

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

JUAN CARLOS MARADIAGA,

Petitioner,

v.

JAIL WARDEN PINELLAS, ICE
DETENTION FACILITY, ET AL.,

Respondents.

Case No. 8:25-cv-3443-SDM-AEP

**RESPONDENTS' OPPOSITION TO DIRECTED VERDICT & EMERGENCY
MOTION TO ENFORCE JUDGMENT**

Petitioner Juan Carlos Maradiaga's ("Petitioner") has filed an emergency motion seeking relief and alleging that Respondents violated the Court's Temporary Restraining Order issued on Friday, December 19, 2025. *See* ECF Nos. 12, 13. Respondents, through undersigned counsel, hereby respond to these allegations and state that no violation of any court order has occurred.

BACKGROUND

Petitioner is a citizen of Honduras. *See* ECF No. 1-1 at 3. The date and location of his first entry is unknown but government records reflect that Petitioner was issued a final order of removal on December 1, 2004. *Id.* at 2. On January 20, 2005, Petitioner was removed from the United States pursuant to that order. *Id.* He then reentered the United States without authorization once more, purportedly in 2005, where he

remained without detection until 2012. Petition at ¶ 6; ECF No. 1-1 at 4. In 2012, Petitioner was encountered by immigration officials at which time he was advised that the government intended to reinstate his prior order of removal. ECF No. 1-1 at 2. However, Petitioner expressed a fear of return to Honduras. *Id.* at 3-5. Accordingly, an asylum officer conducted a reasonable fear review and determined that Petitioner had a reasonable fear of return to Honduras. *Id.* Because of this development, the government did not remove Petitioner under his reinstated 2004 order, rather referred him to EOIR for withholding proceedings pursuant to Section 241 of the Immigration and Nationality Act (“INA”), proceedings which remain ongoing. ECF No. 1-1 at 1. Petitioner’s claim that he is in asylum proceedings, Petition at ¶ 12, is incorrect. When ICE referred Petitioner to EOIR in 2012 for withholding proceedings, it also released him under an order of supervision. ECF No. 1-2.

At a December 15, 2025 supervision check-in with ICE, Petitioner was detained. Petition at ¶ 10; *see also* ECF No. 9-1. The following day the instant suit commenced with the filing of a petition for writ of habeas corpus and a motion seeking a temporary restraining order. *See* ECF Nos. 1, 2. The government was not properly served. *See* ECF No. 1 at 8; ECF No. 2 at 10 (reflecting service on the U.S. Attorney’s Office for the Middle District of Florida at the incorrect address). However, Respondents were advised of this matter from the Court via email given the shortened timeframe for response to the TRO motion. ECF No. 5. On December 17, 2025, the Court ordered Respondents to respond to Petitioner’s TRO motion by noon on December 18, 2025. *Id.* Respondents timely complied. ECF No. 9. On Friday,

December 19, 2025 at 3:30pm, the Court issued an order temporarily restraining Respondents from transferring Petitioner outside of the Middle District of Florida. ECF No. 12. Alleging that Respondents have violated that order by transferring him to the detention facility at Miami Krome, Petitioner filed the instant motion seeking relief from this Court. ECF No. 13.

ARGUMENT

Petitioner has been transferred to Miami Krome Detention Center. See Exhibit A, ICE Detention History Screenshot for Juan Carlos Maradiaga-Mejia (reflecting current detention location of “Krome North SPC”). However, this transfer commenced prior to the Court’s issuance of the TRO. See *id.* (reflecting book out date and time of 12/19/2025 at 1408, or 2:08pm). Furthermore, once jurisdiction is properly acquired, a petitioner’s removal to another judicial district does not destroy a court’s jurisdiction. *Ex parte Endo*, 323 U.S. 283, 306 (1944); *Major v. Warden, FCC Coleman - Low*, No. 5:18-CV-269-OC-02PRL, 2019 WL 4194673, at *1 (M.D. Fla. Sept. 4, 2019). Indeed, “[j]urisdiction attaches upon the initial filing of the § 2241 petition and will not be destroyed by a petitioner’s subsequent Government-effectuated transfer and accompanying change in physical custodian.” *Major*, 2019 WL 4194673 at *1. Here, where this case commenced in the Middle District of Florida when Petitioner was indeed detained in the Middle District of Florida, jurisdiction properly attached. His transfer to Miami Krome does not destroy that jurisdictional attachment and this case can proceed on the merits without the need for him to physically remain in this District.

CONCLUSION

For the foregoing reasons, Respondents have not violated this Court's order and this case can proceed on its merits with Petitioner in his current detention location. Respondents respectfully request that Petitioner's emergency motion be denied and that the Court proceed with a decision on the habeas petition as soon as practicable following submission of Respondents' substantive response, which undersigned anticipates filing by the close of business tomorrow, December 23, 2025.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 22, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF electronic filing system which will serve a copy to all counsels of record.

Dated: December 22, 2025

Signed:

/s/ Amanda Saylor

Amanda Saylor

Assistant United States Attorney