

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

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

KIAMI SIGNEY SANCHEZ VALDES,

Petitioner,

v.

BROWARD TRANSITIONAL CENTER,

Respondent.

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**OMNIBUS ORDER**

Petitioner Miami Sanchez Valdes is a Cuban national who has been living in the United States since 2019. After being initially detained upon entry, he was released with an order of supervision. In November of 2025, he was detained again after reporting for his regular order of supervision check-in. He has been detained since. He suffers from serious medical maladies, and he needs regular medication, which he claims is not being provided in detention. His wife, Maricela Herrera, filed a renewed Petition for Writ of Habeas Corpus (the "Petition") (DE [6]) on his behalf as his next of friend, but she failed to appear for the hearing on this matter. She also filed an Emergency Supplement and Motion Regarding Petitioner's Medical Condition (the "Motion"). (DE [16]). Because Petitioner is lawfully detained and has not exhausted his administrative remedies to challenge the conditions of his detention, both the Petition (DE [6]) and Motion (DE [16]) are denied.

I. **BACKGROUND**

Petitioner attempted to enter the United States without inspection in El Paso,

Texas in 2019. (DE [10-2]). He was detained, and he explained that he was fleeing Cuba and seeking political asylum. *Id.* In January 2020, an immigration judge denied his application for asylum and ordered Petitioner removed to Spain or Cuba. (DE [10-3]). In March 2020, Petitioner was released on an order of supervision. (DE [10-4]). On November 10, 2025, when Petitioner reported for his scheduled order of supervision appointment, Department of Homeland Security (“DHS”) issued a warrant for his arrest and he was detained to expedite his removal. (DE [10-2]; [10-5]). DHS revoked his order of supervision that same day. (DE [10-6]). In December, Immigration and Customs Enforcement served Petitioner with a Notice of Removal to Mexico. (DE [10-7]; [10-1] ¶¶ 13). The government prepared to remove Petitioner to Mexico on January 19, 2026, but then Petitioner was removed from the flight manifest. (DE [10-1] ¶¶ 14-19).

Petitioner’s next of friend filed a petition for writ of habeas corpus (DE [1]), which this Court denied because the petition did not challenge the lawfulness of Petitioner’s detention. (DE [4]). Petitioner’s next of friend then filed a renewed Petition (DE [6]). Petitioner argued that his continued detention violated due process, that he should not have been detained while on the order of supervision, that his detention is excessive and does not serve a legitimate government interest, and that continued detention causes irreparable harm because of his medical conditions. *Id.* at 7-8. This Court scheduled a hearing for February 25, 2026. Prior to the hearing, Petitioner moved this Court to enjoin the government from transferring him, but the Court determined that the government’s discretion in deciding the location of Petitioner’s detention outweighed any prejudice he may suffer, especially since the Court would retain jurisdiction if he was transferred. (DE [13]). Petitioner was subsequently transferred from Broward Transitional Center to Otay

Mesa Detention Center in San Diego County, California. (DE [14]). For the hearing, the Court had ordered Petitioner's next of friend to appear on his behalf, (DE [12]), but neither she nor anyone else appeared on Petitioner's behalf. The Court even delayed the hearing, but only counsel for Respondent stood present. Since then, Petitioner's next of friend filed an emergency Motion (DE [16]), raising concerns that Petitioner is not receiving his required medications while being detained, especially since he has been repeatedly transferred.

## II. LEGAL STANDARD

District courts have authority to grant writs of habeas corpus. 28 U.S.C. § 2241(a). Habeas corpus is fundamentally "a remedy for unlawful executive detention." *Munaf v. Geren*, 553 U.S. 674, 693 (2008) (citation omitted). A writ may be issued to a petitioner who demonstrates that he is being held in custody in violation of the Constitution or federal law. See 28 U.S.C. § 2241(c)(3). The court's jurisdiction extends to challenges involving immigration-related detention. See *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

## III. DISCUSSION

### A. Jurisdiction

The government first argues that this Court lacks jurisdiction under 8 U.S.C. § 1252(g) to hear the Petition. Section 1252(g) strips courts of jurisdiction to hear habeas petitions challenging the government's discretionary decisions made when removing an alien:

Except as provided in this section and notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to

commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter.

§ 1252(g). This jurisdictional bar prohibits detainees from challenging the Attorney General's discretion in commencing removal proceedings, adjudicating cases, or executing removal orders.

When analyzing jurisdiction, courts must determine if the petitioner is challenging acts only tangentially connected to the commencement or execution of a removal order, or if the petitioner is actually challenging decisions the government has made in carrying out his removal. See *Dep't of Homeland Sec. v. Regents of the Univ. of California*, 591 U.S. 1, 19 (2020). The Eleventh Circuit recognized that the district court was barred from considering a petition when the detainee had been informed the government was trying to deport him and had given him a deportation date. *Camarena v. Dir., Immigr. & Customs Enft*, 988 F.3d 1268, 1272 (11th Cir. 2021). The petition was a challenge to the execution of removal itself, and the district court lacked jurisdiction. But courts do have jurisdiction to hear challenges to the length of detention while awaiting removal. See *Zadvydas*, 533 U.S. at 688.

Here, the government is actively trying to execute Petitioner's removal order. The government gave him a removal date but then took him off the flight. Release of Petitioner would frustrate the government's efforts to execute the removal order.

But Petitioner is not simply seeking release to postpone his removal, nor is he challenging his removal. Rather, it appears from his initial petition (DE [1]) and his renewed Petition (DE [6]) that he is seeking release so he can obtain necessary medical care. Another key fact is that Petitioner does not currently have a removal date. This case is closer to *Zadvydas's* challenge of the length of deportation than *Camarena's* challenge

of the pending removal. Especially when viewed in light of his medical needs, Petitioner here is discretely challenging the length of his detention, not his removal. Accordingly, § 1252(g) does not bar jurisdiction.

B. Merits

Having determined that the Court does have jurisdiction to hear this Petition, the Court concludes Petitioner is not entitled to release. The Government argues that he is being detained under § 1231 and is not entitled to release. Under § 1231(a), the government may detain aliens who have been ordered removed, pending their removal. The government has 90 days to remove the alien, but the period can be extended for aliens who are inadmissible under § 1182(a). § 1231(a)(6). Detention up to six months pending removal is “presumptively reasonable.” *Zadvydas*, 533 U.S. at 701.

Here, Petitioner was ordered removed on January 6, 2020 because he was inadmissible under § 1182(a). (DE [10-2]; [10-3]). After being released on an order of supervision, he was re-detained on November 10, 2025. (DE [10-3]). Because he is inadmissible under § 1182(a), he can be detained beyond the initial 90 days. As of the date of this Order, he has been detained for less than four months. His detention is therefore permissible under § 1231.

Petitioner also argues that his detention violates his due process rights. The Supreme Court has said otherwise. “[T]his Court has recognized detention during deportation proceedings as a constitutionally valid aspect of the deportation process.” *Demore v. Kim*, 538 U.S. 510, 523 (2003). *See also Zadvydas*, 533 U.S. at 699-701 (six-month detention does not raise constitutional concerns).

Finally, the Court addresses Petitioner’s challenge to the conditions of his

confinement, raised in both the Petition and Motion. A habeas petition is not the proper vehicle to challenge conditions of confinement, as the writ of habeas corpus only allows the court to free the petitioner, not direct how the petitioner can be confined. See *Vaz v. Skinner*, 634 F. App'x 778, 781 (11th Cir. 2015) (collecting cases). And to the extent this Court could construe the habeas Petition and accompanying Motion as a proper challenge to the conditions of confinement, Petitioner must exhaust his administrative remedies.<sup>1</sup> See *Brady v. Hess*, 2023 WL 6787432, at \*3-4 (N.D. Fla. Sept. 5, 2023), *report and recommendation adopted*, 2023 WL 6316030 (N.D. Fla. Sept. 28, 2023). Petitioner does not claim to have administratively attempted to remedy his medical issues. Petitioner has administrative options available: he may request medical care, make sick calls, and even file grievances. (DE [10-2] ¶ 22). But he does not claim to have used any of these administrative remedies. Before he can challenge the conditions of his detention, Petitioner must exercise the avenues available to him.<sup>2</sup> See *Brady*, 2023 WL 6787432, at \*3-4.

#### IV. CONCLUSION

This Court is sympathetic to Petitioner's medical needs, but for the reasons explained above, Petitioner's detention is lawful. Petitioner must take advantage of the administrative options he has to obtain help before challenging the conditions of his detention here. Accordingly, it is hereby

**ORDERED AND ADJUDGED** as follows:

1. The Petition (DE [6]) is **DENIED WITHOUT PREJUDICE**.


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<sup>1</sup> Even though Petitioner raises this same claim in a separate motion, the motion is still part of the habeas proceeding, and Petitioner must exhaust his administrative remedies.


<sup>2</sup> Given the medical issues Petitioner raises in his pleadings, and the current indefinite length of detention, Respondent would be well advised to pursue a medical evaluation of Petitioner on its own.

2. The Motion (DE [11]) is **DENIED**.

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Florida, this 4th day of  
March 2026.

  
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RAAG SINGHAL  
UNITED STATES DISTRICT JUDGE

Copies to counsel of record via CM/ECF and via Postal Service to:

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