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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

EDUARDO ALVARADO REYES,

Petitioner,

v.

Case No. 3:26-cv-00128-JEP-PDB

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, et al.,

Respondents.

**PETITIONER'S NOTICE OF RECENT SUPPLEMENTAL AUTHORITY RELEVANT
TO OSUP REVOCATION AND CONTINUED DETENTION**

Petitioner Eduardo Alvarado Reyes files this Notice to bring to the Court's attention three recent decisions of this Court bearing directly on the one claim that remains unresolved here: Petitioner's contention that ICE revoked his Order of Supervision ("OSUP") without any changed circumstances or explanation, in violation of his Fifth Amendment due process rights. As the Court observed in its April 9, 2026 Order, Respondents failed entirely to address that claim in their response to the habeas petition. (Doc. 12 at 5). The Court ordered Respondents to file a supplemental response on the OSUP revocation claim by April 15, 2026. (*id.* at 6). The decisions

described below were issued while that claim has been pending, and each addresses the same regulatory framework governing OSUP revocations.

I. THE SUPPLEMENTAL AUTHORITY

This Court has recently issued three decisions granting habeas relief in immigration detention cases where ICE revoked an Order of Supervision without satisfying the procedural requirements of 8 C.F.R. § 241.13(i)(3). In each, the central issue was whether ICE provided a prompt informal interview affording the detainee a meaningful opportunity to contest the revocation.

Lanvin-Valdez v. U.S. Immigr. & Customs Enf't, No. 3:26-cv-180-JEP-SJH (M.D. Fla. Apr. 14, 2026): The Court granted release under both *Zadvydas* and the OSUP revocation regulations. On the OSUP issue, the Court found that the government's account of the removal process—absent any specific timeline or confirmation of the receiving country's acceptance—was insufficient to show a significant likelihood of removal in the reasonably foreseeable future.

Franco v. Warden, Baker County Detention Center, No. 3:26-cv-176-JEP-SJH (M.D. Fla. Apr. 22, 2026): The Court granted release based on a four-month gap between re-detention and the informal interview, finding that delay inconsistent with the “prompt” interview requirement of 8 C.F.R. § 241.13(i)(3).

Benet Doval v. U.S. Immigr. & Customs Enf't, No. 3:26-cv-247-JEP-SJH (M.D. Fla. Apr. 29, 2026): The Court granted release where ICE served the revocation notice and conducted the informal interview on the same day—approximately eighty days after re-detention—leaving the

petitioner no meaningful opportunity to prepare. The Court held that the failure to provide a prompt informal interview “or to otherwise provide a meaningful opportunity to contest the reasons for revocation violates ICE’s own regulations.”

II. THE RECENT ORDERS ARE RELEVANT TO THE UNRESOLVED OSUP- REVOCATION ISSUE IN THIS CASE

These recent decisions address the same regulatory framework implicated in Petitioner’s pending OSUP revocation claim. Petitioner was re-detained on October 25, 2025. (Doc. 1 at 2). His OSUP was subsequently revoked without any changed circumstances identified by ICE and without explanation. (Doc. 1 at 6, 9). When Respondents filed their response to the habeas petition, they argued only that the *Zadvydas* claim was premature—a position this Court accepted—but they made no argument, and offered no justification, for the OSUP revocation. (Doc. 6; Doc. 12 at 2, 5).

The Court’s April 9, 2026 Order accordingly dismissed the *Zadvydas* claim without prejudice as premature and separately directed Respondents to address the OSUP revocation claim. Cubas long (Doc. 12 at 5–6). The three decisions cited above confirm that the regulatory framework at issue—8 C.F.R. § 241.13(i)(3)—requires a prompt informal interview and a meaningful opportunity to contest revocation. Petitioner respectfully submits that Respondents’ supplemental response, and the Court’s resolution of this matter, should be informed⁴¹ by those decisions.

Petitioner further notes that, as of this filing, he has been in ICE custody for more than seven months—exceeding the six-month period that was the basis for the Court’s premature ruling

on the *Zadvydas* claim. the Government's continued inability to effect Petitioner's removal to Cuba, combined with Petitioner's documented history of prior prolonged detention followed by release due to the Government's inability to effect removal, provides good reason to believe there is no significant likelihood of removal in the reasonably foreseeable future.

III. CONCLUSION

Petitioner respectfully requests that this Court grant the Petition, order his immediate release within twenty-four (24) hours, reinstate the preexisting Order of Supervision under reasonable conditions, provide reasonable telephone access to arrange transportation, and grant any additional relief the Court deems just and proper.

Respectfully submitted,



Eduardo Alvarado Reyes

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Date: 06/05/2026