

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION  
Case No.: 2:26-cv-00165-JES-DNF

DOMINGO CHOX,

Petitioner,

v.

DAVID HARDIN, et al,

Respondents.

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PETITIONER'S MOTION TO ENFORCE JUDGEMENT

On February 10, 2026 this court granted Petitioner's Petition for a Writ of Habeas Corpus, ordering Respondents to either grant a bond hearing for Petitioner before an immigration judge or release him within 10 days. Respondents held a bond hearing for Petitioner on February 18, 2026 before an immigration judge, at which he was represented by counsel. At that hearing he was denied any bond.

Petitioner submits that when this Federal Court orders Respondents to hold a bond hearing, it should be held in good faith and in compliance with the requirements of Due Process and immigration law, which require his release if he is not a flight risk or a danger to the community, *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006).

However, a reasonable adjudicator could not deny Petitioner any bond as a danger to the community or a flight risk on the evidence submitted by both parties. At the bond hearing,

Petitioner provided evidence that he had been in the US for 18 years, since 2008. He married US Citizen Aracely Mendez on July 17, 2020, who filed an immigration petition (I-130) on his behalf. The petition was approved by USCIS on May 29, 2025, demonstrating the bona fides of the marriage. The couple filed joint taxes in 2024 showing an income of \$36,019 from his work in landscaping. Petitioner has no criminal record (just traffic violations), and he filed an application for Cancellation of Removal, which, if approved, would give him lawful permanent residence. Respondents did not submit evidence that Petitioner is a danger to the community or a flight risk.

Wherefore, Petitioner respectfully asks this Court to issue a further order to the Writ of Habeas Corpus and order Respondents to release Petitioner from custody either with or without a reasonable bond of \$5,000, so he can contest his removal from the US while not in detention.

Respectfully submitted,

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