do not have a Sixth Amendment trial right to counsel, due process requires meaningful access to retained counsel. See *Toussaint v. McCarthy*, 801 F.2d 1080, 1110 (9th Cir. 1986). Here, Petitioner's counsel, family, and supporting witnesses are in Miami. Relevant government agents — including the Deportation Officers who submitted sworn declarations (Doc. 17, Exhs. A, B) — are also located here. Transfer would obstruct confidential communication, impair access to evidence, and frustrate ongoing litigation. Such denial of meaningful access violates the Fifth Amendment's due process guarantee is intertwined with counsel rights.

Transfer out-of-state means that this Court's authority may be lessened (not legally, but as a practical matter): it is cumbersome to communicate, much less enforce orders (and sanctions) if Respondents hold Petitioner in another state. Counsels require liberal access to meet with Petitioner in person in a confidential setting. Indeed if allowed to transfer the client, Respondents could potentially move Petitioner every week or so. Also, the Court may require testimony from Petitioner, or from other individuals working for Respondents and performing functions relative to potential removal. Accordingly, to preserve Petitioner's access to counsel, the Court's access to witnesses, and to protect and ensure this Court's authority, Respondents should be temporarily restrained from transferring Petitioner away from South Florida. *See, e.g., Ambila v. Joyce*, 2:25-cv-00267-NT, 2025 U.S. Dist. LEXIS 99565, 2025 WL 1504832 (U.S.D.C. Maine May 27, 2025).

Respondents hold out 8 U.S.C. § 1252(a)(2)(B) to support the proposition that this Court does not have jurisdiction to require Petitioner's detention in South Florida. However, 8 U.S.C. § 1252(a)(2)(B) refers to discretionary decision-making in the adjudicative process, where the Attorney General (not ICE's) discretion is specified in the text of a statutory section. *See Spencer Enters. v. United States*, 345 F.3d 683, 696 (9th Cir. 2003); *Aguilar v. United States Immigration & Customs Enf't Div. of the Dep't of Homeland Sec.*, 510 F.3d 1, 20 (1st Cir. 2007) (discretion must be specified in the particular statutory section); *Zhao v. Gonzales*, 404 F.3d 295, n. 5 (5th Cir. 2005) (*Van Dinh* misstates the statutory text, omitting the phrase "the authority for which is specified" before "under this subchapter.") While Respondents cite to a Tenth Circuit decision (*Van Dinh v. Reno*, 197 F.3d 427 (10th Cir. 1999)), the First, Fifth and Ninth Circuit Courts of Appeal disagree with the Tenth's insertion of a discretionary component to the transfer question. This is a pending case and there will be questions for Petitioner, as well as his custodians. The Court should enjoin transfer out of state to promote a fair and expedited resolution of this matter. *See Clavijo v. Kaiser,* Case No. 25-cv-06248-BLF, p. 20 (N.D. Calif. July 25, 2025); *Ozturk v. Trump*, 779 F. Supp. 3d 462, 496 (D. Vt.), *amended sub nom. Ozturk v. Hyde*, 136 F.4th 382 (2d Cir. 2025).

D. Prior Denial of Preliminary Injunction Does Not Foreclose Relief Now

Respondents point to the Court's denial of preliminary relief (Doc. 23). But that order was interlocutory and did not adjudicate the merits of the habeas petition. Courts routinely revisit injunctive issues as circumstances evolve. See *Sierra Club v. U.S. Army Corps of Eng'rs*, 732 F.2d

253, 256 (2d Cir. 1984) (interlocutory orders may be modified at any time). Since that denial, Respondents have shifted their removal theory from Cuba to Mexico, underscoring the risk of arbitrary transfer and the need for this Court's continuing protection. The evolving record distinguishes this request from the earlier denial and justifies the relief now sought.

CONCLUSION

From the outset, Petitioner has maintained that this case is not about "premature" detention under *Zadvydas* but about unlawful detention arising from ICE's revocation of supervision without legal basis or required process. The record confirms that Respondents revoked supervision on the false premise that Cuba would accept Petitioner, submitted sworn declarations to this Court to that effect, and now pivot to Mexico without proof of acceptance or Immigration Judge designation. At the same time, ICE has ignored the mandatory custody-review procedures in 8 C.F.R. §§ 241.4 and 241.13 and missed statutory deadlines set by 8 U.S.C. § 1231.

Respondents' shifting justifications, contradictions, and procedural violations cannot insulate this detention from habeas review. Jurisdiction attaches upon filing and cannot be defeated by transfer, and due process requires that Petitioner remain in this District with access to his counsel and the evidence needed to litigate his case.

For these reasons, and those set forth in the Petition, Pre-Hearing Memorandum, and this Reply, Petitioner respectfully requests that the Court:

1. Grant the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241;
2. Order Petitioner's immediate release from custody under reasonable supervision conditions; and
3. Enjoin Respondents from transferring Petitioner outside the Southern District of Florida while this matter is pending.

(Signature block on subsequent page)

Respectfully submitted on this day 29th of August, 2025.

/s/ Jose W. Alvarez
Jose W. Alvarez
FL Bar No. 1054382
Mary E. Kramer
FL Bar No. 0831440
Law Office of Mary Kramer, P.A.
168 SE 1st Street, Suite 802
Miami, FL 33131
(305) 374-2300
mary@marykramerlaw.com;
josew@marykramerlaw.com