

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA**

ORLANDO DIVISION

Case No.:

RICARDO MACHADO,

Petitioner,

v.

NORMAN S. BRADLEY, in his official capacity
over the Enforcement and Removal Office,
Orlando, Florida;

TODD LYONS, in his official capacity as Acting
Director, Immigration and Customs Enforcement;

KRISTI NOEM, in her official capacity as
U.S. Secretary of Homeland Security;

KELEI WALKER, in her official capacity as
Acting Field Office Director, Miami Field Office;


LOUIS A. QUINONES, Jr., Chief of Corrections for
the Orange County Corrections Department (OCCD),

Respondents.

**PETITION FOR WRIT OF HABEAS CORPUS 28 U.S.C. § 2241 AND
REQUEST FOR EMERGENCY INJUNCTION RELIEF¹**

INTRODUCTION

¹This Habeas Petition shall be accompanied by a forthcoming Request for a Temporary Restraining Order.

The Petitioner, **RICARDO MACHADO** (Mr. Machado), alien number of  is in federal immigration custody and is believed to be currently detained at Orange County Jail facility, in Orlando, Florida. U.S. Immigration and Customs Enforcement (ICE) arrested Petitioner on December 17, 2026 while he was lawfully reporting on an unviolated order of supervision (OSUP) at ICE-ERO Center in Orlando, Florida, and subsequently transferred him to the Orange County Jail facility. Petitioner has been on OSUP for over twenty-five years without violation, and since being unlawfully detained, has not been served any documentation. His sudden and unjustified detention violates: (1) both procedural and substantive Due Process of the Fifth Amendment; and (2) immigration policy and regulation codified in 8 C.F.R. § 241.13 and 8 C.F.R. § 241.4. As such, the Petitioner seeks his immediate release him from detention and put him back on supervised release pending resolution of his pending motion to re-open his case before the Executive Office for Immigration Review (“EOIR”). Further, Petitioner respectfully requests that this Honorable Court enjoin Respondents to transfer Petitioner back to this Court’s jurisdiction.

JURISDICTION

1. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*


2. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).

3. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et. seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

4. Venue is proper because Petitioner is believed to be detained at the Orange County Jail, which is located at 3855 South John Young Parkway, Orlando, FL 32802-4970, . A substantial part of the events or omissions giving rise to his claims occurred in this Honorable Court's District..

PARTIES

5. The Petitioner, **Ricardo Machado***, is a native and citizen of Cuba who entered the United States on or about  when he was six (6) years of age. He has remained in the United States since that time. He has never traveled outside of the United States. Prior to his

*The Petitioner has been booked into Orange County Booking and Release Center as "Ricardo Machadodiaz", booking number: 25040269"

detention he resided in Sebastian, Florida, with his U.S. (Native born) citizen wife, whom he married on March 25, 2000. He and his wife have three minor children, all US born.

6. Respondent, **Louis A. Quinones, Jr.** Chief of Corrections for the Orange County Corrections Department (OCCD), for the facility where the Petitioner is currently detained.

7. Respondent, **Norman Bradley**, is the Assistant Field Office Director of the ICE-ERO Orlando Center where Petitioner was initially detained. He is the highest supervisor directly on site at Orlando.

8. Respondent, **Kelei Walker**, is her official capacity as Acting Field Office Director of the Miami Office of the ICE-ERO Miramar Center.

9. Respondent, **Todd Lyons**, is the Acting Director for U.S. Immigration and Customs Enforcement.

10. Respondent, **Kristi Noem**, is the U.S. Secretary of Homeland Security.

11. All respondents are named and sued in their official capacities.

PROCEDURAL HISTORY

12. This matter originates as a complex removal case out of the Miami Immigration Court in Miami, Florida.

13. Mr. Machado entered the United States as a six year old child with his father, Adolfo Machado, Sr., a political prisoner, his mother and his siblings. Mr. Machado's status was adjusted to that of a lawful permanent resident effective April 1, 1980. See Exhibit "A."

14. Upon information and belief the Petitioner was detained by ICE agents without cause by ICE agents on December 17, 2025. He was scheduled to report with ICE as he has been for twenty-five years. See *Orders of Release and Order of Supervision-OSUP* attached hereto as Composite Exhibit "B."

15. The presumption is that his arrest came as a result of a removal order issued on January 14, 1997, by the Immigration Court in Miami, Florida. See *IJ order* attached hereto as Exhibit "C."

16. However, Petitioner was not deported to Cuba. Instead, after having served in excess of two years in Immigration custody of the Immigration & Naturalization Service (legacy INS), he was released on February 29, 2000. See Composite Exhibit "B"

17. On April 11, 2003 he was formally placed on an Order of Supervision (OSUP). See Composite Exhibit "B".

18. He has reported as instructed since his release date on February 29, 2000. All in all the Petitioner has reported as ordered. He has never

again violated the laws of the United States, Florida or the terms of his supervision.

19. Indeed, he has created a loving family, worked to support his family, filed his income taxes, and established ownership of the family residence. His entire family resides in the state of Florida, and all of his family members are United States Citizens, two siblings have honorably served their country in the United States military. See Composite Exhibit “E”, “F”, and G”.

20. Petitioner has a pending Motion to Re-Open his Deportation proceedings. The motion which is supported by in excess of 150 pages of exhibits, asks Immigration Court to re-open *sua sponte* deportation proceedings because the Petitioner (formerly a lawful permanent resident) should be accorded the opportunity to apply for a waiver under INA §212(c)(repealed 1996), a benefit he was in retrospect eligible for in 1997 when he was ordered deported without applying for any relief.

21. Mr. Machado has complied with any and all reporting requirements under OSUP, and has been able to lawfully obtain employment authorization. See *Employment Authorization* attached hereto as Exhibit “D”.

LEGAL ARGUMENT

A. **Statutory Authority Under 8 U.S.C. § 1231(a)(6).**

Petitioner respectfully asserts that his detention is unlawful because Respondents failed to follow the procedures required for revoking his release from immigration custody thereby violating the *Accardi* doctrine. In *Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954), the Supreme Court held that an agency's failure to follow its own rules and procedures in adjudicating a deportation matter constituted a denial of due process.

8 U.S.C. § 1229(c) states that Voluntary Departure allows a person to leave the U.S. at their own expense, avoiding a formal removal order if they comply with the conditions and depart on time. However, if the person fails to depart within the time granted, then voluntary departure is deemed to be a final order of removal. See 8 C.F.R. § 1241.1(f). At that point, the individual is considered subject to a final removal order, and the detention rules under 8 U.S.C. § 1231(a) apply.

Under 8 U.S.C. § 1231(a)(1)(A) when an alien is ordered removed, the Attorney General *shall* remove the alien from the United States within a period of 90 days (the “removal period”). The removal period *shall* be extended beyond a period of 90 days and the alien *may* remain in detention if the alien fails or refuses to make timely application in good

faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal subject to an order of removal. *See* 8 U.S.C. § 1231(a)(1)(C).

If the alien does not leave or is not removed within the removal period, the alien, pending removal, *shall* be subject to supervision. *See* 8 U.S.C. § 1231(a)(3). In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Court held that section 1231(a)(6) authorizes detention only for a period *reasonably necessary* to bring about the noncitizen's removal from the US, and six months of post-removal detention is considered "presumptively reasonable." 533 U.S. at 701. The *Zadvydas* Court determined that indefinite detention raises "serious constitutional questions" and the "freedom from imprisonment lies at the heart of the liberty protected by the Due Process Clause" *Id* at 690-691. The Court also explained that the statute's justification for the continuation of detention of the alien applies *only if* the Government is seeking to "ensure the appearance of the aliens at future immigration proceedings" and in order to [p]revent danger to the community." *Id* at 692-692. Neither of the statutory justifications for detention apply to Petitioner. Since his release from detention over twenty-five years ago, the Petitioner has been a model citizen. He has faithfully and diligently reported to ICE. (See

attached Exhibit “B”) The Government in no way can set forth one iota of evidence to show that Petitioner is a risk of flight or a danger to the community. It is a factual impossibility and they know it.

This District, as recent as December 15th, 2025 has acknowledged the import of *Zadvydas* and how it is controlling in the context of the Petitioner’s circumstances. Particularly crucial and supportive of Petitioner’s request for release from his arbitrary detention is the fact that Petitioner was already held by ICE for almost two years, twenty-five years ago. As a Court in this district, as well as the Eleventh Circuit have previously held, “[t]he Supreme Court’s stated rationale for establishing a presumptively reasonable ‘6-month period’ for detention pending removal supports our conclusion that this period commences *at the beginning of the removal period.*” *Krechmar v. Parra, et al., Case No.: 2:25-cv-01095-SPC-DNF (M.D. Fla. Dec. 15, 2025)* (See Opinion at DE:13 at pg. 6-7) (internal citations omitted) like in *Krechmar*, “the six-month period for presumptively reasonable detention has **expired/**” (emphasis added). *Id.* Here, Petitioner’s period of removal ended over 25 years ago.

By virtue of his release from his prolonged detention more than 25 years ago, INS, and later Immigration and Customs Enforcement (ICE) formally acknowledged the improbability of removal. Moreover, the orders

of Supervision have remained undisturbed until his re-detention on December 17, 2025, without notice or any changed circumstances.

B. ICE Failed to Follow its Own Regulations under 8 C.F.R. §241.4 and section § 241.13

Petitioner also respectfully postures that his final order of removal dating back to 1997, and placement on an order of supervised release pursuant to 8 C.F.R. § 241.13 was due to there being good reason to believe there was no significant likelihood of removal to another country in the reasonably foreseeable future. 8 C.F.R. § 241.4(b)(4) states that after the removal period, under section 8 C.F.R. § 241.13, if the Service subsequently determines, because of a change of circumstances, that there is a significant likelihood that the alien may be removed in the reasonably foreseeable future to the country to which the alien was ordered removed or to a third country, the alien shall again be subject to the custody review procedures under this section.

Petitioner has been subject to a final order of removal since 1997 and was released under OSUP pursuant to 8 C.F.R. § 241.13, after a determination was made that there was no significant likelihood of removal in the reasonably foreseeable future. Under 8 C.F.R. §§ 241.4 and 241.13, if DHS later determines that removal has become likely, it

must follow certain procedures, including providing notice, conducting a custody review, and affording the noncitizen an opportunity to be heard.

The “removal period” has long passed, and the 90 – 180 days is now irrelevant. Instead, the Respondents’ own regulations regarding under what circumstances an OSUP may be revoked, control. Here, Respondents have violated the law and their own regulations by detaining Petitioner where there has been no violation.

Thereafter, a records review is done, and an interview is scheduled “within approximately three months after release is revoked.” 8 C.F.R. 241.13(j) entitled “Revocation of Release” also states that an alien’s release may be revoked and he may be returned to custody on account of “changed circumstances” if there is a significant likelihood that the alien may be removed in the reasonably foreseeable future.

To date, Petitioner has received none of the obligatory documentation as to why his supervision was unilaterally and unequivocally revoked, and has not been afforded or given notice of any process to contest the revocation by the Service, and was never detained by the Service at any point in the past 25 years despite their knowledge and circumstances of the Petitioner. Notwithstanding, the Petitioner was

already engaged the process attempting to re-open his immigration removal proceedings before the immigration court in Miami, Florida.

C. Federal Courts Consistently Reject Detention After OSUP Without Due Process

The Honorable District Court in the Eastern District of Texas ordered release of an alien detainee because ICE failed to demonstrate that removal was significantly likely in the reasonably foreseeable future, and failed to follow procedures for revoking supervised release. *See Escalante, v. Kristi Noem, Todd M. Lyons, Nikita Baker.*, No. 9:25-CV-00182-MJT, [2025 WL 2206113](#) (E.D. Tex. Aug. 2, 2025). *Escalante*, a noncitizen with a final removal order, had been released under OSUP. Despite full compliance, he was re-detained without new criminal activity, without notice, and based only on vague claims of "changed circumstances. Analogous to *Escalante*, Mr. Machado was also detained following placement on OSUP, more than twenty-five years after his OSUP began and more than 28 years after his removal order issued. Like *Escalante*, he was abruptly detained without explanation, process, or evidence that removal is now more likely. Since being detained, ICE has been able to substantiate any future removal possibilities.

In Massachusetts, the Honorable District Court granted an alien detainee's habeas petition because ICE could not show removal was

foreseeable, *even after* a diplomatic agreement between the U.S. and Vietnam. The court emphasized that longstanding compliance with OSUP created a protected liberty interest, and that detention required procedural safeguards under due process. *See Nguyen v. Hyde*, No. 25-cv-11470, 2025 WL 1725791 (D. Mass. June 20, 2025). In this case, the alien had been under an OSUP for decades. Although ICE cited a 2020 memorandum of understanding with Vietnam, the court rejected it as insufficient to show actual likelihood of removal. Further, and akin to the present matter, the alien had no new convictions following be placed OSUP, and obliged with all requirements under his release. Likewise, Mr. Machado was taken into custody without proof of a repatriation to his home country or any effort to obtain travel documents.

The Honorable District Court in Kansas granted an alien detainee's habeas because ICE officials did not properly revoke petitioner's release pursuant to the applicable regulations and thus that revocation has no effect, and that ICE could not demonstrate progress towards removal. *See Liu v. Carter* No. 25-3036-JWL, 2025 WL 1696526 (D. Kan. June 17, 2025). The Court emphasized the need for individualized review under 8 C.F.R. § 241.13, and how respondents failed on numerous occasions to produce documentation needed for petitioner's repatriation. *Id.* Further,

ICE could not provide any details about why the documentation could not be obtained in the past, nor did they attempt to show why obtaining that particular documentation was more likely this time around. *Id.* As in the present matter, Mr. Machado has been subject to detention, and no custody review appears to have been scheduled or conducted. Unlike the alien detainee in *Liu* however, Mr. Machado in this case has not violated OSUP provisions, nor been accused, arrested, or convicted of any criminal acts. ICE's failure to follow regulations, unlawfully detain Mr. Machado do not justify detention, and warrant immediate release.

In the state of California, the Honorable Eastern District Court granted emergency relief because revocation of OSUP without hearing violated *Morrissey v. Brewer*, 408 U.S. 471 (1972), and due process under *Zinermon v. Burch*, 494 U.S. 113 (1990). See *Galindo Arzate v. Andrews*, No. 2:25-cv-07899, 2025 WL 2230521 (E.D. Cal. Aug. 4, 2025). The alien detainee in *Arzate* had a final order of removal and had been on OSUP. He was re-detained based on a dismissed misdemeanor arrest. The Court held that ICE must provide due process before revoking supervised release, and granted a temporary restraining order. Based on this analysis, Mr. Machado, who had no criminal conduct at all, and was detained without notice, hearing, or explanation has unequivocally not

been afforded proper process. If due process attaches even where a new arrest exists such as in *Arzate*, then it undoubtedly applies in a case as this, where no triggering event occurred.

The Honorable District Court in New Jersey granted an alien detainee's habeas petition after concluding that ICE's re-detention of a supervised noncitizen must be justified by individualized findings, especially where removal was not imminent. *Tadros v. Noem, et al.*, No. 2:25-cv-04108-EP (D.N.J. June 17, 2025). The order further stated that if the alien detainee was to ever be re-detained, ICE would first need to comply with 8 C.F.R. § 241.4, and could not unilaterally revoke OSUP with compliance of said regulation. The factual and legal parallels are compelling. Like the alien detainee in *Tadros*, Mr. Machado's detention comes long after ICE abandoned active removal efforts. In both cases, ICE failed to identify a foreseeable removal path, and due process protections for those under OSUP were ignored despite perfect compliance with the conditions.

D. Due Process Demands Fair Warning Before Liberty Is Taken

Under *Morrissey v. Brewer*, 408 U.S. 471 (1972), individuals on conditional liberty (such as OSUP) are entitled to at a minimum:

- (a) written notice of the claimed violations of parole; (b) disclosure to the parolee of evidence against him; (c) opportunity to be heard in

person and to present witnesses and documentary evidence; (d) the right to confront and cross-examine adverse witnesses (unless the hearing officer specifically finds good cause for not allowing confrontation); (e) a ‘neutral and detached’ hearing body such as a traditional parole board, members of which need not be judicial officers or lawyers; and (f) a written statement by the factfinders as to the evidence relied on and reasons for revoking parole.

Id. at 489.

The Supreme Court further noted that such requirements are basic and should not be burdensome for any judicial system to produce. *See Id.*

Mr. Machado received none of these protections, and was afforded no such basic requirements. His OSUP was revoked without any procedural safeguards, opportunity to contest his arrest and detention, or given any such written statement.

E. Jurisdiction vesting in this Honorable Court halts removal without judicial approval.

The Petitioner is well within his right to challenge the legality of his detention, and this District has previously acknowledged his right to do so. Specifically, in *Krechmar v. Parra, et al.*, Case No.: 2:25-cv-01095-SPC-DNF (M.D. Fla. Dec. 15, 2025), the Court held that the “INA (Immigration & Natinality Act) does not strip the Court of jurisdiction over this action.” (See Opinion at DE:13 at pg. 4). To preserve the Court’s jurisdiction pending a ruling in this matter, an alien detainee shall not be removed

from the United States unless and until the Court orders otherwise. *See, e.g., Loc. 1814, Int'l Longshoremen's Ass'n, AFL-CIO v. New York Shipping Ass'n, Inc.*, 965 F.2d 1224, 1237 (2d Cir. 1992) (observing that, under the All Writs Act, 28 U.S.C. § 1651, a district court “may order that a petitioner’s deportation be stayed . . . when a stay is necessary to preserve the Court’s jurisdiction of the case”); *Khalil v. Joyce, No. 25 Civ. 1935, ECF No. 9* (S.D.N.Y. Mar. 10, 2025) (barring the government from removing petitioner from the United States until the Court could address his claim); cf. *Michael v. I.N.S.*, 48 F.3d 657, 661-62 (2d Cir. 1995) (holding that the All Writs Act provides a federal court of appeals reviewing a final removal order with a basis to stay removal).

F. Where the Government Slept, Petitioner Built a Life: Equity and Delay Preclude Detention.

Perhaps the most unique aspect of Mr. Machado’s case is the relief available to him through proper immigrations channels, which had already begun prior to his unlawful detention. Mr. Machado was eligible to apply for a waiver of deportation under §212(c) relief, a waiver that was available to him at the time of his deportation hearing. By virtue of the life he has lead since his release from custody more than 25 years ago, he has lead an exemplary life and as such, as accumulated outstanding

equities. He married his wife, Amy Jimenez Machado on March 25, 2000. In 2007 their first child, Ricardo, Jr. was born. Thereafter, in 2011 their twins, Allyson Marie and Zachary Richard were born. See Composite Exhibit "E". He has worked, with the expressed consent and approval of the Department of Homeland Security. See Exhibit "D". He has filed and paid his taxes. He owns his own home. See Exhibit "F". He has volunteered at the United States Air Force Base in MacDill. He has also provided volunteer services to the Indian River Sheriff's Office in Vero Beach, Florida, as well as other venues. Exhibit "G" The pending *sua sponte* motion to re-open proceedings before the Immigration Court in Miami is both legally and factually supported. Should the motion be granted this would serve to reinstate the lawful permanent residency status that was wrongly taken from him in 1997. His release would greatly assist in effectuating his journey through this lawful process, and justice and equity warrant substantiate this request. Mr. Machado's case is similar to the Respondent in *Matter of Peña-Diaz*, where the Board of Immigration Appeals (BIA) held that:

[W]hen an alien's eligibility for a new form of relief from deportation arises due to the Service's deliberate failure to enforce a final deportation order, it is *equally* appropriate to consider this factor in deciding whether or not the proceedings should be reopened in the exercise of discretion. In a case such as the respondent's, where the



Service has affirmatively permitted the alien to remain, the equities in the alien's favor become particularly strong. (emphasis added).

Int. Dec. 3225, 846 (BIA Aug. 4, 1994).

The equities the BIA specifically acknowledged in *Matter of Peña-Diaz* was allowed to remain included: (1) Respondent has spent most of his life, and all of his adult life in the United States. Indeed, he arrived at six years of age and has never traveled outside of the United States, (2) he has been steadily employed, has financially and emotionally supported his family, (3) he owns real property, (4) the members of respondent's immediate family are all United States citizens who are well established here as members of our society, two of whom have dedicated their careers to service in our military, *See Id.* Additionally, the BIA recognized that courts may properly “consider the actions of the Service with respect to its enforcement or intentional lack of enforcement of a final order of deportation.” *See Id.*

For 25 years, Mr. Machado has built a life grounded in hard work and selfless service, that is rooted in his deep faith and unwavering contributions to his community. Professionally, he is known as a loyal, diligent, and deeply trusted worker. Prior to his arrest he was employed by B&W Grocers as a field supervisor and his company awaits his return.

In this company he has earned a reputation as an ideal employee. See Exhibit “H”. He has worked for several companies and he has also been self-employed in the land clearing business. His continued employment is not an accident of circumstance, but a reflection of his integrity, reliability, and the high regard in which he is held. His work is not just steady—it is testimonial to the kind of person he has proven himself to be over decades.

Mr. Machado is devoted to his family and his community. He is actively involved in the lives of his twins, A  and Z  who are 14 years of age and his older son Ricardo, Jr. who recently graduated from high school. His wife, Amy has had two surgeries in less than one month and Mr. Machado has been instrumental in her slow recover. Mr. Machado has volunteered his time at MacDill Air Force Base in Florida. He has also volunteered in his community in Sebastian, Florida, including volunteering for the Indian River County Sheriff’s Office. Deputy Sheriff Carlos J. Negrón has characterized Mr. Machado as a person who is dedicated to “helping others” and as someone who has “consistently demonstrated honesty, compassion, and a willingness to go above and beyond for friends, neighbors, and colleagues.” Mr. Machado is an individual possessed with a quiet strength that he actively

employees in the service of his family, friends and his community. He is known not by titles or possessions, but by how readily he answers the needs of others—offering his skills in carpentry, plumbing, and electrical work freely to anyone who asks. His evenings and weekends are devoted not to rest, but to service. He does all this without pay, without praise, and without legal status—because he believes it is right.

The Service's own long-standing inaction—affirmatively permitting him to remain under an Order of Supervision for years—has not only allowed, but effectively endorsed the development of these deep and meaningful ties. Here, the balance is even more substantial, as Mr. Machado has been allowed to remain far in excess of the the 14 years of Mr. Peña-Diaz.

Mr. Machado poses no risk to the community. Excluding his two convictions which were obtained when he was 19 and 20 years old, respectively, he has no new criminal history. He has the opportunity to restore his lawful permanent residency status, and there is absolutely no reason to be detained—except that the Service changed its mind after nearly three decades.

The law does not reward delay for delay's sake. But it does, as *Peña-Diaz* confirms, recognize that equity and fairness require acknowledgment of the life built under the government's watchful eye—and, indeed, its implicit permission.

CLAIMS FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

Petitioner respectfully alleges that Respondents have violated his Fifth Amendment right to due process by unlawfully revoking his release from immigration custody without following the procedures required by law and regulation.

Respondents failed to comply with these regulatory procedures. Petitioner received no notice or explanation for the revocation of his supervised release, nor was he given any opportunity to contest the decision. This failure to adhere to binding regulations violates constitute a due process violation.

Petitioner's detention is therefore unlawful. Respondents have acted in excess of their statutory and constitutional authority and deprived Petitioner of liberty without due process of law.

As such, Petitioner should be released so that he may continue to await further instructions on his pending immigration case, including the

adjudication of his I-191 application for relief pursuant to §212(c) of the INA which would result in restoration of his lawful permanent residency status.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

- a. Assume jurisdiction over this matter;
- b. Order Petitioner to remain in the Middle District of Florida and not be transferred outside of Florida or the Middle District until further notice from this Honorable Court;
- c. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
- d. Order an emergency hearing requiring that Respondents produce the body (Petitioner) (28 U.S.C. § 2243);
- e. Declare that the Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
- f. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;

g. Award Petitioner reasonable costs and attorney's fees in this action as provided by the Equal Access to Justice Act, 28 U.S.C. § 2412, or other statute; and

h. Grant any further relief this Court deems just and proper.

Respectfully submitted on this day 19th day of December, 2025.

Respectfully submitted,

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that on December 19th, 2025 , I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, and entered the required information on the web-based system on the Court's website. I also certify that the foregoing document is being served this day via FED EX Courier to the United States Attorney's Office, Civil Division, 400 North Tampa Street, Suite 3200 Tampa, FL 33602.

/s/ Ana Maria Jhones

ANA MARIA JHONES, ESQ.

INDEX TO EXHIBITS

EXHIBIT A Petitioner's Record of Lawful Permanent Alien

**EXHIBIT B - Petitioner's Order of Release and Orders of Supervision
For the Past twenty-five years**

EXHIBIT C Petitioner's Order of Removal

EXHIBIT D Petitioner's Work Authorization

**EXHIBIT E Petitioner's Marriage Certificate
Petitioner's Wife Proof of US Citizenship
Petitioner's Children and Proof of US Citizenship**

EXHIBIT F Petitioner's Proof of Home Ownership

EXHIBIT G Petitioner's Proof of Volunteer Service

EXHIBIT H Letter from Petitioner's Current Employer