

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

Case No. 2:26-cv-00002-KCD-DNF

**ROBERTO FRANCISCO
FRANCO RODRIGUEZ,**

Petitioner,

v.

KELIE WALKER, et al.

Respondents.

PETITIONER'S NOTICE OF COMPLIANCE

Petitioner, by and through undersigned counsel, respectfully submits evidence to this Court in support of his motion for relief from the Final Judgment dismissing the Petition for Writ of Habeas Corpus under 28 U.S.C. §2241 as moot. Attached to this Notice is an Affidavit from Petitioner's partner, and two exhibits showing their recent communications while Petitioner remains in ICE detention. Petitioner is still detained by ICE within the United States, and, as of the latest ICE detainee locator result (2-4-26), he has been moved to an ICE facility in Louisiana.

Respectfully submitted,

Dated: 2-4-2026

s/ Felix A. Montanez
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AFFIDAVIT OF MAYTEE FIGUEROA, PETITIONER'S PARTNER

I, Maytee Figueroa, being duly sworn, hereby declare and state as follows:

1. I am the long-term partner of Petitioner, Roberto Francisco Franco Rodriguez. We have been in a relationship since August 11, 2016.
2. I am over the age of eighteen and competent to make this affidavit. I have personal knowledge of the facts stated herein.
3. I reside in Hialeah, Florida, U.S.A. This affidavit is based on my own personal observations and direct communications with Petitioner.
4. Since he was detained by Immigration and Customs Enforcement (ICE), and specifically since January 23, 2026, when he was transferred out of Florida, I have been in continuous and frequent communication with Petitioner. I have received telephone calls from him and have spoken with him regularly, including daily communications.
5. On January 31, 2026, I also participated in video calls with Petitioner. These video calls were live and interactive. During these video calls, I personally observed Petitioner on live video while he was detained. He appeared in a secured detention environment consistent with U.S. immigration detention, including detention attire.

6. During multiple telephone and video calls, Petitioner informed me that he is being held in the custody of U.S. Immigration and Customs Enforcement (ICE) within the United States. Based on my direct observations during the video calls, I believe this to be true.
7. In addition to my direct communications with Petitioner, I have receive electronic notifications from the Department of Homeland Security (DHS) through DHS.gov. As of January 26, 2026, those notifications indicated that Petitioner remained in ICE custody within the United States.
8. Attached to this affidavit are true and correct copies of screenshots documenting screenshots of telephone call logs and notifications reflecting communications between Petitioner and myself beginning on January 23, 2026, *see* Exh. "A," and screenshots of DHS.gov notifications dated on or about January 26, 2026, indicating that Petitioner remains in U.S. ICE custody, *see* Exh. "B."
11. Based on my daily communications, live video calls, and DHS notifications, I can confirm that Petitioner remains physically present in the United States and in ICE custody.
12. I submit this affidavit in support of Petitioner's Rule 60 motion to provide additional evidence demonstrating that Petitioner has not been removed from the United States.
13. I understand that this affidavit will be submitted to a federal court and that false statements may subject me to penalties for perjury.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 4th day of February 2026, at Miami, Florida.

A handwritten signature in black ink, appearing to read 'Maytee Figueroa', with a large, stylized flourish at the end.

Maytee Figueroa
Affiant

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to and subscribed by Maytee Figueroa before me on this 4th day of February, 2026, who produced the following form of identification: DLN: 



Notary Public, State of Florida
State of Florida

