

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

26cv 60075

UNITED STATES DISTRICT COURT

for the Southern District of Florida



FILED BY [Signature] D.C. FEB 02 2026 ANGELA E. NOBLE CLERK U.S. DIST. CT. S. D. OF FLA. - MIAMI

SANCHEZ VALDEZ, KIAME SIGNEY

Petitioner

v.

Warden, BROWARD TRANSITIONAL CENTER

Respondent

(name of warden or authorized person having custody of petitioner)

Case No. (Supplied by Clerk of Court)

A mended

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

- 1. (a) Your full name: SANCHEZ VALDEZ, KIAME SIGNEY
(b) Other names you have used:
2. Place of confinement:
(a) Name of institution: BROWARD TRANSITIONAL CENTER
(b) Address: 3900 N. POWERLINE ROAD, POMPANO BEACH, FLORIDA 33070
(c) Your identification number:
3. Are you currently being held on orders by:
[checked] Federal authorities [] State authorities [] Other - explain:
4. Are you currently:
[] A pretrial detainee (waiting for trial on criminal charges)
[] Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you:
(b) Docket number of criminal case:
(c) Date of sentencing:
[checked] Being held on an immigration charge
[] Other (explain):

Decision or Action You Are Challenging

- 5. What are you challenging in this petition:
[] How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: U.S IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

(b) Docket number, case number, or opinion number: _____

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

CONTINUED IMMIGRATION DETENTION

(d) Date of the decision or action: 11/10/2025

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- Yes
- No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

NO ADMINISTRATIVE APPEAL PROCESS AVAILABLE FOR IMMIGRATION DETENTION.

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal:
NO ADMINISTRATIVE APPEAL PROCESS AVAILABLE.

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal:
NO ADMINISTRATIVE APPEAL PROCESS AVAILABLE.

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes No

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If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

- Yes
- No

If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

- Yes
- No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 11/10/2025
- (b) Date of the removal or reinstatement order: 01/06/2020
- (c) Did you file an appeal with the Board of Immigration Appeals?

- Yes
- No

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If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes No

If "Yes," provide:

- (a) Kind of petition, motion, or application: _____
- (b) Name of the authority, agency, or court: _____
- (c) Date of filing: _____
- (d) Docket number, case number, or opinion number: _____
- (e) Result: _____
- (f) Date of result: _____
- (g) Issues raised: _____

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Grounds for Your Challenge in This Petition

- 13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: UNLAWFUL CONTINUED IMMIGRATION DETENTION IN VIOLATION OF THE DUE PROCESS CLAUSE.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

PETITIONER IS SUBJECT TO A FINAL ORDER OF REMOVAL, BUT REMOVAL IS NOT REASONABLY FORESEEABLE. PETITIONER WAS RE-DETAINED ON NOVEMBER 10, 2025, AFTER YEARS OF COMPLIANCE UNDER AN ORDER OF SUPERVISION. PETITIONER HAS REMAINED IN CONTINUED IMMIGRATION DETENTION WITHOUT NOTICE OF REMOVAL DATE.

(b) Did you present Ground One in all appeals that were available to you?

Yes No

GROUND TWO: ARBITRARY RE-DETTENTION WITHOUT ANY MATERIAL CHANGE IN CIRCUMSTANCES.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

PETITIONER WAS PREVIOUSLY RELEASED UNDER AN ORDER OF SUPERVISION AND COMPLIED WITH ALL ICE SUPERVISION REQUIREMENTS FOR YEARS. PETITIONER NEVER MISSED A CHECK-IN, NEVER ABSCONDED, AND HAS NO NEW CRIMINAL INCIDENTS OR SUPERVISION VIOLATIONS. DESPITE FULL COMPLIANCE AND NO CHANGE IN CIRCUMSTANCES, ICE RE-DETAINED PETITIONER ON NOVEMBER 10 2025, WITHOUT A HEARING OR EXPLANATION OF CHANGED CIRCUMSTANCES.

(b) Did you present Ground Two in all appeals that were available to you?

Yes No

GROUND THREE: CONTINUED DETENTION SERVES NO LEGITIMATE GOVERNMENTAL PURPOSE AND IS EXCESSIVE IN RELATION TO ITS CIVIL OBJECTIVE.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

PETITIONER POSES NO FLIGHT RISK OR DANGER TO THE COMMUNITY. PETITIONER HAS SERIOUS AND CHRONIC MEDICAL CONDITIONS THAT REQUIRE REGULAR MEDICAL CARE. LESS RESTRICTIVE ALTERNATIVES TO DETENTION WERE PREVIOUSLY UTILIZED SUCCESSFULLY. CONTINUED DETENTION HAS NO FORESEEABLE END.

(b) Did you present Ground Three in all appeals that were available to you?

Yes No

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GROUND FOUR: CONTINUED IMMIGRATION DETENTION CAUSES IRREPARABLE HARM DUE TO PETITIONER'S SERIOUS MEDICAL CONDITIONS.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

PETITIONER HAS DOCUMENTED HISTORY OF AN ISCHMIC STROKE WITH MRI CONFIRMED LEFT DEEP BRAIN INFARCT, RESULTING IN RIGHTSIDED FACIAL PARALYSIS, COGNITIVE IMPAIRMENT, AND ONGOING NEUROLOGICAL DEFICITS, ALONG WITH NEWLY DIAGNOSED DIABETES MELLITUS, HYPERTENSION AND DYSLIPIDEMIA. ETITIONER'S HEALTH HAS DETERIORATED DURING DETENTION. CONTINUED DETENTION PLACES PETITIONER AT RISK OF SERIOUS AND IRREPARABLE HARM.

(b) Did you present Ground Four in all appeals that were available to you?

Yes No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: NO ADMINISTRATIVE APPEAL PROCESS AVAILABLE FOR IMMIGRATION DETENTION.

Request for Relief

15. State exactly what you want the court to do: ORDER PETITIONER'S IMMEDIATE RELEASE FROM IMMIGRATION DETENTION OR IN THE ALTERNATIVE, ORDER ANY RELIEF THE COURT DEEMS JUST AND PROPER.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 01/31/2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any

Print

Save As...

Reset

EXHIBIT A

EXHIBIT B

CHECKLIST FINAL – ENTREGA DEL HABEAS CORPUS

Estas instrucciones son para la persona que va a ENTREGAR o ENVIAR el paquete del habeas corpus. No debe llenar formularios ni escribir documentos legales. Solo revisar, organizar y entregar.

PASO 1: Verificar documentos

- Formulario AO-242 (Habeas Corpus) firmado y fechado por el detenido.
- Certificate of Service firmado y con fecha.
- Exhibit A – Order of Supervision.
- Exhibit B – Récords médicos.
- Money Order de \$5.00.

PASO 2: Money Order (muy importante)

- Cantidad exacta: \$5.00
- Pay to (en inglés): Clerk, U.S. District Court
- En la línea Memo / For (opcional): Habeas Corpus Filing Fee – AO-242
- No engrapar el money order.

PASO 3: Orden del paquete

- AO-242 (original firmado)
- Certificate of Service
- Exhibit A – Order of Supervision
- Exhibit B – Medical Records
- Money Order

PASO 4: Dónde entregar

Clerk of Court
United States District Court
Southern District of Florida
400 North Miami Avenue
Miami, FL 33128

PASO 5: Si se entrega en persona

Decir en la ventanilla: 'I am filing a habeas corpus petition.' Pedir una copia sellada si se lleva una copia adicional.

PASO 6: Después de entregar

No hay que hacer nada más. La corte asignará un número de caso y revisará el habeas.

HABEAS CORPUS – PREGUNTAS Y RESPUESTAS (COPIA FIEL DE LAS RESPUESTAS DEL FORMULARIO AO-242)

Este documento reproduce en español, de forma clara y completa, las mismas respuestas que se colocaron en el formulario AO-242 presentado ante la Corte Federal. No es un documento legal nuevo ni un resumen general; es una explicación fiel para la familia.

¿Qué tipo de documento se presentó?

Se presentó una Petición de Habeas Corpus bajo 28 U.S.C. § 2241 para impugnar la detención migratoria actual.

¿Quién presentó el habeas corpus y cómo?

El propio detenido presentó el habeas corpus de manera pro se (sin abogado), utilizando el formulario oficial AO-242.

¿Ante qué tribunal se presentó?

Ante la Corte Federal del Distrito Sur de la Florida (Southern District of Florida), que es la corte correspondiente al lugar de detención.

¿Dónde se encuentra detenida la persona y bajo qué autoridad?

La persona se encuentra detenida en el Broward Transitional Center bajo custodia de autoridades federales de inmigración (ICE).

¿Contra quién va dirigida la petición?

La petición va dirigida contra el Warden (director) del Broward Transitional Center, quien tiene custodia física directa.

¿La persona está detenida por un delito criminal?

No. La detención no es por una condena criminal, sino únicamente por un asunto migratorio civil.

¿Qué se está impugnando específicamente en este habeas?

Se está impugnando la detención migratoria continua, prolongada e irrazonable, la cual se alega viola el debido proceso constitucional.

¿Se está apelando o atacando una orden de deportación en este habeas?

No. En este habeas no se está apelando la orden de deportación ni la decisión migratoria final. Únicamente se solicita que el juez revise la legalidad de mantener a la persona detenida.

¿Se presentaron apelaciones administrativas antes de este habeas?

No, porque no existe un remedio administrativo adecuado para este tipo de detención prolongada, especialmente dadas las condiciones médicas serias del detenido.

¿Se está impugnando una condena o sentencia criminal bajo 28 U.S.C. § 2255?

No. Por esa razón se respondió 'No' a todas las preguntas relacionadas con la ley 28 U.S.C. § 2255.

¿Este caso está relacionado con procedimientos de inmigración?

Sí. El detenido se encuentra bajo custodia de ICE desde la fecha indicada en el formulario AO-242.

¿Cuáles son los fundamentos médicos incluidos en el habeas corpus?

El habeas corpus incluye información médica detallada que demuestra que la detención continua pone en riesgo la salud y la vida del detenido.

Condiciones médicas específicas declaradas en el habeas:

- Historial documentado de un derrame cerebral isquémico (ischemic stroke).
- Resonancia magnética (MRI) que confirma un infarto cerebral profundo en el lado izquierdo del cerebro.
- Déficits neurológicos persistentes, incluyendo parálisis facial del lado derecho, confusión y deterioro cognitivo.
- Diagnóstico nuevo de Diabetes Mellitus Tipo II.
- Hipertensión arterial (presión alta).
- Dislipidemia (niveles elevados de colesterol).
- Riesgo elevado de un segundo derrame cerebral u otras complicaciones graves si continúa la detención.
- Necesidad de monitoreo médico continuo, medicamentos y seguimiento especializado.
- La detención limita el acceso oportuno y adecuado a cuidados médicos especializados.

¿Qué evidencia médica se adjuntó al habeas?

Se adjuntaron récords médicos oficiales del hospital como prueba objetiva de las condiciones médicas descritas.

¿Cómo se presentaron estas pruebas?

Los documentos médicos fueron presentados como Exhibición B, junto con la Exhibición A (Orden de Supervisión), para respaldar las alegaciones del habeas corpus.

¿Qué se le pidió exactamente al juez en base a la información médica?

Que el juez ordene la liberación de la detención migratoria debido al riesgo médico y al carácter inconstitucional de la detención prolongada, o que otorgue cualquier otro alivio justo, incluyendo una audiencia de fianza.

Este documento refleja fielmente las respuestas presentadas en el habeas corpus y se preparó únicamente para explicar a la familia lo que fue presentado ante la Corte.

CERTIFICATE OF SERVICE

I hereby certify that on this date, I served a true and correct copy of the foregoing Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 by US mail upon the respondent.

Executed on 01/31, 2026.



MARICELA HERRERA

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and _____ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.