

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 26-20574-CV-WILLIAMS

OSEAS SALATIEL VASQUEZ RAMIREZ,

Plaintiff,

v.

ROGERS, *et al.*,

Defendants.

ORDER

THIS MATTER is before the Court on Petitioner's Emergency Motion to Enforce the Court's Jurisdiction and Order Return of Petitioner (DE 18) ("**Emergency Motion**"). For the reasons set forth below, the Motion (DE 18) is **GRANTED**.

I. BACKGROUND

Petitioner Oseas Salatiel Vasquez Ramirez ("**Petitioner**") is a twenty-five-year-old Guatemalan national. (DE 1 ¶ 12). On January 4, 2026, Petitioner was detained by U.S. Immigration and Customs Enforcement and held at Florida Soft Side South Detention Facility. (*Id.*). On January 28, 2026, Petitioner sought habeas corpus relief pursuant to 28 U.S.C. § 2241 ("**Petition**"). (DE 1). Petitioner also sought a temporary restraining order ("**TRO**") to prohibit Respondents from transferring Petitioner while the Petition was pending before the Court.¹ (DE 4 at 2). On February 12, 2026, the Court issued an Order to Show Cause ("**OTSC**"), requiring Respondents to show cause as to why the Petition should not be granted. (DE 14). The OTSC prohibited Respondents from transferring

¹ The TRO remains pending for adjudication. (DE 4).

Petitioner until further order of the Court. (DE 14 at 3). Despite the pending Petition and request for a TRO, Respondents filed their response (DE 16) ("**Response**"), indicating that Petitioner was transferred out of state three days prior to this Court's OTSC. (DE 16 at 3). The Response informs the Court that Petitioner is presently detained at the Denver Contract Detention Facility. (*Id.* at 3). The instant Emergency Motion followed.

The Emergency Motion seeks an order requiring Respondents to immediately return Petitioner to custody within Florida and prohibit Respondents from transferring Petitioner outside of Florida absent Court order. (DE 18 at 8). The Response challenges the Court's jurisdiction by arguing that venue is improper and that "this case should be dismissed or, in the interest of justice, transferred to the Middle District of Florida . . . or to the District of Colorado—the judicial district where he is now detained." (DE 16 at 3). However, Petitioner argues that "habeas jurisdiction attaches at the time a petition is filed and cannot be defeated by the government's unilateral transfer of the petitioner." (DE 18 at 2).

Petitioner cites several cases in the Emergency Motion to argue that jurisdiction cannot be defeated by the removal of Petitioner from the district. (*Id.*). These cases reason that a federal court's ability to retain authority ensures executive officials do not manipulate judicial review. (*Id.*). Petitioner also argues that Respondents' transfer of Petitioner frustrates the purpose of this Court's OTSC and its ability to review the merits of the Petition. (*Id.* at 4). The Court agrees with Petitioner.

II. DISCUSSION

There is no question that districts court have the power to enforce compliance with their orders. *See S.E.C. v. Greenberg*, 105 F. Supp. 3d 1342, 1352 (S.D. Fla. 2015) (citing

Shillitani v. United States, 384 U.S. 364, 370, 86 S.Ct. 1531, 16 L.Ed.2d 622 (1966)). The Court's OTSC instructed that Petitioner not be transferred from Florida Soft Side South Detention Facility while the Petition was pending before the Court. (DE 14). Although the Court recognizes that Petitioner was removed from the state a few days prior to the Court's Order prohibiting transfer, Respondents remain obligated to adhere to the terms of the Order. Petitioner's transfer undermines the Court's specific directive and impedes the Court's ability to address the matters raised by the parties, after a meaningful opportunity to evaluate the merits of the TRO, Petition, and Response. See *Ozturk v. Trump*, 779 F. Supp. 3d 462, 496-97 (D. Vt. 2025) (ordering petitioner's return to the district where the habeas petition was filed to give effect to the court's order "intended to preserve the status quo of [the petitioner's] whereabouts while it assessed its jurisdiction to consider the case" and "to ensure continued respect for orders issued by Article III courts").

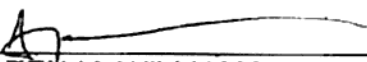
III. CONCLUSION

Accordingly, for the reasons set forth above, it is **ORDERED AND ADJUDGED** as follows:

1. Petitioner Oseas Salatiel Vasquez Ramirez's Emergency Motion to Enforce the Court's Jurisdiction and Order Return of Petitioner is **GRANTED**.
2. Petitioner Oseas Salatiel Vasquez Ramirez shall be transferred back to Florida Soft Side South Detention Facility as soon as practical.
3. On or before **March 6, 2026**, the parties shall submit a joint notice informing the Court of the status of this matter.

DONE AND ORDERED in Chambers in Miami, Florida, on this 19th day of

February, 2026.



KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE