

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT COURT OF FLORIDA
MIAMI DIVISION**

DANILO MARTINEZ ARIAS,


Petitioner,

Case No. 1:26-cv-20534

v.


E.K. Carlton, Warden of Federal Detention Center Miami; Garrett J. Ripa, ICE District Director, Miami, Florida; The Honorable Ms. Kristi Noem, in her capacity as Secretary of Homeland Security; The Honorable Ms. Pam Bondi in her capacity as Attorney General of the United States,

Respondents.

_____ /


**PETITION FOR WRIT OF HABEUS CORPUS AND INCORPORATED
MEMORANDUM OF LAW IN SUPPORT THEREOF**



PRELIMINARY STATEMENT

Petitioner, Danilo Martinez Arias, , by and through undersigned counsel, respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, seeking immediate release from unlawful and unconstitutional detention by U.S.

Immigration and Customs Enforcement (“ICE”). Mr. Martinez Arias has been detained since September 24, 2025, at the Federal Detention Center Miami, despite presenting no danger to the community, no convictions of violence, strong family ties in the United States, and full compliance with immigration requirements.

His continued detention violates the Due Process Clause of the Fifth Amendment, exceeds statutory authority, and serves no legitimate governmental purpose. Petitioner seeks immediate release, or in the alternative, an individualized bond hearing before a neutral adjudicator. Although the government may rely on *Matter of Yajure-Hurtado*, 28 I&N Dec. 388 (BIA 2021), to argue that immigration courts lack bond jurisdiction, this Petition challenges the constitutionality of prolonged detention under that framework and invokes this Court’s independent habeas authority under 28 U.S.C. § 2241.


1. This case challenges the government’s authority to detain a noncitizen for a prolonged period without any individualized finding that he is a danger to the community or a flight risk. Petitioner requests this Court to order him released from immigration detention or, at minimum, a prompt bond hearing before a neutral decision-maker with constitutionally adequate procedures.
2. Petitioner Danilo Martinez Arias, , has been detained by Immigration and Customs Enforcement (“ICE”) since August 24, 2025. He was initially arrested and detained at Krome North Service Processing Center, and was subsequently transferred to the Federal Detention Center Miami, where he is currently confined. As of the filing of this Petition, Petitioner has been detained for over five (5) months, and there is no reasonably foreseeable end date to his detention while his immigration proceedings continue.

3. ICE claims authority to detain Petitioner without meaningful bond consideration under INA § 235(b), 8 U.S.C. § 1225(b) and INA § 236(c), 8 U.S.C. § 1226(c) and INA § 236(a), 8 U.S.C. § 1226(a)] (the “Detention Statute”).¹ To undersigned counsel’s k 
 knowledge, Petitioner is not an arriving alien. To the extent Respondents rely on Matter of Yajure-Hurtado, that decision addresses only immigration judge bond jurisdiction and does not foreclose federal habeas review of unconstitutional prolonged detention. *See Fn. 1.*
4. Petitioner’s continued detention violates the Fifth Amendment because it deprives him of liberty without due process of law. It is also unlawful under the INA to the extent Respondents’ interpretation results in prolonged detention without adequate procedural safeguards, effectively placing release wholly within the hands of the detaining agency without a neutral adjudication of necessity. While Matter of Yajure-Hurtado limits access to bond hearings in immigration court for certain noncitizens detained under INA § 235(b), it does not authorize indefinite or unreasonably prolonged detention without a neutral, individualized determination of necessity, nor does it eliminate this Court’s jurisdiction to remedy due process violations through habeas corpus.

¹ To the extent ICE is treating Petitioner as an “arriving alien” and invoking § 1225(b), that statute contains separate detention provisions applicable to (a) certain noncitizens in expedited removal proceedings who establish credible fear and are detained “for further consideration of the application for asylum,” 8 U.S.C. § 1225(b)(1)(B)(ii), and (b) other applicants for admission who are not “clearly and beyond a doubt entitled to admission,” 8 U.S.C. § 1225(b)(2)(A). DHS commonly refers to these categories as “arriving aliens.” 8 C.F.R. § 1.2. Petitioner is not an arriving alien. The government often interprets § 1225(b) and related regulations to require detention without an immigration judge bond hearing for “arriving aliens” during removal proceedings. See, e.g., *Matter of X-K-*, 23 I. & N. Dec. 731, 732 (BIA 2005); 8 C.F.R. § 1003.19(h)(2)(i)(B) (limiting immigration judge custody jurisdiction over certain “arriving aliens”). 1.3 *Matter of Yajure-Hurtado* addresses the statutory scope of immigration court bond jurisdiction; it does not resolve the constitutional question presented here, whether prolonged civil detention without a neutral bond hearing violates the Fifth Amendment.

5. Petitioner therefore respectfully requests that this Court issue a writ of habeas corpus and order Petitioner's immediate release, with appropriate conditions of supervision if necessary. In the alternative, Petitioner requests that this Court conduct, or order an immigration judge to conduct, a bond hearing at which:
 - a. the government bears the burden of proving dangerousness or flight risk by clear and convincing evidence; and
 - b. the decision-maker meaningfully considers alternatives to detention that could mitigate any risk of flight.
6. Petitioner therefore respectfully requests that this Court grant habeas relief and order Petitioner's release from ICE custody subject to appropriate conditions of supervision if necessary. In the alternative, Petitioner requests an order requiring a prompt bond hearing at which:
 - (a) the Government bears the burden to prove danger and/or flight risk by clear and convincing evidence; and
 - (b) the decision-maker considers less restrictive alternatives to detention.

PARTIES

7. Petitioner Danilo Martinez Arias, , is detained at the Federal Detention Center, 33 NE 4th Street, Miami, Florida 33132.
8. Respondent E.K. Carlton, Warden, Federal Detention Center Miami, is named in his/her official capacity as the facility administrator where Petitioner is detained and is a legal custodian of Petitioner. The facility address is stated above.

9. Respondent Garrett j. Ripa is named in his official capacity as the Miami ICE Field Office Director and is a legal custodian responsible for Petitioner's detention decisions and implementation. Service Address: 865 SW 78th Avenue, Plantation, Florida 33324
10. Respondent Kristi Noem is named in her official capacity as the Secretary of the U.S. Department of Homeland Security, responsible for the administration and enforcement of immigration laws and detention authority.
11. Respondent Pam Bondi is named in her official capacity as the Attorney General of the United States, responsible for the administration of the immigration courts through EOIR.

JURISDICTION

12. Petitioner is detained in custody of Respondents at the Federal Detention Center Miami, Florida.
13. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question jurisdiction), and the All-Writs Act, 28 U.S.C. § 1651. To the extent applicable, Petitioner also invokes review under the Administrative Procedure Act, 5 U.S.C. § 701 et seq., for unlawful agency action and failure to provide reasoned decision-making.
14. Federal district courts have jurisdiction to hear habeas corpus claims by noncitizens challenging the lawfulness or constitutionality of their detention by ICE. *Demore v. Kim*, 538 U.S. 510, 516–17 (2003).

VENUE

15. Venue lies in the Southern District of Florida, Miami Division, because Petitioner is physically present and detained within this District, and Respondents exercise custody over him here. See 28 U.S.C. § 2241(d).
16. There is no statutory exhaustion requirement where a noncitizen challenges the lawfulness of detention under § 2241. Any exhaustion requirement is prudential and discretionary.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

17. The need for immediate judicial review is pressing because Petitioner remains detained and lacks an adequate mechanism for neutral, meaningful review of detention necessity.
18. Exhaustion is further excused where it would be futile, including where the agency has predetermined the dispositive detention issue or where the administrative body lacks authority to adjudicate constitutional claims.
19. To the extent the government asserts Petitioner is detained under a framework that precludes immigration judge bond jurisdiction (including “arriving alien” rules), administrative remedies cannot provide the relief requested here: a constitutionally sufficient hearing before a neutral arbiter.
20. The BIA does not have jurisdiction to decide constitutional due process questions, further supporting waiver of exhaustion for Petitioner’s Fifth Amendment claim.
21. A request for parole under 8 U.S.C. § 1182(d)(5)(A) is not an adequate substitute for due process because parole review is discretionary, conducted by the detaining authority, and does not provide a neutral hearing or meaningful record for review.

STATEMENT OF FACTS

Petitioner Danilo Martinez Arias, A## [REDACTED], has resided in the United States and maintains a stable residence at: [REDACTED]

22. On or about September 24, 2025, Petitioner was taken into ICE custody and detained at the Federal Detention Center Miami. *Supra*.
23. Petitioner has strong family ties, no history of violence, and presents no danger to the community.² He also has strong incentives to comply with immigration proceedings and appear as required.
24. Petitioner's continued detention has impaired his ability to prepare his immigration case effectively and has caused ongoing hardship for him and his family.
25. Despite Petitioner's equities and the absence of any individualized finding that detention is necessary to prevent flight or protect the public, ICE has continued to detain Petitioner for a prolonged period, with no clear end date.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION

27. Petitioner incorporates the allegations above.

² Petitioner has no criminal convictions. A prior Battery charge in Miami, Florida was not pursued by the State and resulted in No Action.

28. Petitioner's prolonged detention without a meaningful, individualized determination that he is dangerous, or a flight risk violates the Fifth Amendment's Due Process Clause.

29. The Due Process Clause protects all "persons" in the United States, including noncitizens, from deprivation of liberty without due process of law. See *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

30. A statutory scheme that permits prolonged detention without meaningful procedural safeguards raises serious constitutional problems. See *Zadvydas*, 533 U.S. at 690; *Demore*, 538 U.S. at 529–30 (discussing detention as typically "brief," and emphasizing the civil purpose of detention).

31. As detention lengthens beyond a brief period, due process requires heightened procedural protections, including a hearing before a neutral decision-maker and a meaningful burden on the government to justify continued confinement.

32. Petitioner is not a danger to the community, has no history of violence, and has strong family ties and a stable U.S. residence. His continued confinement without neutral review is therefore arbitrary and unconstitutional.

33. This Court should order Petitioner's release, or at minimum order a constitutionally sufficient bond hearing with the government bearing the burden by clear and convincing evidence.

SECOND CLAIM FOR RELIEF

VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT § 235(b), 8 U.S.C.

§ 1225(b)

34. Petitioner incorporates the allegations above.

35.If Respondents rely on INA § 235(b), 8 U.S.C. § 1225(b) (or any statute construed as “mandatory detention”), this Court should construe the statute to avoid serious constitutional concerns, limiting detention to a reasonable period and requiring a bond hearing once detention becomes unreasonably prolonged.

36. Under constitutional avoidance, where a statute can be fairly interpreted to avoid constitutional problems, courts adopt the limiting construction. See *Crowell v. Benson*, 285 U.S. 22, 62 (1932); *Zadvydas*, 533 U.S. at 689.

37. Because Respondents’ interpretation permits prolonged detention without a bond hearing, it raises serious constitutional concerns and must be limited as a matter of statutory interpretation or, alternatively, declared unconstitutional as applied.

THIRD CLAIM FOR RELIEF

VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT § 236(a), 8 U.S.C.

§ 1226(a)

38. Petitioner incorporates the above allegations.

39. To the extent Respondents rely on § 1225(b) or another mandatory framework, Petitioner alleges that once removal proceedings are underway, detention authority is governed by 8 U.S.C. § 1226(a) (discretionary detention), which requires access to a bond determination consistent with due process.

40. Under § 1226(a), detention is discretionary and must be supported by individualized findings; alternatives to detention must be considered where they can reasonably mitigate risk.

41. This Court should hold that Petitioner's continued detention is governed by § 1226(a) and order an immediate bond hearing before a neutral adjudicator under constitutionally adequate standards.

PRAYER FOR RELIEF

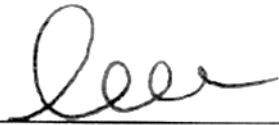
WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this matter;
2. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately, on reasonable conditions of supervision if necessary;
3. In the alternative, conduct a bond hearing or remand for a bond hearing at which:
 - a. the government bears the burden to prove flight risk and dangerousness by clear and convincing evidence; and
 - b. alternatives to detention that could mitigate any risk of flight are meaningfully considered;
4. In the alternative, hold that Petitioner's detention is governed by 8 U.S.C. § 1226(a), entitling Petitioner to a bond hearing upon request;
5. Award costs and reasonable attorneys' fees as authorized by law, including under the EAJA where applicable; and
6. Grant such further relief as this Court deems just and proper.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on January 28, 2026, I electronically filed the foregoing with the Clerk of Court using CM/ECF. I further certify that service was affected on counsel of record via the Notice of Electronic Filing and/or by other authorized means on parties not receiving electronic notice.

Respectfully submitted,



Greg Chonillo, Esquire
Fla. Bar No.: 0298300
Chonillo Law Group, LLC
121 Alhambra Plaza, STE 1500
Coral Gables, Florida 33134
Telephone: 954.465.9316
Facsimile: (888) 974-3182
Email: Gregchonillo@gmail.com

TABLE OF CONTENTS

EXHIBIT	DESCRIPTION	PAGES
Exhibit A	Petitioners' Notice to Appear (NTA)	13-16
Exhibit B	Petitioner's Proof of Current ICE Detention	17-18
Exhibit C	Petitioner's I-830, Notice to EOIR: Alien Address	19-20
Exhibit D	Petitioner's Order of The Immigration Judge on Bond Hearing	21-23
Exhibit E	Petitioner's Certified Disposition	24-25
Exhibit F	Petitioner's Birth Certificate with Translation	26-29
Exhibit G	Petitioner's Passport	30-31

EXHIBIT A

Allegations: Admits All; | Charges: Sustains All;
Designated Country: CUBA |

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act: Lead A#: [REDACTED]
Subject ID: [REDACTED] FINS #: [REDACTED] File No: [REDACTED]
DOB: [REDACTED] Event No: [REDACTED]
In the Matter of:
Respondent: DANILO MARTINEZ-ARIAS currently residing at:

[REDACTED ADDRESS]

(Number, street, city, state and ZIP code) (Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of CUBA and a citizen of CUBA ;
3. You arrived in the United States at or near unknown place , on or about September 17, 2024 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

333 S MIAMI AVE STE 700 MIAMI FL US 331301904

(Complete Address of Immigration Court, including Room Number, if any)

on April 22, 2027 at 08:00 AM to show why you should not be removed from the United States based on the

(Date)

(Time) DANIEL B ESCALA

Date: 2024.09.18 07:04:00

charge(s) set forth above.

Acting/Patrol Agent in Charge

(Signature and Title of Issuing Officer)

Date: September 17, 2024

MARATHON, FLORIDA

(City and State)

EOIR - 1 of 3

Allegations: Admits All Charges; Sustains All
Designated Country: CUBA

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Upon information and belief, the language that the alien understands is SPANISH

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on September 18, 2024, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

Refused to Sign

(Signature of Respondent if Personally Served)

DANIEL B ESCALA
Date: 2024.09.18 07:05 AM EDT



Border Patrol Agent

(Signature and Title of officer)

EOIR - 2023

Allegations: Admits All; | Charges: Sustains All;

Des **Authority** Country: CUBA |

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement, other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

EOIR - 3 of 3

EXHIBIT B



U.S. Immigration and Customs Enforcement

Report



[< BACK TO RESULTS](#)

Facility Page

Detention Information For:

DANILO MARTINEZ ARIAS

Country of Birth: Cuba

A-Number:

Current Detention Facility:

Miami Federal Detention Center FDC
33 NE 4 street
NA
Miami, FL 33132
Visitor Information: (305) 207-2100

ERO Office Information

Family members and legal representatives may be able to obtain additional information about this individual's case by contacting this ERO office:

KROME, MIAMI, FL. DOCKET CONTROL OFFICE
Phone Number: (305) 207-2101

[BACK TO SEARCH >](#)

EXHIBIT C

U.S. Immigration and Customs Enforcement

NOTICE TO EOIR: ALIEN ADDRESS


Event No: 

Date: August 24, 2025

To: Enter Name of BIA or Immigration Court I-830 MIAMI, FLORIDA
Enter BIA or Immigration Court Three Letter Code@usdoj.gov MIA

From: Enter Name of ICE Office KROME, MIAMI, FL, DOCKET CONTROL OFFICE
Enter Street Address of ICE Office KROME SERVICING PROCESSING CENTER 18201 S.W. 12TH STREET

Enter City, State and Zip Code of ICE Office MIAMI, FL 33194

Respondent: Enter Respondent's Name MARTINEZ ARIAS, DANILO
Alien File No: Enter Respondent's Alien Number 

This is to notify you that this respondent is:

Currently incarcerated by federal, state or local authorities. A charging document has been served on the respondent and an Immigration Detainer-Notice of Action by the ICE (Form I-247) has been filed with the institution shown below. He/she is incarcerated at:
Enter Name of Institution where Respondent is being detained _____
Enter Street Address of Institution where Respondent is being detained _____
Enter City, State and Zip code of Institution where Respondent is being detained _____
Enter Respondent's Inmate Number _____
His/her anticipated release date is Enter Respondent's Anticipated Release Date. _____


Detained by ICE on Enter Date Respondent was Detained by ICE at: _____
Enter Name of ICE Detention Facility where Respondent is being detained _____
Enter Street Address of ICE Detention Facility where Respondent is being detained _____
Enter City, State and Zip Code of ICE Detention Facility where Respondent is being detained _____

Detained by ICE and transferred on Enter Date Respondent was transferred to: October 1, 2025
Enter Name of ICE Detention Facility where Respondent has been transferred MIAMI FED.DET.CENTER
Enter Street Address of ICE Detention Facility where Respondent has been transferred 33 NE 4 STREET
Enter City, State and Zip Code of ICE Detention Facility where Respondent has been transferred MIAMI, FL 33132

Released from ICE custody on the following condition(s):
 Order of Supervision or Own Recognizance (Form I-220A)
 Bond in the amount of Enter Dollar Amount of Respondent's Bond
 Removed, Deported, or Excluded
 Other _____

Upon release from ICE custody, the respondent reported his/her address and telephone number would be:
Enter Respondent's Street Address _____
Enter Respondent's City, State and Zip Code _____
Enter Respondent's Telephone Number (including area code) _____

I hereby certify that the respondent was provided an EOIR-33 Form and notified that they must inform the Immigration Court of any further change of address.

ICE Official: Enter Your First, Last Name and Title SDDO G D06910 FEDERSEN 

EOIR - 1 of 1

EXHIBIT D



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
MIAMI KROME IMMIGRATION COURT

Respondent Name:

MARTINEZ-ARIAS, DANILO

To:

Chonillo, Gregory Victor
121 Alhambra Plaza suite 1500
coral gables, FL 33134

A-Number:



Riders:

In Custody Redetermination Proceedings

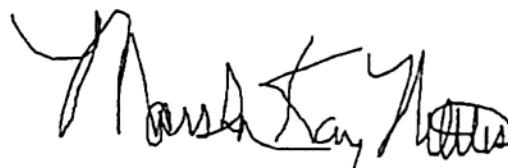
Date:

12/10/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because
No Jurisdiction. See Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025).
Maldonado Bautista order not binding.
- Granted. It is ordered that Respondent be:
 - released from custody on his own recognizance.
 - released from custody under bond of \$
 - other:
- Other:



Immigration Judge: Nettles, Marsha 12/10/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved


Appeal Due: 01/09/2026

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : MARTINEZ-ARIAS, DANILO | A-Number : 

Riders:

Date: 12/10/2025 By: TURCIOS, MAYRA, Court Staff

EXHIBIT E

IN THE CIRCUIT AND COUNTY COURTS OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR MIAMI-DADE COUNTY

I, JUAN FERNANDEZ-BARQUIN CLERK CIRCUIT AND COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY, DO HEREBY CERTIFY THAT A DILIGENT EXAMINATION OF THE FELONY, MISDEMEANOR AND NON CRIMINAL VIOLATION FILES AND RECORDS IN MY OFFICE REGARDING:

NAME: MARTINEZARIAS, DANILO
DATE OF BIRTH: ~~XXXXXXXXXX~~
RACE: WHITE SEX: MALE
YEARS RESEARCHED: 2025 - 2025

INDICATES THE FOLLOWING:

CITATION/ ARREST / FILE DATE/	CASE NUMBER	ARST DEPT	CHARGES	DISPOSITION	DISPO DATE
MARTINEZARIAS, DANILO	F25018349	08/24/2025	BATTERY/AGGRAVATED SWEETWATER	NO ACTION	09/24/2025

PURSUANT TO FLORIDA RULES OF COURT, RULE 2.430, COURT RECORDS THAT ARE NOT PERMANENTLY RECORDED MAY BE UNAVAILABLE, OR DISPOSED OF BY THE CLERK, IN ACCORDANCE WITH THE APPLICABLE RETENTION SCHEDULE REQUIRED BY SAID RULE. (10 YEARS FOR FELONY, MISDEMEANOR AND CRIMINAL TRAFFIC VIOLATIONS IN WHICH THE DEFENDANT WAS ADJUDICATED NOT GUILTY). PLEASE SEE FLORIDA RULES OF COURT, RULE 2.430, FOR A COMPLETE LISTING OF RECORDS RETENTION REQUIREMENTS.

WITNESS MY HAND AND THE SEAL OF THE COURT AT MIAMI, MIAMI-DADE COUNTY, FLORIDA, THIS 29 DAY OF SEPTEMBER, 2025.

JUAN FERNANDEZ-BARQUIN CLERK
CIRCUIT AND COUNTY COURTS
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

PAGE: 001

BY: *Ana Vazquez*
DEPUTY CLERK
ANA VAZQUEZ 402090



Deputy Clerk of the Circuit Court
11th Judicial Circuit
Miami-Dade County, Florida

EOIR 38 of 78