

United States District Court
Southern District of Florida
Case No. 25-23577-CIV-MARTINEZ

FILED BY *Angela E. Noble* D.C.
SEP 04 2025
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

In re: Petition for Writ of Habeas Corpus

Filed on behalf of:

Daniel Fernando Henao Niño: (A# 

Presented by: Rosa Lorena Chavarro Pinzón

**URGENT PETITION TO THE FEDERAL COURT REGARDING THE ILLEGAL DETENTION
AND IRREGULAR PROCEEDINGS IN THE HABEAS CORPUS CASE OF DANIEL
FERNANDO HENAO NIÑO**

Honorable Judge: José e. Martinez

I address this petition to you on behalf of Daniel Fernando Henao Niño, to inform and leave on record a series of irregular actions that are taking place while his habeas corpus case is still pending before this honorable court.

On **August 29, 2025**, a new hearing was registered by ICE, which constitutes a serious violation of due process. This hearing, along with several others that have been carried out since the filing of the habeas corpus, have been conducted without legal basis, in a parallel and unconsulted process, without waiting for the resolution of the already-filed habeas corpus case.

Although we do not know whether this court is aware of these actions, we demand that, even if it is, the full respect for the petitioner's fundamental rights be guaranteed and that no action be allowed that violates constitutional guarantees.

The case of **Daniel Fernando Henao Niño** was dismissed on **June 20, 2025**, by honorable Judge **Christina Martyak**.

From that date until today, he has remained detained illegally and arbitrarily, without valid justification. **Seventy-one days (more than two months)** of excessive detention have passed, without legal grounds for his continued detention.

Furthermore, I wish to express my deep concern for Daniel health condition and the medical negligence he has suffered. During his detention at the Federal Detention Center (FDC) in Miami, he was a victim of physical abuse, discrimination, and medical negligence. Despite having a medical prescription and requiring treatment, he did not receive the necessary medications or proper medical attention, putting his health at serious risk.

I attach photographs and a copy of the medical prescription as evidence of this situation.

This conduct by the detention center constitutes a clear violation of his fundamental rights.

Additionally, Daniel is currently emotionally affected, as ICE has been conducting multiple hearings and proceedings against him, even while the habeas corpus is still in process. He does not have the legal knowledge to defend himself nor proper legal assistance, which leaves him in a position of complete vulnerability.

I respectfully invoke the protection of **Daniel Fernando Henao Niño** constitutional rights, supported by:

The Fifth Amendment to the United States Constitution, which guarantees due process of law and protection against arbitrary detention.

The Supreme Court precedent in Zadvydas v. Davis, 533 U.S. 678 (2001), which establishes strict limits on prolonged immigration detention when there is no longer a valid legal basis.

The case Estelle v. Gamble, 429 U.S. 97 (1976), which recognizes that deliberate indifference to the medical needs of a detained person constitutes cruel and unusual punishment.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (**Nelson Mandela Rules**), which prohibit medical negligence and physical abuse of persons deprived of liberty.

In light of these facts and legal principles, I respectfully request this honorable court to urgently:

1. Prevent any new hearings or proceedings from being conducted by ICE while the habeas corpus is pending resolution.
2. Order the immediate release of Daniel Fernando Henao Niño, in accordance with the law and with respect for his human dignity.

The purpose of this petition is none other than to ensure that the law is respected, that due process is guaranteed, and that an illegal and inhumane detention is brought to an end.

Sincerely,

Rosa Lorena Chavarro Pinzón

On behalf of Daniel Fernando Henao Niño

Rosa Lorena Chavarro

Honorable Judge:

I respectfully inform the Court that I am submitting, along with this filing, copies of the following documents as complementary evidence in support of the facts stated herein:

Proof of dismissal of the previous criminal case of Mr. Daniel Fernando Henao Niño.

Notice of the new hearing scheduled by ICE.

Emails sent to and received from the Colombian Consulate, which reflect misinformation about his current legal status.

Updated clinical history.

List of prescribed medications.

Record of medical appointments that were missed due to his detention.

These documents are submitted in order to provide full, verified, and relevant information for this Honorable Court's complete and fair assessment of the case.

We remain available for any further guidance, request, or additional information this Honorable Court may require.

Respectfully,

Rosa Lorena Chavarro Pinzón

On behalf of Daniel Fernando Henao Niño

Rosa Lorena Chavarro

 **Información sobre
decisiones y mociones
judiciales**

El juez de inmigración
ordenó **la DESESTIMACIÓN**.

FECHA DE DECISIÓN

20 de junio de 2025

Dismissed

DIRECCIÓN DEL TRIBUNAL

18201 SW 12TH ST, EDIFICIO 1,
EDIFICIO C
Miami, Florida 33194

**Información del caso
BIA**

No se recibió ninguna
apelación para este caso.

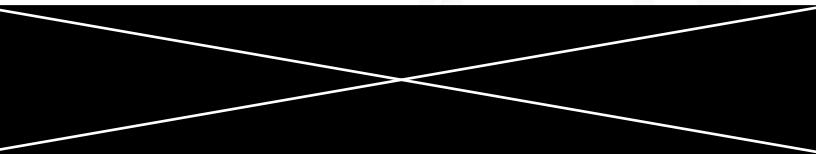


INFORMACIÓN

automatizada de casos

Nombre :

**HENAO NINO, DANIEL
FERNANDO**

| Número A : 

| Fecha del expediente :

6/10/2023

Información sobre la próxima audiencia

*No hay audiencias
futuras para este
caso.*



acis.eoir.justice.gov/



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Information

Name:

**HENAO NINO, DANIEL
FERNANDO**

| **A-Number:** [REDACTED]
| **Docket Date:** 8/29/2025

Next Hearing Information

Your upcoming **INDIVIDUAL**
hearing is on **September 3, 2025**
at **10:30 AM.**

JUDGE

Lerner, Romy

COURT ADDRESS

18201 SW 12TH ST, BLDG 1 STE
C
MIAMI, FL 33194

Name: Daniel HENAONINO | DOB: [REDACTED] | Tonya Nichelle Hollinger, MD | Legal Name: Daniel HENAONINO

Appointment Details

New Patient Visit with Firas Sbeih, MD

Tuesday March 25, 2025
3:00 PM EDT

[Add to calendar](#)

UF Health Otolaryngology - North
15255 Max Leggett Pkwy, Ste 3100
Jacksonville FL 32218-7213
904-383-1015

Get ready for your visit!

Let staff know you don't need a reminder call.	Save time by completing Prepare for your visit ahead of time.	Pay copay \$10.00 Save time by completing payments ahead of time.
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Want an earlier time? Get on the Wait List

Save time at the clinic by filling out the following
questionnaires:

[Sino-Nasal Outcome Test \(SNOT-22\) Questionnaire \(Not Started\)](#)

[UF HEALTH HISTORY QUESTIONNAIRE \(Not Started\)](#)

[UF HEALTH PATIENT QUESTIONNAIRE \(Not Started\)](#)

