

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

_____)	
DAVID SAINT REMY,)	
Petitioner,)	Case No. _____
)	
V.)	
)	
PAM BONDI, Attorney General of the United States;)	
KRISTI L. NOEM, Secretary, Department of)	
Homeland Security; TODD LYONS, Acting Director,)	
U.S. Immigration and Customs Enforcement;)	
GARRETT J. RIPA, Field Office Director - Miami ERO;)	
and RONNIE WOODALL, Warden -)	
Baker Correctional Institution.)	
)	
Respondents.)	
_____)	

PETITION FOR WRIT OF HABEAS CORPUS

A. Introduction

Petitioner, David Saint Remy (or “Mr. Saint Remy”), by and through undersigned counsel, respectfully submits this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. 2241, seeking immediate release from unlawful detention by the Respondents. Petitioner is currently detained at Baker Correctional Institution under the authority of the Department of Homeland Security (DHS) and

Immigration and Customs Enforcement (ICE). Petitioner asserts that his continued detention violates the Constitution, laws, and treaties of the United States.

B. Jurisdiction and Venue

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. 2241, as Petitioner is in custody under the color of authority of the United States, and such custody violates the Constitution, laws, or treaties of the United States.
2. Venue is proper in the Middle District of Florida pursuant to 28 U.S.C. 1391(e) because Petitioner is detained within this District, and the Respondents, in their official capacity, reside or operate within this District.

C. Parties


3. Petitioner, David Saint Remy, is classified as a Haitian national by Respondents but upon information and belief is a stateless individual currently in ICE custody, detained at the Baker Correctional Institution (“Baker”), located at 20706 FL-10, Sanderson, FL 32087.
4. Ronnie Woodall is sued in his official capacity as the Warden of Baker Correctional Institution. In this capacity, he is responsible for overseeing Baker’s daily operations, inmate safety and security, and staffing, as well as knowing correctional policies and procedures. Mr. Woodall is a legal custodian of the Petitioner.

5. Garrett J. Ripa is sued in his official capacity as the Field Office Director for the Miami Field Office of Immigration and Customs Enforcement (“ICE”). In this capacity, he has jurisdiction over the detention facility in which Petitioner is held, is authorized to release Petitioner, and is a legal custodian of Petitioner. *Masingene v. Martin*, 424 F. Supp. 3d 1298 (S.D. Fla. 2020).
6. Todd M. Lyons is sued in his official capacity as the Acting Director of ICE. In this capacity, he has responsibility for the enforcement of immigration laws and immigration detention. As such, he is a legal custodian of Petitioner.
7. Kristi L. Noem is sued in her official capacity as the Secretary of the DHS, the arm of the U.S. government responsible for the enforcement of the immigration laws. Because ICE is a subagency of the DHS, Secretary Noem is a legal custodian of Petitioner.
8. Pamela Jo Bondi is sued in her official capacity as the Attorney General of the United States, the chief officer within the Department of Justice (“DOJ”). The DOJ encompasses the Board of Immigration Appeals (“BIA”) and the Immigration Courts as sub-agencies of the Executive Office of Immigration Review (“EOIR”). Attorney General Bondi shares responsibility for the implementation and enforcement of the immigration laws and is a legal custodian of Petitioner.

D. Factual Background

9. Petitioner, David Saint Remy, was born in 1974 in Nassau, Bahamas. His parents were natives and citizens of Haiti and currently hold United States Citizenship.
10. Petitioner first entered the United States on or around 1988 through the Bahamas, where he lived and spent his formative years. Mr. Saint Remy received Lawful Permanent Residency through a U.S. citizen relative. *See Exhibit B.* However, Petitioner was stripped of status following a criminal conviction in or around 1995, for which he served seven years incarcerated in the Florida Department of Corrections.
11. Petitioner was released to ICE custody in or around 2002 until his deportation to Haiti in 2003. Because the Petitioner was born in the Bahamas just after the country's independence to non-Bahamian citizen parents, the Bahamas did not recognize the Petitioner as a citizen of the country.¹ Therefore, Mr. Saint Remy was deported to Haiti, which is his parents' country of origin.

¹ See Bahamas Nationality Act, <https://www.refworld.org/legal/legislation/natlegbod/1973/en/30540> (last accessed January 6, 2025)

12. While in Haiti, 
Mr. Saint Remy. Consequently, Petitioner fled Haiti and returned to the United States in 2006.
13. Petitioner served five years in a federal penitentiary for illegal entry and was released to ICE in 2012.
14. On July 10, 2013, an Immigration Judge ordered Petitioner's removal to Haiti but granted Petitioner a Deferral of Removal under the Convention Against Torture Act ("CAT"). See Exhibit B. In late 2013, ICE released the Petitioner on an Order of Supervision. Mr. Saint Remy remained on an Order of Supervision for 12 years, during which time he never committed any violation of immigration or criminal law. During his time, ICE issued the Petitioner an I-94 and an Employment Authorization Document annually.
15. On July 3, 2025, Petitioner attended a regularly scheduled check-in with ICE, when he was inexplicably taken into immigration custody and has been detained at Baker since that date. Petitioner had been dutifully attending all ICE check-ins and was detained after arriving on time for his most recent check-in.
16. Petitioner is not eligible for bond under the current interpretation of immigration detention statutes.

17. Although the Petitioner has a criminal history, his last conviction was nearly 30 years ago, in or around 1995. Except for his illegal entry charge, for which Petitioner was escaping torture, Mr. Saint Remy has shown excellent character and has no novel charges.
18. Petitioner poses no danger to the community or risk of flight. He is a married man, jointly holding property with his wife in South Florida. *See Exhibit E.* Mr Saint Remy bought a home only a few years before his inexplicable detention and has spent decades building a life in the United States. Petitioner has built a community of friends and family in the U.S.
19. While there is not an exhaustion requirement, Petitioner has exhausted all administrative remedies available to challenge his detention, including a request for humanitarian parole, to which Petitioner received no response. *See Exhibit F.*
20. Petitioner has chronic medical issues that make his ongoing detention especially dangerous. Due to his gastrointestinal condition, Mr. Saint Remy vomits every time he eats and at night. He requires consistent medication to manage these symptoms, which, if improperly treated, will result in malnutrition and intestinal damage. As such, proper treatment and monitoring are needed to ensure Mr. Saint Remy is nourished and eating food that does not aggravate his digestive system.

21. Mr. Saint Remy has not received proper medical attention while detained. In one instance, Mr Saint Remy had to be taken to an outside hospital for chest pains, which had developed because he was inconsistently receiving medication for his gastrointestinal condition. Mr. Saint Remy has also been reporting shortness of breath, which has already caused him to faint, and received no medical attention.

22. On or around November 22, 2025, Petitioner was placed in a newly opened quad that was overcrowded and unfit for human habitation. He fainted due to shortness of breath in the quad, and correctional officers had to send officers to collect Mr. Saint Remy. On November 23, 2025 at 5:05 AM, Mr. Saint Remy was consequently hospitalized as a result of these conditions. He was released from hospital care later the same day, on November 23, 2025.

23. Finally, Mr. Saint Remy's repeated medical crises due to detention conditions, separation from his family and spouse, and financial anxieties from no longer being able to economically support his household have devastated his mental health. Petitioner has been suffering from severe depression and anxiety,

24. These physiological issues reflect Mr. Saint Remy's declining state and only underscore his need for better medical care and attention outside of detention.

25. Petitioner's continued detention is unlawful under the Due Process Clause of the Fifth Amendment and the Immigration and Nationality Act.

CLAIMS FOR RELIEF

Count II — Fifth Amendment: Deprivation of Due Process

26. Petitioner incorporates Paragraphs 1-25 herein.

27. Under the Due Process Clause, civil detention is permissible only when there is a "special justification" that "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also Gabrius v. Dep't of Homeland Sec.*, No. 24-22680-CIV, 2024 U.S. Dist. LEXIS 224171, at *11 (S.D. Fla. Sep. 9, 2024).

28. Petitioner alleges that continued detention without a meaningful prompt judicial or neutral review and without adequate process to test the validity of the arrest/detention violates substantive and procedural due process under the Fifth Amendment.

29. The Petitioner has been detained for six months and three days. Petitioner has a valid Order granting Deferral of Removal to Haiti under CAT. He is not a citizen of any other country, and Respondents have been unable to secure deportation to a third country. Petitioner has been detained indefinitely for over six months, which case precedent states is unreasonable

and violates his rights to due process. *See Zadvydas v. Davis*, 533 U.S. 678 (2001)

Count III — Ultra Vires / Statutory Violation

30. Petitioner incorporates Paragraphs 1-25 herein.
31. Petitioner alleges that Respondents lack statutory authority to detain Petitioner under the circumstances alleged, and that detention is not authorized by 8 U.S.C. §§ 1225, 1226, or 1231 as applied to the facts here.
32. Petitioner has not been afforded a meaningful opportunity to challenge his detention or demonstrate that he is neither a flight risk nor a danger to the community.
33. Petitioner asserts that exhausting all administrative remedies is unnecessary and serves no purpose because the conclusion of the administrative process can be readily presumed and would not provide for an adequate remedy, especially given the BIA's recent decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (B.I.A. 2025). *See Puga v. Assistant Field Office Dir.*, No. 25-24535-CIV, 2025 U.S. Dist. LEXIS 203222, at *6 (S.D. Fla. Oct. 15, 2025 (“Generally, exhaustion is not required where no genuine opportunity for adequate relief exists . . . or an administrative appeal would be futile”). Further, Mr. Saint Remy already has an Order deferring his removal to Haiti and thus there are no open immigration proceedings against him and thus no

opportunity to go before an immigration judge to contest his indefinite detention.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue a writ of habeas corpus directing Respondents to produce Petitioner before this Court and to show cause why Petitioner is being detained;
2. Order that Petitioner shall not be transferred outside the Middle District of Florida while this Petition is pending before the Court.
3. Order Petitioner's immediate release from ICE custody;
4. Declare that Petitioner's arrest and detention violated the Fifth Amendment of the United States Constitution;
5. Enjoin Respondents from re-detaining Petitioner without lawful probable cause and compliance with applicable statutes and regulations;
6. Award reasonable attorneys' fees and costs where authorized; and
7. Grant such further relief as the Court deems just and proper.

Respectfully submitted this 7th day of January, 2026.

/s/ Katherine H. Blankenship
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Attorney for Petitioner

Certificate of Service

I hereby certify that on January 7, 2026, a true and correct copy of the foregoing Petition for Writ of Habeas Corpus was served via Pacer/ECF electronic filing.

Respectfully submitted,

/s/ Katherine H. Blankenship

Katherine H. Blankenship (FL 1031234)

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Attorney for Petitioner

**VERIFICATION BY SOMEONE ACTING ON THE PETITIONER'S
BEHALF PURSUANT TO 28 U.S.C. § 2242**

I, Katherine H. Blankenship, am submitting this verification on behalf of Petitioner because I am his attorney. I have conferred with Mr. David Saint Remy and also reviewed the administrative record of his case as his counsel acting before the agency. On the basis of this review, I hereby verify that the statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated: January 7, 2026

/s/ Katherine H. Blankenship

Katherine H. Blankenship (FL Bar No. 1031234)