

ICE was unable to loosen his ankle monitor and required him to go to a different ICE office the next day, and have since imposed the following:

1. Weekly check-ins on Tuesday at the Stuart ICE office that is more than thirty minutes driving from Mr. Pena's house.
2. Weekly home visits from ICE on Wednesday.
3. An ankle monitor, making it difficult for him to wear certain shoes and uncomfortable for him to work as a truck driver.
4. An order that Mr. Pena cannot travel outside a limited area within the state of Florida, making it very difficult for him to work as a truck driver.

This Court did not order any of these additional conditions upon Mr. Pena's release, and there has never been a finding that he has not complied with any prior terms of release. Mr. Pena requests the Court issue an order requiring that Mr. Pena be returned to conditions of release that were in place prior to his detention in June 2025, i.e., annual check-ins with ICE and no restricted travel, electronic monitoring, or home visits. *See Ramirez Ovando v. Noem*, -- F. Supp. 3d --, 2025 WL 3293467, *11 (D. Colo. Nov. 25, 2025); *Khabazha v. U.S. Immigration and Customs Enforcement, et al.*, 2025 WL 3281514, *8 (S.D.N.Y. Nov. 25, 2025); *see also N-N- v. McShane*, 2025 WL 3143594 (E.D. Pa. Nov. 10, 2025); *Sanchez v. Wofford*, 2025 WL 3089712 (E.D. Cal. Nov. 5, 2025); *Orellana Juarez v. Moniz*, 788 F. Supp. 3d 61, 66 (D. Mass. 2025).

On December 4 and 5, 2025, undersigned counsel communicated an intent to file this motion. Undersigned also emailed counsel for Respondents on December 8 to ascertain her position on this motion. Undersigned did not receive a response before filing.

December 8, 2025

Respectfully submitted,

/s/ Jessica A. Dawgert
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