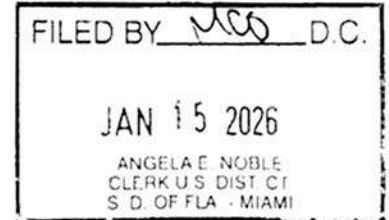


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

WILMAN REYES GOMEZ,
A# 

Pro Se Petitioner, currently detained at
FDC Miami Federal Prison
33 NE 4th Street
Miami, Florida 33132

Petitioner,



v.

PAM BONDI,
Attorney General of the United States;

KRISTI NOEM, SECRETARY,
U.S. Department of Homeland Security (DHS);

TODD M. LYONS,
Acting Director, U.S. Immigration and Customs Enforcement (ICE);

GARRETT J. RIPA,
Field Office Director, ICE Enforcement and Removal Operations (ERO),
Miami Field Office;

WARDEN/FACILITY ADMINISTRATOR,
FDC MIAMI FEDERAL PRISON;

AND ALL OTHER PERSONS HAVING CUSTODY OF PETITIONER,

Respondents.

**PETITION FOR WRIT OF HABEAS CORPUS
UNDER TITLE 28 U.S.C. § 2241 (PRO SE)**

**TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF FLORIDA:**

PETITIONER, WILMAN REYES GOMEZ, appearing pro se, respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2241, challenging the legality and constitutionality of his civil immigration detention by the United States Department

of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE), and in support thereof Petitioner proffers the following facts and evidence:

I. INFORMATION ABOUT PETITIONER

1. Petitioner's name is: WILMAN REYES GOMEZ.
2. Petitioner's Alien Registration Number is: A# [REDACTED]
3. Petitioner is a native, citizen and national of Honduras.
4. Petitioner was born on [REDACTED] in Honduras. A copy of Petitioner's Honduran passport is attached hereto as **Exhibit A**.
5. Petitioner is currently detained at FDC Miami Federal Detention Center, Miami, Florida, 33 NE 4th Street, Miami, Florida 33132.
6. Petitioner was taken into ICE custody on or about November 25, 2025.
7. Petitioner has continuously resided in the United States for twenty-two (22) years, and since April, 2004.
8. Petitioner has an approved I-130, Petition for Alien Relative with USCIS is attached hereto as **Exhibit B**.
9. Petitioner is married to a United States citizen (**Exhibit C**), WILMA JUDITH CASTILLO CRUZ, born [REDACTED]. A copy of Mrs. CRUZ's U.S. Passport is attached hereto as **Exhibit D**. Petitioner also has one (1) U.S. born child/children. (**Exhibit E**)
10. Petitioner has a Florida Department of Law Enforcement (FDLE) record search that reflects charges of DUI, and Operate Motor Vehicle WO Valid License 1st Conviction. (**Exhibit F**)
11. Petitioner has strong family and community ties in the United States, including close relatives and long-term friendships, as he has resided in the United States for approximately 22 years. (**Exhibit G**)
12. Petitioner also maintained steady employment in the construction industry.

II. JURISDICTION AND VENUE

13. This Court has subject-matter jurisdiction over this Petition pursuant to 28 U.S.C. § 2241 because Petitioner is in custody under the authority of the United States and challenges the legality of her civil immigration detention as contrary to the Constitution and laws of the United States.

14. Venue is proper in this Court because Petitioner is detained within the Southern District of Florida, Miami Division, at FDC Miami Detention Center, 33 NE 4th Street, Miami, Florida 33132.

15. Petitioner challenges the lawfulness of his present detention and the lack of adequate procedural safeguards required by due process.

III. PARTIES

16. Petitioner WILMAN REYES GOMEZ is currently detained at a federal detention center, FDC Miami Detention Center, 33 NE 4th Street, Miami, Florida 33132.

17. Respondent Pam Bondi is the Attorney General of the United States and is responsible for the general enforcement of federal immigration laws.

18. Respondent Kristi Noem is the Secretary of DHS, responsible for administering and enforcing immigration laws and policies.

19. Respondent Todd M. Lyons is the Acting Director of ICE, the DHS component responsible for Petitioner's detention.

20. Respondent Garrett J. Ripa is the Field Office Director for ICE ERO's Miami Field Office, responsible for ERO operations in Florida, including detention decisions affecting Petitioner.

21. The Warden/Facility Administrator of FDC Miami, Federal Detention Center, 33 NE 4th Street, Miami, Florida 33132, is Petitioner's immediate custodian and has day-to-day control over Petitioner's confinement.

22. All other persons having custody of Petitioner are proper Respondents to the instant habeas Petition.

IV. FACTUAL BACKGROUND

23. Petitioner has lived in the United States for over two (2) decades—22 years total and since April, 2004, and has built deep ties to this community.

24. Petitioner is married to a United States citizen and has one (1) United States born child who is a citizen. Moreover, the Petitioner has a United States Citizen sponsor identified as his wife, Mrs. WILMA JUDITH CASTILLO CRUZ, who is sponsoring Petitioner and has vowed to support him; supporting documents, including proof of citizenship and tax returns, are attached hereto.

25. The petitioner has a reliable financial support plan. His sponsor's 2024 personal tax returns demonstrate the ability to support Petitioner and ensure his compliance with all required appearances and supervision conditions. All sponsor documents are attached as **Exhibit H**.

26. Petitioner also has longstanding religious and community ties, as he has resided in the United States since a young age and for approximately 22 years.

27. Petitioner has a steady work history, demonstrating his stability and reliability.

28. The petitioner has one conviction and does not present a danger to the community.

29. A Florida Department of Law Enforcement (FDLE) record search reflects a DUI and Operate Motor Vehicle WO Valid License 1st Conviction from Petitioner (**Exhibit F**).

30. Petitioner has an approved I-130 Petition with USCIS and is attached hereto as **Exhibit B**.

31. ICE has continued to detain Petitioner at FDC Miami, Federal Detention Center, without a meaningful opportunity for an individualized release (or custody) determination on a record that accounts for his strong equities, strong and lengthy ties to the community, and lack of dangerousness.

32. Petitioner is not a flight risk. He has substantial ties to the United States, including family, employment, a U.S. citizen wife, and one (1) U.S. Citizen born child, and he is willing to comply with any and all necessary conditions of release, including but not limited to electronic monitoring, house arrest, and any other alternatives to detention that the Court deems meet, just and necessary to assure his presence in Court.

V. LEGAL FRAMEWORK

33. The Fifth Amendment to the United States Constitution guarantees that no person shall be deprived of liberty without due process of law.

34. Civil immigration detention must be reasonable in duration and accompanied by adequate procedural safeguards, including—where appropriate—an individualized custody determination.

35. Prolonged or arbitrary detention without a meaningful opportunity to be heard violates due process.

36. Federal courts have authority under 28 U.S.C. § 2241 to review the legality of immigration detention and to order appropriate relief, including an individualized bond/custody hearing or release under conditions.

VI. CLAIMS FOR RELIEF

COUNT ONE – VIOLATION OF DUE PROCESS: UNLAWFUL/ARBITRARY DETENTION WHERE RELEASE ON CONDITIONS IS REQUIRED

37. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

38. Petitioner is held in civil immigration detention without a meaningful, individualized custody determination that accounts for her strong ties, lack of criminal convictions, and the availability of conditions of release.

39. Continued detention under these circumstances is excessive, arbitrary, and not narrowly tailored to any legitimate governmental interest, in violation of the Due Process Clause of the Fifth Amendment.

COUNT TWO – VIOLATION OF DUE PROCESS: ARBITRARY ARREST AND DETENTION WITHOUT JUDICIAL WARRANT

40. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

41. Petitioner was taken into ICE custody and detained without presentation of a judicial warrant or probable-cause determination by a neutral magistrate.

42. Under the circumstances of this case, the arrest and continued detention are arbitrary and violate fundamental principles of due process.

COUNT THREE – VIOLATION OF DUE PROCESS: FAILURE TO CONSIDER LESS RESTRICTIVE ALTERNATIVES TO DETENTION

43. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

44. Even if the government asserts concerns about appearance or supervision, less restrictive alternatives to detention (including reporting requirements, electronic monitoring, or other conditions) are available and adequate in light of Petitioner's circumstances.

45. Respondents' continued detention of Petitioner without adequate consideration of alternatives violates due process.

VII. REQUEST FOR RELIEF

WHEREFORE, Petitioner WILMAN REYES GOMEZ, respectfully requests that this Honorable Court to:

- A. Assume jurisdiction over this matter;
- B. Declare that Petitioner's continued civil immigration detention without a meaningful individualized custody determination violates the Due Process Clause of the Fifth Amendment;
- C. Order Respondents to release Petitioner from custody forthwith under reasonable conditions of supervision or on a reasonable bond set by this Court (or, in the alternative, order a prompt

individualized custody/bond hearing before a neutral decision-maker if the Court concludes such a hearing is the minimum necessary remedy);

D. In the alternative, order any other relief necessary to secure Petitioner's prompt release, including a prompt individualized custody/bond hearing if required by law;

E. Grant such other and further relief as the Court deems just and proper.

VIII. VERIFICATION

I, **WILMAN REYES GOMEZ**, with alien number A# 219-882-548, declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,



WILMAN REYES GOMEZ (Pro Se)

A# ~~XXXXXXXXXX~~

FDC Miami, Federal Detention Center

33 NE 4th Street

Miami, Florida 33132

Date: January 14, 2026

**EXPLANATORY LETTER FROM THE PETITIONER
(Re: Habeas Corpus – WILMAN REYES GOMEZ)**

WILMAN REYES GOMEZ (Pro Se)

A#
FDC Miami, Federal Detention Center
33 NE 4th Street
Miami, Florida 33132

Date: January 14, 2026

**TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA:**

Your Honor,

My name is **WILMAN REYES GOMEZ**, and I am respectfully writing this letter in support of my Petition for Writ of Habeas Corpus. I am detained at Broward Transitional Center. I respectfully ask the Court to review my situation and order my prompt release under reasonable conditions or on a reasonable bond. If the Court concludes a hearing is required first, then I respectfully request an immediate individualized custody/bond hearing.

I have lived in the United States for over 22 years and have strong and longstanding ties to my community, including close family members and long-term friends. Throughout my time in the United States, I have maintained steady employment and have been a productive member of my community.

I have an approved I-130, Petition for Alien Relative and I have an ongoing immigration process. I am also married to a U.S. citizen, and I have one (1) U.S. Citizen born child, and a U.S. Citizen sponsor who is willing and able to support me and ensure my compliance with any court or ICE requirements. My sponsor's financial documents, including 2024 personal tax returns, are included to show I have stable support and will comply with all requirements. I also grew up and attended school in Florida, showing long-term community ties and good character. My wife and other supporters have provided letters describing my good moral character and my community ties.


Because of my strong community ties, and the support available to me, I am not a danger to the community and I am not a flight risk. I am willing to comply with any conditions of release, including reporting, electronic monitoring, or any other alternatives to detention that the Court believes appropriate.

For these reasons, I respectfully request:

1. That the Court order ICE to provide me with an immediate bond or custody hearing; OR
2. That the Court order my release under reasonable conditions of supervision or bond.


Thank you for your time and consideration.

Respectfully submitted,



WILMAN REYES GOMEZ (Pro Se)

A#


FDC Miami, Federal Detention Center
33 NE 4th Street
Miami, Florida 33132

PROOF OF SERVICE

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA

I, **WILMAN REYES GOMEZ**, declare that on the date shown below, I served a true and correct copy of the following documents on all Respondents by depositing the following documents in the United States Mail, first-class postage prepaid, addressed as follows:

- Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Pro Se)
- Exhibits (**Exhibit A through Exhibit H**)

Clerk of Court
U.S. District Court for the Southern District of Florida
Wilkie D. Ferguson Jr. U.S Courthouse
400 North Miami Avenue
Miami, Florida 33128

Assistant United States Attorney's Office– Southern District of Florida
99 NE 4th Street
Miami, Florida 33132

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Department of Homeland Security (DHS)
2707 Martin Luther King Jr. Ave SE
Washington, DC 20528

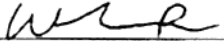
U.S. Immigration and Customs Enforcement (ICE)
500 12th Street, SW
Washington, DC 20536

ICE Enforcement and Removal Operations (ERO) – Miami Field Office
2805 SW 145th Ave
Miramar, FL 33027

Warden/Facility Administrator
FDC Miami
Federal Detention Center
33 NE 4th Street
Miami, Florida 33132

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

Executed on: January 14, 2026

Signature: 

Printed Name: Wilman Reyes Gomez