UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA FORT LAUDERDALE DIVISION

CASE NO. 25-CV-

OBENITO SAINT ALIAN (A), by Lawrence R. Metsch, his attorney and next friend,

Petitioner,

V.

THE GEO GROUP, INC., a Florida corporation, THE HONORABLE KRISTI NOEM, in her official capacity as Secretary of Homeland Security, and THE HONORABLE PAM BONDI, in her official capacity as Attorney General of the United States,

Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

(Fla. Bar No. 133162)

Petitioner Obenito Saint Alian, ("Saint Alian"), by Lawrence R. Metsch, his undersigned attorney and next friend, and pursuant to 28 U.S.C. §§ 2241 and 2242, respectfully petitions the Court for the issuance of a writ of habeas corpus commanding Respondents to release Saint Alian from detention. In support of this petition, Saint Alian respectfully shows the Court that:

THE PARTIES

1. Saint Alian is a citizen of the Republic of Haiti, where he was born. His date of birth is

Saint Alian's Alien Registration Number is A

entered the United States on January 4, 2023, at Brownsville, Texas, and without interruption has since been physically present in the United States. Saint Alian is detained in the Broward Transitional Center ("the BTC"), 3900 North Powerline Road, Pompano Beach, Florida, 33073.

- 2. Respondent The Geo Group, Inc. ("Geo"), is a Florida corporation. Its principal place of business is located at 4955 Technology Way, Boca Raton, Florida 33431. Geo is the owner and operator of the BTC. It detains Saint Alian in the BTC pursuant to a (a) contract with the United States Department of Homeland Security ("the DHS") and (b) a directive issued to Geo by Immigration and Customs Enforcement ("ICE"), a component of the DHS.
- 3. Respondent Kristi Noem is the Secretary of the DHS and oversees ICE. Her official duty station is located in the District of Columbia.
- 4. Respondent Pam Bondi (a) is the Attorney General of the United States, (b) heads the United States Department of Justice, (c) and oversees the Executive Office for Immigration Review ("the EOIR"). Her official duty station is located in the District of Columbia.

SUBJECT-MATTER JURISDICTION

5. This Court possesses federal question subject-matter jurisdiction, 28 U.S.C. § 1331, because this petition for writ of habeas corpus presents claims arising under the Constitution and laws of the United States.

VENUE

6. The venue of this civil action is properly laid in the Southern District of Florida because Saint Alian is detained in the BTC, which is located in Broward County, Southern District, Florida.

CONDITIONS PRECEDENT

7. All conditions precedent to the commencement and prosecution of this civil action have taken place, have been performed or have been waived or excused by Respondents.

THE RELEVANT DOCUMENTS

- 8. Attached hereto as Exhibit "A" is a copy of an extract from the Notice To Appear, dated January 4, 2023, which was issued to Saint Alian when he entered the United States at Brownsville, Texas, the contents of which are incorporated herein by reference.
- 9. Attached hereto as Exhibit "B" is a copy of a DHS Form I-797C, dated January 23, 2024, which was issued to Saint Alian, the contents of which are incorporated herein by reference. This document establishes that United States Immigration and Citizenship Services ("USCIS") received Saint Alian's application for asylum and withholding of removal on December 26, 2023.
- 10. Attached hereto as Exhibit "C" is a copy of a DHS Form I-797C, dated January 22, 2024, which was issued to Saint Alian, the contents of which are incorporated herein by reference. This document establishes that United States Immigration and Citizenship Services ("USCIS") received Saint Alian's application for asylum and withholding of

removal on December 26, 2023.

- 11. Attached hereto as Exhibit "D" is a copy of a DHS Form I-797A, dated November 22, 2024, which was issued to Saint Alian, the contents of which are incorporated herein by reference. This document establishes that Saint Alian possesses Temporary Protected Status (TPS).
- 12. Attached hereto as Exhibit "E" is a copy of an Employment Authorization which was issued to Saint Alian, the contents of which are incorporated herein by reference.
- 13. Attached hereto as Exhibit "F" is a copy of an advice issued by USCIS that Saint Alian's administrative asylum and withholding of removal application had been closed and forwarded to the Miami Immigration Court, the contents of which are incorporated herein by reference.
- 14. Attached hereto as Exhibit "G" is a copy of an advice issued by the EOIR that Saint Alian's removal case had been dismissed by the Immigration Judge on June 16, 2025, the contents of which are incorporated herein by reference. That action had been taken on the motion of counsel for the DHS and over Saint Alian's oral objection.
- 15. Attached hereto as Exhibit "H" is a copy of an advice issued by ICE on June 22, 2025, that it detains Saint Alian at the BTC, the contents of which are incorporated herein by reference.
- 16. Attached hereto as Exhibit "I" is a copy of the Broward County Property Appraiser's information page concerning the property on which the BTC sits, the contents

of which are incorporated herein by reference.

17. Attached hereto as Exhibit "J" is a copy of the Sunbiz.org information page concerning Geo, the contents of which are incorporated herein by reference.

THE TWO-YEAR PHYSICAL PRESENCE CRITERION FOR EXPEDITED REMOVAL

- 18. Section Title 8, United States Code, §1225(b)(1)(A)(iii), is entitled *Application* to certain other aliens and provides:
 - (I) In general. The Attorney General may apply clauses (i) and (ii) of this subparagraph to any and all aliens described in subclause (II) as designated by the Attorney General. Such designation shall be in the sole and unreviewable discretion of the Attorney General and may be modified at any time.
 - (II) Aliens described. An alien described in this clause is an alien who is not described in subparagraph (F), who has not been admitted or paroled into the United States, and who has not affirmatively shown, to the satisfaction of an immigration officer, that the alien has been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility under this subparagraph. (Emphasis supplied)

TEMPORARY PROTECTED STATUS

- 19. Section 1254a(a), Title 8, United States Code, is entitled *Granting of status* and in pertinent part provides:
 - (1) In general. In the case of an alien who is a national of a foreign state designated under subsection (b) (or in the case of an alien having no nationality, is a person who has habitually resided in such designated state), and who meets the requirements of subsection (c), the Attorney General, in accordance with this section-

- (A) may grant the alien temporary protected status in the United States and shall not remove the alien from the United States during the period in which such status is in effect, and
- (B) shall authorize the alien to engage in employment in the United States and provide the alien with an "employment authorized" endorsement or other appropriate work permit. (Emphasis supplied)

SAINT ALIAN'S STORY

- 20. Saint Alian entered the United States on January 4, 2023, at Brownsville, Texas. Upon his entry into the United States, he was served with a Notice to Appear in the Miami Immigration Court on June 16, 2025, to show cause why he should not be removed from the United States as an inadmissible alien.
- 21. Following his entry into the United States, Saint Alian applied to USCIS for political asylum and withholding of removal. USCIS did not adjudicate that application. Instead, USCIS closed its file and referred Saint Alien's asylum and withholding of removal application to the Miami Immigration Court, to be considered in Saint Alian's removal proceeding.
- 22. Following his entry into the United States, Saint Alian also applied to USCIS for TPS, which application was granted. TPS was conferred upon Saint Alian by USCIS for the period November 22, 2024, through February 3, 2026.
- 23. Saint Alian appeared in the Miami Immigration Court on June 16, 2025, for a master calendar hearing in his removal proceeding. Counsel for the DHS moved to dismiss

and, over Saint Alian's objection, the Immigration Judge granted the DHS's dismissal motion. The effect of that dismissal was to deprive Saint Alian of a forum in which to litigate his (a) application for asylum and withholding of removal and (b) TPS-based claim of immunity from removal from the United States. As he was leaving the courtroom, Saint Alian was arrested by ICE agents and transported to the BTC, where he is detained.

SAINT ALIAN'S CLAIM FOR HABEAS CORPUS RELIEF

- 24. As the consequence of the Immigration Judge's grant of the DHS's motion to dismiss Saint Alian's removal proceeding, the only basis upon which ICE agents could arrest and detain Saint Alian is that Saint Alian is an inadmissible alien who is subject to expedited removal from the United States.
- 25. However, Saint Alian is not subject to expedited removal from the United States because:
 - (a) he has been continuously and physically present in the United States since January 2, 2023, which amounts to more than two (2) prior to Saint Alian's June 16, 2025, appearance in the Miami Immigration Court; and
 - (b) by virtue of his TPS, he is immune from removal from the United States.
- 26. By virtue of the Immigration Court's dismissal, on the DHS's motion, of Saint Alian's removal proceeding, Saint Alian does not possess an administrative remedy which he ordinarily would be required to exhaust before petitioning this Court for the issuance of a writ of habeas corpus.

- 27. Saint Alian's detention by Respondents violates the Due Process Clause of the Fifth Amendment to the United States Constitution.
- 28. In summary, because Saint Alian is entitled to be released from detention by Respondents, this petition for writ of habeas corpus should be granted.

METSCHLAW, P.A. Attorneys for Saint Alian 3900 Flamewood Lane Hollywood, FL 33021

Telephone: (305) 792-2540 Telecopier: (305) 792-2541

E-Mail: 1.metsch@metsch.com

LAWRENCE R. METSCH

FBN 133162

VERIFICATION

- I, Lawrence R. Metsch, under penalty of perjury, state that:
- A. I am the attorney for, and next friend of, Saint Alian.
- B. I make this verification on personal knowledge and in support of the foregoing petition for writ of habeas corpus.

C. I have read the foregoing petition for writ of habeas corpus, the factual statements

of which are true and correct.

LAWRENCE R. METSCH

FBN 133162

DATED: June 23, 2025

EXHIBIT "A"

| Case 0:25-cv-61263-MD Document 1 Entered on F | LSD Docket 06/24/2025 | Page 10 of 33 |
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EXHIBIT "B"

EXHIBIT "C"

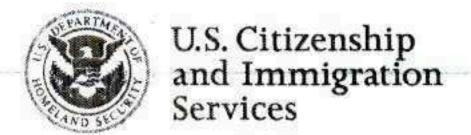
EXHIBIT "D"

EXHIBIT "E"





EXHIBIT "F"

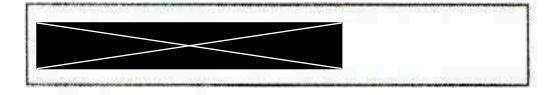


Case Status Online

Application Was Closed

We closed your application and forwarded it to the immigration court for adjudication. We explained why in the notice we sent to your mailing address. For further instruction, please review the notice you received. If you have any other questions regarding the status of your application, please reach out to the immigration court with jurisdiction over your case.

Enter Another Receipt Number ②



Check Status

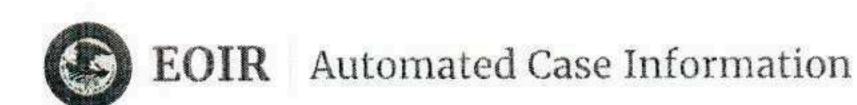
Already have an Account? Login

Create an Account? Sign up

DHS PRIVACY NOTICEPAPERWORK REDUCTION ACT

Related Tools

Change of Address



Court Closures Today June 17, 2025

Please check https://www.justice.gov/eoir-operational-status for up to date closures.

Home > SAINT ALIAN, OBENITO



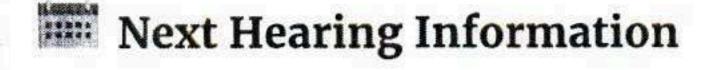


Automated Case Information

Name: SAINT ALIAN, OBENITO | A-Number:



Docket Date: 2/24/2025





There are no future hearings for this case.

Court Decision and Motion Information

The immigration judge ordered DISMISSAL.

DECISION DATE

EXHIBIT "G"

COURT ADDRESS

333 SOUTH MIAMI AVE., STE.700 MIAMI, FL 33130



An appeal is due by July 16, 2025.

M Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

COURT ADDRESS

333 SOUTH MIAMI AVE., STE. 700 MIAMI, FL 33130

PHONE NUMBER

(305) 789-4221

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Case 0:25-cv-61263-MD Document 1 Entered on FLSD Docket 06/24/2025 Page 25 of 33 Legal Policies & Disclaimers

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For Employees

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Immigration Court Online Resource

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Department of Justice | Executive Office for Immigration Review 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041

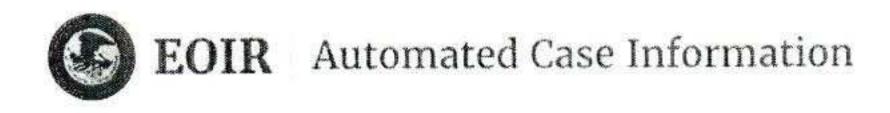


EXHIBIT "H"



Report

Main Menu

Search Results: 1

OBENITO SAINT ALIAN

Country of Birth: Haiti

A-Number:

Status: In ICE Custody

State: FL

Current Detention Facility: BROWARD TRANSITIONAL CENTER

* Click on the Detention Facility name to obtain facility contact information

BACK TO SEARCH >

Related Information

Helpful Info

Status of a Case

About the Detainee Locator

Brochure

ICE ERO Field Offices

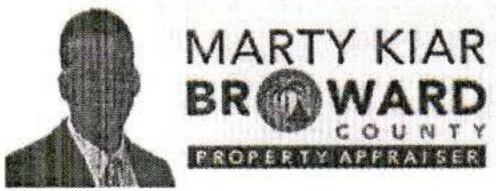
ICE Detention Facilities

Privacy Notice

External Links

Privacy - Terms

EXHIBIT "I"



| Site Address | 3900 N POWERLINE ROAD, DEERFIELD BEACH FL 33073 | ID# | 4842 15 31 0020 |
|---------------------------|--|---------|-----------------|
| Property Owner | GEO GROUP INC | Millage | 1112 |
| Mailing Address | 4955 TECHNOLOGY WAY BOCA RATON FL 33431-3367 | Use | 88-04 |
| Abbr Legal Description | ROWAN REPLAT 150-42 B AREA "B" & AREA "C" LESS PART OR 19311/44 AKA: BROWARD CO WORK RELEASE FACILITY | | OR 19218/345 & |

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

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| Year | Land | Building / Improvement | | Just / Market Value | | Assessed / SOH Value | | Tax | | |
| 2025* \$ | 2,694,240 | \$18,276 | ,050 | \$20,970,290 | | \$20,970,290 | | - Wasser III Wassew | | |
| 2024 \$ | 5,822,140 | \$15,409 | ,870 | \$21,232,010 | 0 | \$21,232,010 | | \$538,729.74 | | |
| 2023 \$ | 5,822,140 | \$14,689 | ,350 | \$20,511,490 | | \$20,137,120 | | \$528,059.83 | | |
| | | 2025* Exempt | ons and | Taxable Values | by Ta | xing Auth | ority | | | |
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| Just Value | | \$20,97 | 0,290 | \$20,970 | ,290 | \$20, | 970,290 | \$20,970,290 | | |
| Portability | | | 0 | | 0 | 0 | | 0 | | |
| Assessed/SC | OH | \$20,97 | \$20,970,290 | | \$20,970,290 | | \$20,970,290 | | \$20,970,290 | |
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| 4/22/1998 | SWD | \$843,086 | 28118 / 369 | | \$ | \$0.51 42,8 | | 00 | SF | |
| 6/23/1997 | WD* | | 26 | 620 / 825 | | uu waa | | | | |
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| Special Assessments | | | | | | | | |
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EXHIBIT "J"



Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Florida Profit Corporation THE GEO GROUP, INC.

Filing Information

Document Number

P13000058433

FEI/EIN Number

65-0043078

Date Filed

07/11/2013

State

FL

Status

ACTIVE

Last Event

AMENDED AND RESTATED ARTICLES

Event Date Filed

05/03/2024

Event Effective Date

05/03/2024

Principal Address

4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Changed: 04/26/2019

Mailing Address

4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Changed: 04/26/2019

Registered Agent Name & Address

CORPORATE CREATIONS NETWORK INC.

801 US HIGHWAY 1

NORTH PALM BEACH, FL 33408

Name Changed: 06/27/2014

Address Changed: 03/25/2020

Officer/Director Detail Name & Address

Title President, COO

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4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Senior Vice President, General Counsel, & Corporate Secretary

Negron, Joe 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Executive Vice President, Finance, & Treasurer

March, Shayn 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Executive Vice President, Tax

Maier, Marcel 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Executive Vice President, Corporate Counsel, & Assistant Secretary

Crews, Beth A. 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Director

Koren, Lindsay 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Director

Mayotte, Terry 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Director

Brewer, Jack 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Director

Myers Wood, Julie 4955 TECHNOLOGY WAY BOCA RATON, FL 33431 Bartzokis, Thomas 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Director

Kernan, Scott M. 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Title Director

Kauranen, Donna Arduin 4955 TECHNOLOGY WAY BOCA RATON, FL 33431

Annual Reports

| Report Year | Filed Date | | |
|-------------|------------|--|--|
| 2023 | 01/31/2023 | | |
| 2024 | 04/17/2024 | | |
| 2025 | 04/16/2025 | | |

Document Images

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