

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

CASE NO. 26-cv-60262-EA

MONTIEL FERNANDEZ JOSE DEMETRIO,
Petitioner,

v.

**U.S. DEPARTMENT OF HOMELAND
SECURITY, et al.,**
Respondents

RESPONSE TO MOTION TO DISMISS

Petitioner, through undersigned counsel, respectfully responds to Respondents' Motion to Dismiss and states as follows:

1. Petitioners acknowledge that a petition for writ of habeas corpus must be filed in the judicial district where the petitioner is currently in custody.
2. Petitioner is presently detained within the jurisdiction of the United States District Court for the Middle District of Florida.
3. Accordingly, Petitioner will file a Motion to Transfer Venue to the United States District Court for the Middle District of Florida and will provide a copy of the previously filed Petition for Writ of Habeas Corpus in support thereof.

WHEREFORE, Petitioner respectfully requests that this Court transfer this matter to the United States District Court for the Middle District of Florida in the interest of justice or grant such further relief as the Court deems just and proper.

Respectfully submitted,

By: /s/David Iverson
DAVID IVERSON, ESQ
Counsel for Petitioner
FLA BAR 405190
P.O. BOX 266482
WESTON, FL 33326
TEL: (954) 659 – 8526
Email: diverson@infionline.net

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 26-cv-60262-EA

MONTIEL FERNANDEZ JOSE DEMETRIO,
Petitioner,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*,
Respondents

CERTIFICATE OF SERVICE

I, David Iverson, **HEREBY CERTIFY** that on this 18 day of February 2026, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served on this day on all counsel of record or pro se parties identified on the Service List via transmission of Notices of Electronic Filing generated by CM/ECF.

Respectfully submitted,

By: /s/David Iverson
DAVID IVERSON, ESQ
Counsel for Petitioner
FLA BAR 405190
P.O. BOX 266482
WESTON, FL 33326
TEL: (954) 659 – 8526
Email: diverson@infionline.net