UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:26-60075-CIV-SINGHAL

KIAMI SIGNEY SANCHEZ VALDES,

Petitioner,

vs.

BROWARD TRANSITIONAL CENTER,

Respondent.
_____/

RESPONDENT'S RETURN/RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS AND MEMORANDUM OF FACT AND LAW IN SUPPORT OF SAME AND MOTION TO DISMISS FOR LACK OF JURISDICTION

Respondent files this Return to Plaintiff's Amended Petition for Writ of Habeas Corpus [D.E. 6] (hereinafter the "Petition"), respond to Court's Order dated February 4, 2026 [D.E. 8] and move to dismiss for lack of jurisdiction. As to the merits, as set forth below, this action should be dismissed as Petitioner is properly detained pursuant to 8 U.S.C. § 1231(a)(6).

I. FACTUAL BACKGROUND

Petitioner, Kiame Sanchez Valdes (Petitioner), is a native and citizen of Cuba. He attempted to enter the United States without inspection through the Ysleta Port of Entry in El Paso, Texas on June 6, 2019, before being apprehended by Border Patrol Officers. **Exhibit A**: Declaration of Assistant Field Office Director ¶ 7. **Exhibit B**: Form I-213. Petitioner was placed in expedited removal proceedings and subsequently, on June 6, 2019, Immigration and Custom Enforcement (ICE), Enforcement and Removal Operations (ERO) issued Petitioner a Notice to Appear (NTA) charging him as removable from the United States pursuant to INA § 212(a)(7)(A)(i)(I), as amended, as an immigrant who, at the time of application for admission, was not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or

other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act. *Id.*; Ex. A ¶ 8. Petitioner was transferred to ICE ERO custody on June 8, 2019. After appearing for his removal hearing, an Immigration Judge ordered Petitioner removed to Spain, or in the alternative to Cuba, on January 6, 2020, and appeal was waived by all parties. **Exhibit C**: IJ order dated January 6, 2020. On March 3, 2020, ICE ERO released Petitioner from custody on an order of supervision (OSUP). **Exhibit D**: Form I-220B, Order of Supervision.

On November 10, 2025, Petitioner reported to ICE ERO for his OSUP check-in appointment and was taken into custody in order to effectuate removal. **Exhibit E**: Form I-200, Warrant for Arrest of Alien. On November 10, 2025, ICE ERO issued a Notice of Revocation of Release. **Exhibit F**: Notice of Revocation of Release. ICE ERO conducted an informal interview, consistent with 8 C.F.R. § 241.4(l), on the same day. Ex A ¶ 11. Petitioner was transferred to the Broward Transitional Center (BTC) on November 22, 2025, and was seen by the medical staff there. *Id.*¶ 21; Ex H.

The BTC adheres to the ICE Performance Based National Detention Standards (Revised 2025) (PBNDS 2025). Ex A ¶ 22. Pursuant to Standard 6.1 of the PBNDS 2025, detainees at the facility are provided the detainee manual in their native language. Pursuant to Standard 4.3 of the PBNDS 2025, Petitioner may request medical care, and under Standard 6.2 of the PBNDS 2025, detainees are provided a mechanism by which to file grievances. *Id.* Detainees are also provided with a pin to access a tablet, where they may make requests such as sick calls, file grievances or a request to discuss their case with the deportation officer. *Id.* Petitioner has not filed a grievance with ERO regarding his medical care or nutrition at the facility. *Id.* ¶ 23.

On December 25, 2025, ICE ERO served Petitioner with a Notice of Removal to Mexico. **Exhibit G**: Notice of Removal dated December 25, 2025. On or about January 19, 2026, Petitioner was scheduled to be transferred for removal to Mexico, but was removed from the flight manifest. Ex A ¶19. Petitioner remains detained at the Broward Transitional Center in Miami, Florida. **Exhibit H**: Detention History.

II. ARGUMENT

As explained in more detail below, the Petition fails for jurisdictional reasons as well as on its merits. First, the Court lacks subject matter jurisdiction to enjoin the removal order or to enjoin Petitioner's transfer pursuant to 8 U.S.C. § 1252(g), which provides that "no court shall have jurisdiction to hear any cause or claim by . . . any alien arising from the decision or action by [DHS] to . . . execute removal orders against any alien." Thus, the Court lacks jurisdiction to grant the relief requested, which is the immediate release of an alien under a removal order subject to execution. Second, the Amended Petition fails to state a cause of action because a habeas corpus petition is not the appropriate vehicle for raising a conditions of confinement such as inadequate medical care.

Even if these jurisdictional and pleading hurdles are ignored, the Petition must still be dismissed on the merits because (1) ICE lawfully detained Petitioner pursuant to 8 U.S.C. § 1231(a); (2) Petitioner's claim is premature and his 80-day detention[1] is presumptively reasonable under the framework set forth in *Zadvydas v. Davis*; and (3) ICE's revocation of release comports with regulation and due process.

A. Petition Must be Dismissed for Lack of Jurisdiction.

i. Court Lacks Jurisdiction to prevent execution on removal order.

[1] Petitioner was detained on November 10, 2025. Thus, Petitioner was detained for 80 days when he filed the Petition and has been detained for 93 days at the time of this filing.

Petitioner seeks an order that bars ICE from executing on Petitioner's removal order by requesting his immediate release. D.E. 6. However, this Court is without jurisdiction to grant such relief. Federal law precludes a district court from interfering with government's decision or action to execute orders of removal. 8 U.S.C. § 1252(g). Section 1252(g) states that "no court shall have jurisdiction to hear any cause or claim by . . . any alien arising from the decision or action by [ICE] to . . . execute removal orders against any alien." 8 U.S.C. § 1252(g). This provision applies "notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision." *Id.*

As the Eleventh Circuit explained, "Section 1252(g) bars review over "any" challenge to the execution of a removal order—and makes no exception for those claiming to challenge the government's "authority" to execute their removal orders." *Camarena v. Dir., Immigr. & Customs Enf't*, 988 F.3d 1268, 1273 (11th Cir. 2021) (holding that were there is challenge to the validity of a removal order, district courts lack jurisdiction to hear any "cause or claim brought by an alien arising from the government's decision to execute a removal order"). The petitioners in *Camerana* were in virtually identical situations as Petitioner, in that like here (a) they did not challenge the order for removal, (b) stayed in the U.S. via an order of supervision for years, and (c) filed habeas petitions once DHS attempted to execute its orders of removals. Under these circumstances, the Eleventh Circuit found that the court lacked jurisdiction to interfere with the execution of the removal orders pursuant to section 1252(g). *Id.* at 1272-73.

Here, as the petitioners in *Camarena*, Petitioner does not challenge the validity or existence of the order of removal, but instead argues that DHS should be prevented from detaining Petitioner while he awaits execution of the removal order. D.E. 6. Putting aside Petitioner's premature *Zadvydas* challenge to the length of his detention addressed below, Petitioner asks the district court

prevent DHS from executing its removal order by requiring an immediate release. *Id.* Nevertheless, pursuant to Section 1252(g) as explained by *Camarena*, this Court lacks jurisdiction to grant such relief. *See also Rivera-Amador v. Rhoden*, No. 3:25-CV-1460-WWB-SJH, 2025 WL 3687452, at *3 (M.D. Fla. Dec. 19, 2025) (holding that section 1252(g) "divests the Court of jurisdiction" from enjoining respondents from detaining and deporting petitioner subject to a removal order); *Viana v. President of United States*, No. 18-CV-222-LM, 2018 WL 1587474, at *2 (D.N.H. Apr. 2, 2018) (Petitioner's "requested relief, a stay from removal, would necessarily impose a judicial constraint on immigration authorities' decision to execute the removal order, contrary to the purpose of § 1252(g)."); *Mapoy v. Carroll*, 185 F.3d 224, 230 (4th Cir. 1999) (holding that district court lacked jurisdiction to hear a challenge to execution of order of deportation pursuant to § 1252 (g)); *Barrios v. Ripa*, No. 1:25-CV-22644, 2025 WL 2280485, at *3 (S.D. Fla. Aug. 8, 2025) ("The Court finds that § 1252(g) deprives it of subject-matter jurisdiction over Respondents' decision to revoke the OSUP…").

Congress did not give courts jurisdiction to stay removals or reopen removal orders, and in fact, stripped district courts of the ability to interfere with ICE's execution of removal orders. As such, this court must deny any request by Petitioner interfering with the execution of the removal order (such as his immediate release) for lack of jurisdiction.

B. Habeas Relief is not available to challenge conditions of confinement.

Although no legal basis is given for how Petitioner's medical condition would entitle him to be immediately released, Petitioner alleges throughout his Petition that he suffers from severe medical conditions that he implies are not properly treated in that he is suffering from "irreparable harm" by being subjected to detention where his conditions require "regular medical care". D.E. 6 at 6-7. Although there is no allegation that the facility lacks adequate medical care, to the extent

that is this argument is impliedly presented, it fails as a matter of law because claims regarding the conditions of confinement cannot be raised in habeas. *See Nelson v. Campbell*, 541 U.S. 637, 643 (2004) ("constitutional claims that merely challenge the conditions of a prisoner's confinement, whether the inmate seeks monetary or injunctive relief, fall outside [the] core" of habeas corpus); *Vaz v. Skinner*, 634 Fed. App'x 778, 781 (11th Cir. 2015) ("§ 2241 petition is not the appropriate vehicle for raising an inadequate medical care claim, as such a claim challenges the conditions of confinement, not the fact or duration of confinement."). Consequently, the Amended Petition must be dismissed as habeas relief is not available for any implied claim that the facility lacks adequate medical care. Interestingly, although Petitioner has the ability to report any grievances relating to his medical care, Petitioner has not complained to ERO regarding his medical care. Ex. A ¶ 23.

C. Petitioner's Claims Fail on the Merits Because ICE is Authorized to Detain and Deport Him.

ICE can lawfully detain Petitioner because he is subject to a final order of removal and can be detained under 8 U.S.C. § 1231(a)(6). Further, following Supreme Court precedent, his claim that his detention violates the Due Process Clause because his removal is allegedly not foreseeable is not well-founded at this early point in his detention.

ICE lawfully detained Petitioner pursuant to 8 U.S.C. § 1231(a).

ICE's detention authority stems from 8 U.S.C. § 1231 which provides for the detention and removal of aliens with final orders of removal. Section 1231(a)(1)(A) directs immigration authorities to remove an individual with a final order of removal within a period of 90 days, which is known as the "removal period." During the removal period, ICE must detain the alien. 8 U.S.C. § 1231(a)(2) ("shall detain"). If the removal period expires, ICE can either release an individual pursuant to an Order of Supervision as directed by § 1231(a)(3) or may continue detention under

§ 1231(a)(6). ICE may continue detention beyond the removal period for three categories of individuals: (i) those who are inadmissible to the United States pursuant to 8 U.S.C. § 1182; (ii) those who are subject to certain grounds of removability from the United States pursuant to 8 U.S.C. § 1227; or (iii) those whom immigration authorities have determined to be a risk to the community or "unlikely to comply with the order of removal." 8 U.S.C. § 1231(a)(6)(A).

As such, because Petitioner is present in the United States unlawfully, ICE has statutory authority to detain Petitioner to effectuate his removal order from the United States and he is not entitled to a bond hearing or release as § 1231(a)(6) does not require such process. *See Johnson v. Arteaga-Martinez*, 596 U.S. 573, 574, 581 (2022) (holding § 1231(a)(6)'s plain text "says nothing about bond hearings before immigration judges or burdens of proof"). Petitioner's detention is therefore lawful under § 1231(a)(6) and this Court should dismiss his Petition.

D. Habeas Petition is Premature

§ 1231(a)(1)(A) directs Immigration and Customs Enforcement to remove an alien subject to a final order of removal within the 90-day removal period. § 1231(a)(1)(A) ("Except as otherwise provided in this section, when an alien is ordered removed, the Attorney General shall remove the alien from the United States within a period of 90 days (in this section referred to as the "removal period").

The removal period begins on the latest of the following:

> (i) The date the order of removal becomes administratively final.
> (ii) If the removal order is judicially reviewed and if a court orders a stay of removal of the alien, the date of the court's final order.
> (iii) If the alien is detained or confined (except under an immigration process), the date the alien is released from detention or confinement.

§ 1231(a)(1)(B). If a petitioner has been detained fewer than six months, then the § 2241 habeas petition should be dismissed as premature. *See Phadael v. Ripa*, No. 24-CV-22227-RKA, 2024

U.S. Dist. LEXIS 109481, 2024 WL 3088350, at *3 (S.D. Fla. June 21, 2024) (Because the petitioner "filed his Petition . . . comfortably within *both* the six-month period of presumptive reasonableness under *Zadvydas and* the ninety-day mandatory detention period set by § 1231(a)(1), . . . his § 2241 petition must be dismissed as premature." (emphasis in original); *Allotey v. Mia. Field Off. Dir., Immigr*, 24-cv-24765-DPG, 2024 WL 5375519, 2024 LEXIS 239135, at *5 (Dec. 10, 2014) (denying habeas petition has premature under *Zadvydas* when petitioner had only been detained for eighteen days prior to filing the habeas petition).

E. Under the framework set forth in *Zadvydas v. Davis*, Petitioner's claim that there is no significant likelihood of removal is premature as his detention is presumptively reasonable.

Petitioner conclusively claims that his detention is unreasonable and violates due process because there is no significant likelihood of removal in the reasonably foreseeable future, without even naming the country of deportation or giving any explanation as to why removal is unforseeable. The Supreme Court set forth a framework to mount a Due Process challenge to post-final order detention in *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001) (holding that while the government cannot indefinitely detain an alien before removal, detention for up to six months is "presumptively reasonable").

In *Zadvydas*, the Supreme Court avoided the "serious constitutional threat" presented by a "literal" interpretation of 8 U.S.C. § 1231(a)(6), which could authorize "indefinite, perhaps permanent, detention" in some circumstances, *id.* at 688, 699 and held that § 1231(a)(6) "authorizes the Attorney General to detain a removable alien ... only for a period reasonably necessary to secure the alien's removal." *Id.* at 682. "[O]nce removal is no longer reasonably foreseeable, continued detention is no longer authorized by statute." *Id.* at 699. The Court recognized a six-month "presumptively reasonable period of detention." *Id.* at 701. "[A]fter that,

the alien is eligible for conditional release if he can demonstrate that there is 'no significant likelihood of removal in the reasonably foreseeable future.' " *Clark v. Martinez*, 543 U.S. 371, 378 (2005) (quoting *Zadvydas*, 533 U.S. at 701).5 *See also Zadvydas*, 533 U.S. at 689 (After six months, if a non-citizen subject to a removal order "provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.").

However, the "6–month presumption, of course, does not mean that every alien not removed must be released after six months." *Zadvydas*, 533 U.S. at 701. "To the contrary, an alien may be held in confinement until it has been determined that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.* Thus, *Zadvydas* "places an initial burden on the detainee" to establish that the "no significant likelihood" standard has been met. *Callender v. Shanahan*, 281 F. Supp. 3d 428, 434 (S.D.N.Y. 2017). "Only if he makes this initial showing does the burden shift back to the government, which 'must respond with evidence sufficient to rebut that showing.' " *Beckford v. Lynch*, 168 F.Supp.3d 533, 539 (W.D.N.Y. 2016) (quoting *Zadvydas*, 533 U.S. at 701).

Relying on *Zadvydas*, courts routinely deny habeas petitions filed with less than six months of detention. *See, e.g., Rodriguez-Guardado v. Smith,* 271 F. Supp. 3d 331, 335 (D. Mass. 2017) ("As petitioner has been detained for approximately two months as of this date, the length of his detention does not offend due process."); *Julce v. Smith*, No. CV 18-10163-FDS, 2018 WL 1083734, at *5 (D. Mass. Feb. 27, 2018) (deeming habeas petition "premature at best" as it was filed after three months of post-final order detention); *Farah v. U.S. Att'y Gen.,* 12 F.4th 1312, 1332-33 (11th Cir. 2021) ("If after six months he is still in custody and has not been removed from the United States, then he can challenge his detention under section 1231(a). But until then, his

detention is presumptively reasonable under *Zadvydas*."), *overruled on other grounds by Santos-Zacaria v. Garland*, 598 U.S. 411, 419-23 & n.2 (2023); *Akinwale v. Ashcroft*, 287 F.3d 1050, 1052 (11th Cir. 2002) (holding that the "six-month period ... must have expired at the time [the petitioner's] § 2241 petition was filed in order to state a claim under *Zadvydas*"); *Gozo v. Napolitano*, 309 F. App'x 344, 346 (11th Cir. 2009) ("[B]ecause only 53 days elapsed between the final removal order and the filing of the petition, Gozo's *Zadvydas* claim is premature."); *Espinoza-Sorto v. Agudelo*, 2025 WL 3012786, *7 (S.D. Fla. Oct. 28, 2025) (holding that a noncitizen's habeas challenge to his detention under 8 U.S.C. § 1231 "is premature" where "Petitioner has only been detained for four months"); *Barrios v. Ripa*, 2025 WL 2280485, *8 (S.D. Fla. Aug. 8, 2025) (holding that that a noncitizen's habeas challenge to his detention under 8 U.S.C. § 1231 "is premature" where the noncitizen filed his petition significantly before the 6-month period set by the Supreme Court in *Zadvydas)*. "Therefore, in order to state a claim under *Zadvydas* the alien not only must show post-removal order detention in excess of six months but also must provide evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Akinwale*, 287 F.3d at 1052 (holding that petition filed four months after detention failed to state a cause of action and must be dismissed without prejudice).

Here, Petitioner's Due Process challenge fails on two fronts. First, since he has only been detained for ninety-three days (as of this response) and only eighty days before he filed the Petition, his detention falls well within the six month presumptively reasonable period established by *Zadvydas* making this Petition premature and subject to immediate dismissal. Second, there is no non-speculative indication in the record that his removal is not reasonably foreseeable. Instead, only a bare assertion of unforseeability. *Callender*, 281 F. Supp. 3d at 434–35 (holding that petitioner must present more than "mere assertions that removal is unforeseeable" and that

petitioner cannot rely upon the fact that the government has not yet obtained travel documents while establishing that the bottleneck is not due to petitioner's own efforts to litigate); *see also Juma v. Mukasey*, 2009 WL 2191247, at *3 (S.D.N.Y. July 23, 2009) (holding that allegation that consulate/embassy will not issue travel documents legally insufficient to establish that removal is not foreseeable). Petitioner fails to even disclose which country he would be removed to or provide a single fact as to why deportation to the unnamed country is not foreeable. Thus, Petitioner's bare assertions based on personal conjecture are legally insufficient.

F. ICE's revocation of release comports with regulation and the Constitution.

As addressed below, DHS complied with statutory and regulatory requirements in revoking his order of supervision as it provided Petitioner notice, an informal interview and an opportunity to address the reasons for the revocation. Ex. A ¶¶ 11, 12; Ex F.

While 8 U.S.C. § 1231(a)(3) is silent as to revocation procedures for an individual released pursuant to an Order of Supervision, ICE issued Post-Order Custody Regulations ("POCR") contained at 8 C.F.R. § 241.4 to set forth mechanisms concerning custody reviews, release from ICE custody, and revocation of release for individuals with final orders of removal. The regulatory provisions concerning revocation of release are contained at 8 C.F.R. § 241.4(l) and provide significant discretion to ICE to revoke release. *See Leybinsky v. U.S. Immigr. & Customs Enf't*, 553 F. App'x 108, 110 (2d Cir. 2014) (Remarking on the "broad discretionary authority the regulation grants ICE" to revoke release); *Rodriguez v. Hayes*, 591 F.3d 1105, 1117 (9th Cir. 2010) (Explaining that while the revocation regulation "provides the detainee some opportunity to respond to the reasons for revocation, it provides no other procedural and no meaningful substantive limit on this exercise of discretion ...."). For example, they provide for revocation in additional circumstances such as when ICE's Field Office determines that "[t]he purposes of

release have been served," or when "[i]t is appropriate to enforce a removal order . . . against an alien," or when "[t]he conduct of the alien, *or any other circumstance,* indicates that release would no longer be appropriate." 8 C.F.R. § 241.4(l)(2)(i)-(iv) (emphasis added).

When ICE revokes release of an individual under 8 C.F.R. § 241.4(l), ICE must conduct an "informal interview" to advise the individual of the basis for revocation and must also serve the individual with a written notice of revocation. *Id.* If ICE determines revocation remains appropriate after conducting the informal interview, then ICE will provide notice to the individual of a further custody review that "will ordinarily be expected to occur within approximately three months after release is revoked." 8 C.F.R. § 241.4(l)(3).

However, ICE is not required to "conduct a custody review under these procedures when [ICE] notifies the alien that it is ready to execute an order of removal." 8 C.F.R. § 241.4(g)(4); *Rodriguez-Guardado*, 271 F. Supp. 3d at 335. Further, if ICE determines in its "judgment [that] travel documents can be obtained, or such document is forthcoming, the alien will not be released unless immediate removal is not practicable or in the public interest." 8 C.F.R. § 241.4(g)(3).

ICE complied with the POCR Regulations to arrest Petitioner

Here, Petitioner was issued a written revocation notice on November 10, 2025, explaining that ICE was revoking his release pursuant to its discretion under 8 C.F.R. §§ 241.4(l)(2)(i)-(iv). *See* Ex F. Per the revocation notice, Petitioner was notified that he "will promptly be afforded an informal interview and the opportunity to respond to the reasons for the revocation and to provide evidence to demonstrate that your removal is unlikely." *Id.*

In revoking Petitioner's supervised release, ICE complied with the regulation that allows revocation when ICE determines that it "is appropriate to enforce a removal order . . . against an alien" and when ICE finds that the "purposes of release have been served." 8 C.F.R. § 241.4(l)(2).

When ICE "determined that revocation was necessary to initiate [] removal … [n]o further justification was required." *Doe v. Smith*, No. 18-cv-11363-FDS, 2018 WL 4696748, at *11 (D. Mass. Oct. 1, 2018). The regulation does not require the AFOD "to make a formal determination that his revocation was in the public interest[,]" instead, the AFOD has "discretion to determine when revocation is appropriate." *Id.* The regulation provides a "short and straight path for immigrants whom the government is ready and able to remove." *Alam v. Nielsen*, 312 F. Supp. 3d 574, 582 (S.D. Tex. 2018). As such, ICE has ample justification per its regulation to revoke release. *See Grigorian v. Bondi*, No. 25-CV-22914-RAR, 2025 WL 2604573, at *5 (S.D. Fla. Sept. 9, 2025) (holding that § 241.4(l) provides government has "extraordinarily broad discretion to revoke an OSUP" under similar circumstances); *Barrios*, 2025 WL 2280485, at *4 (noting the broad discretion afforded to revoke an OSUP when effectuating an order of removal and that such a decision is not subject to judicial review under §1252(g)).

Courts routinely conclude that compliance with the POCR regulations protect an individual's constitutional rights while detained while executing a removal order. *See, e.g.*, *Moses v. Lynch*, No. 15-cv-4168, 2016 WL 2636352, at *4 (D. Minn. Apr. 12, 2016) ("When immigration officials reach continued-custody decisions for aliens who have been ordered removed according to the custody-review procedures established in the Code of Federal Regulations, such aliens receive the process that is constitutionally required."); *Portillo v. Decker*, No. 21-cv-9506 (PAE), 2022 WL 826941, at *6 (S.D.N.Y. Mar. 18, 2022) (collecting cases supporting the conclusion that the POCR framework has routinely been deemed constitutional and noting that petitioner had not "cite[d] legal authority in support of his generalized laments about the administrative process").

Because Petitioner does not demonstrate that ICE violated any specific procedures under the applicable regulations—§ 241.4—his petition should be denied. *See, e.g.*, *Perez v. Berg*, No.

24-cv-3251 (PAM/SGE), 2025 WL 566884, at *7 (D. Minn. Jan. 6, 2025), *report and recommendation adopted,* No. 24-cv-3251 (PAM/ECW), 2025 WL 566321 (D. Minn. Feb. 20, 2025) (finding no due process violation "[a]bsent an indication that ICE failed to comply with its regulatory obligations in some more specific way"); *Doe*, 2018 WL 4696748, at *7 (dismissing habeas claim where "there was no regulatory violation" in connection with custody reviews).

G. CONCLUSION

Based upon the foregoing, the Petition should be dismissed because the Court lacks jurisdiction, and because his detention is lawful under 8 U.S.C. § 1231(a)(6).

Respectfully submitted,

JASON A. READING QUIÑONES
UNITED STATES ATTORNEY

/s/ Francisco Armada
Francisco Armada
Assistant United States Attorney
Fla. Bar No. 45291
500 E. Broward Blvd., Suite 700
Ft. Lauderdale, FL 33394
Tel: (954)660-5931
Email: Francisco.Armada@usdoj.gov

Attorney for the Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 11, 2026, I electronically filed the foregoing with the Clerk of Court using CM/ECF.

Respectfully submitted,

JASON A. READING QUIÑONES
UNITED STATES ATTORNEY

By: */s/ Francisco Armada*
Assistant United States Attorney