

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

MICHAEL OLIBRICES, )

Petitioner, )

v. )

ALEJANDRO MAYORKAS, Secretary, )

U.S. Department of Homeland Security; )

MATTHEW T. ALBENCE, Director, )

U.S. Immigration and Customs Enforcement; )

WARDEN, KROME DETENTION CENTER, )

Respondents. )

FILED BY McD D.C.

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ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - MIAMI

Case No. \_\_\_\_\_

**PETITION FOR WRIT OF HABEAS CORPUS**

**PURSUANT TO 28 U.S.C. § 2241**

**I. INTRODUCTION**

Petitioner Michael Olibirces, currently detained at the Krome Detention Center in Miami, Florida, respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.

Petitioner asserts that he is a national of the United States, having been born in Florida in 1976 during a home birth attended by a midwife, and thus cannot lawfully be detained by immigration authorities.

Petitioner's detention has exceeded 90 days without due process or lawful justification.

Recent investigations confirm that the Government of the Bahamas has no record of Petitioner's birth, citizenship, or parentage.

Because there is no credible evidence that Petitioner is a foreign national, and he was born in the United States, his detention by the Department of Homeland Security ("DHS") and Immigration and Customs Enforcement ("ICE") is unconstitutional and unlawful.

Petitioner should be released immediately and afforded all rights and privileges guaranteed to U.S. citizens.



## II. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241, as Petitioner is in the custody of the U.S. Department of Homeland Security within this District.

Venue is proper in this Court because Petitioner is confined at the Krome Detention Center, located in Miami-Dade County, Florida, which lies within the Southern District of Florida.

## III. PARTIES

Petitioner:

Michael Olibirces

Date of Birth [REDACTED]

Detained at: Krome Detention Center, 18201 SW 12th Street, Miami, FL 33194

Respondents:

Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security  
Matthew T. Albence, Director, Immigration and Customs Enforcement (ICE)  
Warden, Krome Detention Center

## IV. STATEMENT OF FACTS

9. Petitioner was **born in or near Miami, Florida or possibly Georgia, in 1976** during a **home birth** attended by a **midwife**.
10. Petitioner never knew his biological father and had minimal knowledge of his mother.
11. Any records later created concerning Petitioner's birthplace or citizenship, or any identifying documents were prepared by others who **had no firsthand knowledge** of his birth.
12. Petitioner has **lived his entire life in the United States**.
13. He has **no foreign passport, no foreign birth certificate, and no verified foreign citizenship**.
14. Petitioner was detained by ICE and has remained in custody for **more than 90 days** at the Krome Detention Center.
15. Petitioner has fully cooperated with ICE during its investigation of his identity and nationality.
16. Petitioner, throughout his life, has suffered from **homelessness and instability** due to his inability to obtain identification or verification of his birth within the United States.
17. At various times, Petitioner **filed applications**, including a **work permit**, solely because **he was advised by others** that doing so would help him regularize his status and obtain documentation necessary for survival.



michael Olibrices A# [redacted]  
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miami, FL 33194

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