

FILED BY RSF D.C.
JAN 26 2026
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241**

ULTRA-EXTENSIVE – FEDERAL JUDGE LEVEL

PETITIONER: ALBERTO VERDERA MILIAN (A# 240 272 113)

RESPONDENTS: Warden, Broward Transitional Center; U.S. Immigration and Customs Enforcement (ICE); Department of Homeland Security (DHS)

I. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in the custody of the Department of Homeland Security within the territorial jurisdiction of this Court at the Broward Transitional Center, located in Pompano Beach, Florida. Venue is proper in this District because Petitioner’s immediate custodian is located herein. See *Rumsfeld v. Padilla*, 542 U.S. 426 (2004).

II. IDENTIFICATION OF PETITIONER

Name: Alberto Verdera Milian

A-Number: [REDACTED]

Date of Birth: [REDACTED]

Nationality: Cuban

Date of Entry: June 17, 2022

Date of Detention: November 16, 2025

Current Facility: Broward Transitional Center, 3900 N. Powerline Rd., Pompano Beach, FL 33073

III. NEXT FRIEND STANDING

This Petition is filed by Petitioner’s sister, Yennifer Cruz Milian, as Next Friend, pursuant to *Whitmore v. Arkansas*, 495 U.S. 149 (1990). Petitioner is unable to litigate this action himself due to severe physical illness, psychological trauma, intimidation, and fear of retaliation by detention staff, which substantially interferes with his ability to access the courts.

Next Friend Information:

Name: Yennifer Cruz Milian

A-Number: [REDACTED]

Lawful Permanent Resident of the United States

Date of Birth: [REDACTED]

[REDACTED]

IV. DETAILED STATEMENT OF FACTS

A. Unlawful Arrest at ICE Check-In

On November 16, 2025, Petitioner appeared voluntarily and responsibly for a scheduled

B. Inhumane Transfer and Exposure to Extreme Cold

During his transfer from the Miramar facility to the detention center known as 'Alcatraz,' Petitioner was transported standing, exposed from the waist up, and without any form of protective clothing. For several consecutive days, from approximately November 17 through November 23, 2025, Petitioner was subjected to prolonged exposure to extreme cold, causing immediate and lasting physical harm.

C. Deplorable Conditions at Alcatraz Detention Facility

At Alcatraz, Petitioner was forced to endure conditions that shock the conscience. He was provided only hot water to drink, denied medical care despite clear symptoms of illness, and confined in facilities with bathrooms overflowing with human waste. These unsanitary conditions deprived him of basic human dignity and posed serious risks to his health.

D. Food Deprivation and Denial of Hygiene

Petitioner was provided with grossly inadequate and often spoiled food. On some days, his entire nutritional intake consisted of a single piece of bread in the morning and a hamburger in the evening. He was denied access to hygiene supplies and remained unable to bathe for approximately six days, resulting in further physical and psychological deterioration.

E. Severe Psychological Harm and Disorientation

The conditions of confinement caused profound psychological harm. Petitioner became disoriented, lost all sense of time, and experienced extreme anxiety and despair. During phone calls with family, he repeatedly asked whether it was day or night, reflecting a severe breakdown of mental well-being.

F. Continued Neglect at Broward Transitional Center

On November 24, 2025, Petitioner was transferred to the Broward Transitional Center. By that time, his health had significantly deteriorated. He began experiencing partial hearing loss in one ear. Despite repeated complaints and requests, he was denied meaningful medical evaluation or treatment.

G. Coercion, Threats, and Retaliation

Petitioner has been repeatedly pressured to sign deportation documents. When he refused, he was subjected to psychological abuse, intimidation, and humiliation, creating a coercive environment designed to force his removal in violation of due process.

V. GROUNDS FOR RELIEF

A. Fourth Amendment – Unlawful Arrest

Petitioner was seized without a warrant or probable cause, in violation of the Fourth Amendment. See *Almeida-Sanchez v. United States*, 413 U.S. 266 (1973); *Morales v. Chadbourne*, 793 F.3d 208 (1st Cir. 2015).

B. Fifth Amendment – Substantive and Procedural Due Process

C. Deliberate Indifference to Medical Needs

Respondents have exhibited deliberate indifference to Petitioner's serious medical needs, including illness and hearing loss, in violation of constitutional protections. See Estelle v. Gamble, 429 U.S. 97 (1976); Farmer v. Brennan, 511 U.S. 825 (1994).

D. Inhumane Conditions of Confinement

Exposure to extreme cold, denial of sanitation, inadequate nutrition, and psychological abuse constitute unconstitutional conditions of confinement. See Hope v. Pelzer, 536 U.S. 730 (2002).

E. Coercion and Forced Removal Practices

Threats and coercion to force deportation signatures violate due process and fundamental fairness. See Orantes-Hernandez v. Thornburgh, 919 F.2d 549 (9th Cir. 1990).

F. No Danger to the Community and No Flight Risk

Petitioner has no criminal record, strong family ties, and a history of compliance with ICE, demonstrating he poses no danger to the community and no risk of flight.

VI. RELIEF REQUESTED

Petitioner respectfully requests that this Court grant this Petition for Writ of Habeas Corpus and order his immediate release from ICE custody. In the alternative, Petitioner requests a prompt, individualized bond hearing before a neutral decision-maker, as well as injunctive relief preventing further abuse, medical neglect, or coercion.

VII. VERIFICATION AND SIGNATURE

I, Yennifer Cruz Milian, declare under penalty of perjury that the foregoing is true and correct.



Yennifer Cruz Milian
Next Friend for Petitioner

Date: 01/23/26

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PROOF OF SERVICE

(SERVICE BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED)

I, Yennifer Cruz Milian, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that on the date indicated below, I served true and correct copies of the following documents:

- Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)
- Emergency Motion for Immediate Release
- Motion to Expedite
- Emergency Motion for Temporary Restraining Order (TRO)
- Proposed Order
- Affidavit of Next Friend

by depositing said documents in the United States Mail via Certified Mail, Return Receipt Requested, addressed to the parties listed below.

PARTIES SERVED

1. Clerk of Court
United States District Court
Southern District of Florida – Miami Division
301 North Miami Avenue, Room 150
Miami, FL 33128

2. U.S. Immigration and Customs Enforcement (ICE)
Enforcement and Removal Operations (ERO)
Miami Field Office
2805 SW 145th Avenue
Miramar, FL 33027

3. Office of the Principal Legal Advisor (OPLA)
U.S. Immigration and Customs Enforcement
OPLA – Miami Field Office
Krome Service Processing Center
18201 SW 12th Street
Miami, FL 33194

4. Warden
Broward Transitional Center
3900 North Powerline Road
Pompano Beach, FL 33073

DECLARATION

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



Jennifer Cruz Milian
Next Friend for Petitioner

