

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JEAN CARLOS CUEVAS MEDINA,
Petitioner,

v.

KRISTI NOEM, in her official capacity as
Secretary of the Department of Homeland
Security;
TODD LYONS, in his official capacity as
Acting Director of U.S. Immigration and
Customs Enforcement;
GARRETT J. RIPA, in his official capacity
as Field Office Director, Enforcement and
Removal Operations, U.S. Immigration and
Customs Enforcement (Miami Field
Office);
FACILITY ADMINISTRATOR (OR
WARDEN) OF FLORIDA SOFT SIDE
SOUTH, as Immediate Custodian;
Respondents.

Civil Action No. 2:26-cv-00116-SPC-NPM

Immigration No. A



**MOTION TO ENFORCE HABEAS
ORDER OR, IN THE ALTERNATIVE,
MOTION TO SUPPLEMENT
PETITION AND FOR IMMEDIATE
RELEASE OR FURTHER RELIEF**

I. INTRODUCTION

1. Although judgment was entered, this Court retains inherent authority to enforce compliance with its habeas order. Respondents' failure to provide a meaningful bond hearing constitutes noncompliance with the relief ordered and warrants further judicial intervention.
2. Petitioner Jean Carlos Cuevas Medina respectfully moves this Court to enforce its prior habeas order requiring a bond hearing, or, in the alternative, to permit supplementation of the habeas petition to address Respondents' failure to provide a meaningful bond hearing.
3. Although the Immigration Court convened a bond hearing in form, the Immigration Judge refused to review or consider Petitioner's timely submitted bond evidence after administrative rejection and prompt resubmission. (Exs. B- D). As a result, the hearing failed to satisfy the Court's order or constitutional due process.

4. Although Respondents convened a bond hearing within the ordered timeframe, the refusal to consider evidence rendered the hearing constitutionally deficient and functionally equivalent to no hearing at all.

II. PROCEDURAL BACKGROUND

1. Petitioner filed a habeas petition under 28 U.S.C. § 2241 challenging prolonged civil immigration detention.
2. This Court granted relief and ordered Respondents to provide Petitioner with a bond hearing under INA § 236(a) or release him.
3. Respondents did not seek reconsideration or modification of that order.
4. Petitioner timely prepared and submitted a comprehensive bond packet, including evidence of: (1) prior compliance with release, (2) lack of criminal history, (3) stable housing and sponsorship, and (4) employment upon release.
5. The Immigration Court initially rejected the filing for administrative reasons (Ex. B).
6. Petitioner promptly corrected and resubmitted the bond packet prior to the hearing (Ex. C).
7. At the bond hearing, the Immigration Judge refused to review or consider the resubmitted evidence (Decl. ¶¶ 8–10; Ex. D).
8. The Immigration Judge proceeded without considering Petitioner's evidence, rendering the hearing illusory and constitutionally deficient.

III. ARGUMENT

A. Respondents Failed to Comply with the Habeas Order

9. The Court ordered either a meaningful bond hearing or release; Respondents provided neither.

10. A bond hearing that proceeds without consideration of evidence is not a meaningful hearing. Courts have repeatedly held that due process requires a real opportunity to be heard, not a proceeding in name only.
11. By refusing to consider Petitioner's timely submitted bond evidence, Respondents failed to comply with this Court's order and deprived Petitioner of the relief granted.
12. A hearing where the Immigration Judge refuses to review timely submitted evidence is not meaningful and does not satisfy the Court's order. Because Respondents failed to comply, continued detention is unlawful.
13. By refusing to consider Petitioner's timely submitted bond evidence, Respondents failed to comply with this Court's order (Exs. B–D).

B. Continued Detention Violates Due Process

14. Immigration detention is civil. The Fifth Amendment prohibits continued detention absent a constitutionally adequate custody determination.

C. Alternative Relief: Supplementation Is Appropriate Under Rule 15

15. If the Court determines that enforcement is not the proper vehicle, Petitioner respectfully seeks leave to supplement the habeas petition pursuant to Federal Rule of Civil Procedure 15(d) to address Respondents' post-order constitutional violations.
16. The supplemental facts arise from the same detention and concern Respondents' failure to carry out the Court's directive in good faith.

D. Transfer Would Undermine the Court's Jurisdiction and Prior Relief

17. Respondents should be prohibited from transferring Petitioner out of this District while this Motion is pending. Transfer would interfere with this Court's jurisdiction, frustrate enforcement of the Court's prior habeas order, and cause irreparable harm. The Court has

already exercised authority to prevent transfer in this case through prior temporary restraining relief, and continued restraint is necessary to ensure meaningful enforcement of the Court's order.

IV. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the Court:

1. Enforce its prior habeas order and order Petitioner's immediate release under reasonable conditions of supervision;
2. Alternatively, order a new bond hearing before a different Immigration Judge, with instructions that all timely submitted evidence be reviewed and considered;
3. Alternatively, grant leave to supplement the habeas petition and grant appropriate relief; and
4. Grant any other relief the Court deems just and proper.

V. REQUEST FOR EXPEDITED CONSIDERATION

Petitioner remains unlawfully detained and continues to suffer irreparable harm. Expedited consideration is warranted.

Respectfully submitted,

Date: 02/09/2026

Signature: Jean Cuevas

JEAN CARLOS CUEVAS MEDINA

A# 

Petitioner, Pro Se

VI. CERTIFICATE OF SERVICE

I certify that on this date I served a true and correct copy of the foregoing MOTION TO ENFORCE HABEAS ORDER OR, IN THE ALTERNATIVE, MOTION TO SUPPLEMENT PETITION AND FOR IMMEDIATE RELEASE OR FURTHER RELIEF by U.S. Mail upon the following parties:

Date: 02/09/2026

Signature: Jean Cuevas

JEAN CARLOS CUEVAS MEDINA

Petitioner, Pro Se

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