

JAN 20 2026 PM 12:27
FILED - USDC - FLMD - JAX

Luisandro Reyes Zaldivar
Current Detention Facility:
Florida Baker Correctional Institute
20706 US 90 W
SANDERSON, FL 32087

DETEINED

3:26-cv-104-MMH-LLL

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
(Jacksonville Division)

In the Matter of:)
)
)

REYES ZALDIVAR, Luisandro)
A# )
RESPONDENT *Pro Se*)
_____)

IN REMOVAL PROCEEDINGS

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
(Jacksonville Division)

Immigration Judge: TBD

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**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
(Jacksonville Division)**

LUISANDRO REYES ZALDIVAR,
Petitioner,
v.

**TODD M. LYONS, Acting Director, U.S. Immigration and Customs Enforcement;
WARDEN, Florida Baker Correctional Institute;
KRISTI NOEM, Secretary of the Department of Homeland Security,
Respondents.**

Case No.: 3:26-cv-104-MMH-LL
(To be assigned by the Clerk)

**PRO SE PETITION FOR WRIT OF HABEAS CORPUS
AND MOTION FOR BOND HEARING
(28 U.S.C. § 2241 – Due Process Violation & Prolonged Detention)**

I. INTRODUCTION

Petitioner Luisandro Reyes Zaldivar, A-Number  respectfully petitions this Court for a Writ of Habeas Corpus under 28 U.S.C. § 2241, challenging the constitutionality of his prolonged detention by DHS–ICE. Petitioner also requests a prompt bond hearing or immediate release, for the following reasons:

- Petitioner has been detained for 193 days without a bond or custody hearing.
- Petitioner was arrested immediately after the Immigration Judge dismissed his asylum case without giving a hearing to advise him of his rights or allow continuation, without due process.
- Petitioner has never been involved in any criminal charge and maintains good moral character.

- Petitioner has family members who are U.S. citizens ready to post bond, with all necessary documentation available to ensure compliance.
- Petitioner lawfully entered the U.S. on **May 22, 2022**, via the **Port of Entry (POE) San Luis, Arizona**, under **Form I-220A**, with an **NTA** and initial EOIR court hearing scheduled for **August 8, 2023**. Petitioner appeared for a master hearing, and the hearing was rescheduled for **June 10, 2025**.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction under **28 U.S.C. § 2241**.
2. Petitioner is detained within the **Middle District of Florida**, at **Florida Baker Correctional Institute**.
3. Venue is proper under **28 U.S.C. § 2241(d)**.

III. PARTIES

Petitioner:

- Name: **Luisandro Reyes Zaldivar**
- A-Number: 
- Country of Citizenship: **Cuba**
- Current Detention Facility: **Florida Baker Correctional Institute, 20706 US 90 W, Sanderson, FL 32087**

Respondents:

- **DHS–ICE Director, Warden of Florida Baker Correctional Institute, and Secretary of DHS.**

IV. FACTUAL BACKGROUND

1. Petitioner entered the United States on **May 22, 2022**, at the **Port of Entry (POE) San Luis, Arizona**, under **Form I-220A**.
2. Petitioner was issued a **Notice to Appear (NTA)** with a scheduled EOIR court hearing for **August 8, 2023**.

C. Failure to Provide a Constitutionally Adequate Bond Hearing

17. Due process requires:

- A neutral Immigration Judge
- Government bears the burden of proving danger or flight risk
- Proof by clear and convincing evidence

18. Petitioner has not received such a hearing.

D. Good Moral Character and Lack of Criminal History

19. Petitioner has never been involved in any criminal charge.

1. Petitioner has maintained good moral character and has demonstrated responsibility, honesty, and compliance with U.S. laws.
2. Petitioner poses no danger to the community and is not a flight risk.

E. Less Restrictive Alternatives Exist

3. ICE can use less restrictive means:

- Release on bond
- Order of supervision
- Electronic monitoring

4. Continued detention is punitive, excessive, and unnecessary.

VI. EXHAUSTION

24. Petitioner has no adequate administrative remedy to challenge the constitutional length of detention.

25. Exhaustion is therefore not required for this habeas petition.

VII. MOTION FOR BOND

Petitioner respectfully requests that the Court:

1. Order DHS–ICE to schedule a bond hearing immediately;
2. Alternatively, order Petitioner's immediate release;
3. Place the burden of proof on DHS–ICE to justify continued detention;
4. Consider that petitioner has U.S. citizen family members ready to post bond, with all required documentation prepared;
5. Grant any other relief deemed just and proper.

Supporting Authorities:

- **Zadvydas v. Davis, 533 U.S. 678 (2001)**
- **Jennings v. Rodriguez, 138 S. Ct. 830 (2018)**
- **Fifth Amendment Due Process Clause**

VIII. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests this Court to:

- A. Grant this Petition for Writ of Habeas Corpus;
- B. Order immediate release, OR
- C. Schedule a **bond hearing within 7 days**;
- D. Place the **burden of proof on DHS-ICE**;
- E. Grant any other relief deemed just and proper.

IX. DECLARATION

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

Executed on: 1/15/2026

Signature: Luisandro Reyes Zaldivar

Luisandro Reyes Zaldivar

Pro Se Petitioner

A-Number: 

Florida Baker Correctional Institute

20706 US 90 W

Sanderson, FL 32087

ATTACHMENTS (Recommended)

- ICE detention records
- Notice to Appear (NTA)
- Immigration court receipts or hearing notices
- Letters of support
- Proof of address & sponsor (U.S. citizen family members ready to post bond)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Entering of Appearance and to Request Continuance was served on the UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA

(Jacksonville Division), via Priority Mail.

Current Detention Facility:

Florida Baker Correctional Institute

20706 US 90 W

SANDERSON, FL 32087

Date this December 23, 2025

Luisandro Reyes Zaldívar

Luisandro Reyes Zaldívar

Current Detention Facility:

Florida Baker Correctional Institute

20706 US 90 W

SANDERSON, FL 32087

Respondent *Pro Se*