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DETAINED

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF FLORIDA

WILIAN ALEXANDER VASQUEZ LOPEZ)

A# 221-453-115)

Petitioner,)

v.)

WARDEN, GLADES COUNTY DETENTION CENTER,)

KRISTI NOEM, SECRETARY OF HOMELAND)

SECURITY, TODD M. LYONS, ACTING DIRECTOR)

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,)

DHS, AND PAMELA BONDI, ATTORNEY GENERAL)

OF THE UNITED STATES)

Respondents.)

CASE No.: 2:26-CV-147-JES-1

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

I. INTRODUCTION

1. Petitioner Wilian Alexander Vasquez Lopez (hereinafter Mr. Vasquez-Lopez) is a national of Guatemala [SEE EXHIBIT A] currently detained at Glades County Detention Center.
2. Petitioner has been in ICE custody since November 21, 2025, without a meaningful opportunity for release on bond. Petitioner has had two bond hearings, and bond was denied on both occasions.
3. Petitioner has lived in the United States for almost a decade, has strong family ties in the United States, and is pursuing relief from removal before the Immigration Court. Upon reaching ten years of continuous presence, Petitioner will be eligible to seek relief based on his good moral character. Petitioner pays taxes and has never had any legal problems in the United States.
4. Petitioner challenges his continued civil immigration detention as unlawful and in violation of the Due Process Clause of the Fifth Amendment.

II. BACKGROUND

5. Petitioner is a national of Guatemala who entered the United States seeking protection. At the time Petitioner departed his home country, conditions were extremely unsafe due to widespread violence and instability. Petitioner feared for his life and personal safety, which motivated his departure. [SEE EXHIBIT B]
6. Petitioner first arrived in the United States on or about March 28, 2017 at or Tucson, Arizona. He was not inspected or admitted by an immigration officer at the time of entry.

III. JURISDICTION AND VENUE

7. Mr Vasquez-Lopez is detained at the Glades County Detention Center in Moore Haven, Florida, within the Middle district of Florida. [SEE EXHIBIT C]
8. This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because petitioner is currently in federal immigration custody and seeks to challenge the legality of his ongoing

detention. Venue is proper in in the Middle District of Florida because Petitioner is detained within this District.

9. This Court has subject-matter jurisdiction under the Suspension Clause of the U.S. Constitution, Art. I, § 9, cl. 2, and 28 U.S.C. § 1651 (All Writs Act), because Petitioner is presently held in federal custody under the authority of the United States. His detention by Respondents constitutes a severe restraint on his liberty in violation of the Constitution and laws of the United States. See *Hensley v. Municipal Court*, 411 U.S. 345 (1973)

IV. PARTIES

10. Petitioner Wilian Alexander Vasquez Lopez who is a national and citizen of Honduras currently detained at Glades County Detention Center.
11. Warden, Glades County Detention Center where petitioner is apprehended since November 21, 2025.
12. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (DHS), and has authority over the actions of all other DHS Respondents in this case, as well as all operations of DHS. She is sued in her official capacity.
13. Respondent Todd M. Lyons is the Acting Director of Immigration and Customs Enforcement, responsible for ICE's detention and removal operations among all its other functions. He is sued in his official capacity.
14. Respondent Pamela Bondi is the Attorney General of the United States, and as such has authority over the Department of Justice and is charged with faithfully administering the immigration laws of the United States. She is sued in her official capacity

V. FACTS

Petitioner is the father of two children [SEE EXHIBIT D]. One of Petitioner's children, M 
 was born in Florida and is a United States citizen. Petitioner's second child was born in Guatemala. Petitioner has always been an exemplary member of the community,

maintains strong family bonds, and has consistently contributed to the United States economy. He is not, and has never been, a burden on the government, nor are his children. [SEE EXHIBIT E].

Petitioner has no criminal record and poses no danger to the community. He has never been detained by the police, has never received any traffic citations, and does not drive because he does not have a driver's license. Prior to his arrest, Mr. Vasquez-Lopez was working, paying his taxes, and providing for his family. His continued detention deprives his family of his companionship and income.

On November 21, 2025, while Petitioner was beginning his workday, he was traveling with his brother to his place of employment, where he works in construction. The company truck was driven by a company driver, and Petitioner and his brother were seated as passengers, simply commuting to work.

Without warning, the vehicle was stopped on I-595 by state troopers and plainclothes immigration agents. Petitioner and his brother were subjected to an inspection and were immediately arrested. The police first transported Petitioner to the Collier County Sheriff's Office for processing. He was then transferred to the Florida Soft Side South facility, commonly referred to as "Alligator Alcatraz." In or around December 2025, Petitioner was transferred to the Glades County Detention Center, where he has remained detained for nearly two months. During this time, Petitioner has had no meaningful opportunity for release, despite his strong family ties in the United States, his role as a devoted parent, and his long history of contributing to the community and the economy. His continued detention has imposed a serious and unnecessary hardship on Petitioner and his family, depriving him of his liberty without any individualized assessment of flight risk or danger. If Petitioner remains detained, he will be unable to support his family financially and emotionally, causing further irreparable harm to his household.

VI. LEGAL FRAMEWORK AND ARGUMENT

15. Petitioner's Detention Violates the Fifth Amendment Due Process Clause

The Fifth Amendment guarantees that no person shall be deprived of liberty without due process of law. Freedom from imprisonment—whether by government custody, detention, or other forms of physical restraint—lies at the heart of this protection. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Detention must “bear a reasonable relation to the purpose for which the individual [was] committed.” *Jackson v. Indiana*, 406 U.S. 715, 738 (1972).

Here, Petitioner has been detained for nearly two months without individualized review, despite having no criminal history, posing no danger to the community, and having a U.S. citizen friend willing to serve as sponsor. His detention no longer serves a reasonable purpose and violates the Fifth Amendment.

16. Detention Must Be Statutorily and Constitutionally Valid

Under 8 U.S.C. §1226(a), individuals like the Petitioner who are awaiting a determination in removal proceedings may be detained only after consideration of alternatives and an individualized assessment. *Matter of Adeniji*, 22 I&N Dec. 1102 (BIA 1999); *Matter of Patel*, 15 I&N Dec. 666 (BIA 1976). Respondents have provided no individualized determination or evidence justifying continued detention. This violates statutory requirements and the Fifth Amendment

17. Alternatives to Detention Are Available

Petitioner has strong family ties in the United States, including a U.S. citizen child, as well as significant financial obligations and family responsibilities. These factors demonstrate that Petitioner is not a flight risk and will appear for all required immigration proceedings.

Because there is no indication that Petitioner is a flight risk or danger to the community, and effective alternatives exist, continued detention is unnecessary, overly restrictive, and unconstitutional. *Zadvydas*, 533 U.S. at 700.

18. The Government Bears the Burden of Justifying Detention

Due process principles require the government to demonstrate that detention is legally and constitutionally justified. *Cooper v. Oklahoma*, 517 U.S. 348, 363 (1996) (“due process places a heightened burden of proof on the State in civil proceedings in which the individual interests at stake... are particularly important”).

Respondents have failed to meet this burden. Petitioner’s lack of criminal history, strong community ties, and significant family and financial responsibilities demonstrate that continued detention cannot be legally or constitutionally justified.

VII. PRAYER FOR RELIEF

1. Assume jurisdiction over this matter;
2. Expedite consideration of this action pursuant to 28 U.S.C. § 1657, because it is an action brought under chapter 153 (habeas corpus) of Title 28;
3. Issue an order to show cause pursuant to 28 U.S.C. § 2243, directing the Respondents to explain within three (3) days why the writ of habeas corpus should not be granted;
4. Grant a writ of habeas corpus directing the Respondents to immediately release Petitioner from custody, or, in the alternative, release on bond with any conditions the Court deems appropriate, pursuant to 8 C.F.R. § 241.5; and
5. Grant any and all further relief that this Court deems just and proper.

VIII. DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 01/26/2026



Signature of Petitioner