

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
JOSE ALVARO LLANES FIGUEROA
(b) County of Residence of First Listed Plaintiff
(c) Attorneys (Firm Name, Address, and Telephone Number)
Juliana G. Lamardo, Esq.
Law Offices of Juliana G. Lamardo, P.A.
2414 SW 22nd Street, 2nd Floor

DEFENDANTS
KRISTI NOEM, et. al.
County of Residence of First Listed Defendant
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)
unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
PTF DEF
Citizen of This State 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT: 110 Insurance, 120 Marine, 130 Miller Act, 140 Negotiable Instrument, 150 Recovery of Overpayment & Enforcement of Judgment, 151 Medicare Act, 152 Recovery of Defaulted Student Loans (Excludes Veterans), 153 Recovery of Overpayment of Veteran's Benefits, 160 Stockholders' Suits, 190 Other Contract, 195 Contract Product Liability, 196 Franchise.
REAL PROPERTY: 210 Land Condemnation, 220 Foreclosure, 230 Rent Lease & Ejectment, 240 Torts to Land, 245 Tort Product Liability, 290 All Other Real Property.
TORTS: PERSONAL INJURY (310 Airplane, 315 Airplane Product Liability, 320 Assault, Libel & Slander, 330 Federal Employers' Liability, 340 Marine, 345 Marine Product Liability, 350 Motor Vehicle, 355 Motor Vehicle Product Liability, 360 Other Personal Injury, 362 Personal Injury - Medical Malpractice), PERSONAL INJURY (365 Personal Injury - Product Liability, 367 Health Care/Pharmaceutical Personal Injury Product Liability, 368 Asbestos Personal Injury Product Liability), PERSONAL PROPERTY (370 Other Fraud, 371 Truth in Lending, 380 Other Personal Property Damage, 385 Property Damage Product Liability).
FORFEITURE/PENALTY: 625 Drug Related Seizure of Property 21 USC 881, 690 Other.
LABOR: 710 Fair Labor Standards Act, 720 Labor/Management Relations, 740 Railway Labor Act, 751 Family and Medical Leave Act, 790 Other Labor Litigation, 791 Employee Retirement Income Security Act.
IMMIGRATION: 462 Naturalization Application, 465 Other Immigration Actions.
BANKRUPTCY: 422 Appeal 28 USC 158, 423 Withdrawal 28 USC 157.
INTELLECTUAL PROPERTY RIGHTS: 820 Copyrights, 830 Patent, 835 Patent - Abbreviated New Drug Application, 840 Trademark, 880 Defend Trade Secrets Act of 2016.
SOCIAL SECURITY: 861 HIA (1395ff), 862 Black Lung (923), 863 DIWC/DIWW (405(g)), 864 SSID Title XVI, 865 RSI (405(g)).
FEDERAL TAX SUITS: 870 Taxes (U.S. Plaintiff or Defendant), 871 IRS—Third Party 26 USC 7609.
OTHER STATUTES: 375 False Claims Act, 376 Qui Tam (31 USC 3729(a)), 400 State Reapportionment, 410 Antitrust, 430 Banks and Banking, 450 Commerce, 460 Deportation, 470 Racketeer Influenced and Corrupt Organizations, 480 Consumer Credit (15 USC 1681 or 1692), 485 Telephone Consumer Protection Act, 490 Cable/Sat TV, 850 Securities/Commodities/Exchange, 890 Other Statutory Actions, 891 Agricultural Acts, 893 Environmental Matters, 895 Freedom of Information Act, 896 Arbitration, 899 Administrative Procedure Act/Review or Appeal of Agency Decision, 950 Constitutionality of State Statutes.

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. sec. 2241. Petition for Writ of Habeas Corpus and request for Order to Show Cause.
Brief description of cause:

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE 2/11/2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Juliana G. Lamardo

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

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- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.

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

**JOSE ALVARO
LLANES FIGUEROA,**

Petitioners/Plaintiff, v.

KRISTI NOEM, in their official
capacity as Secretary of the United States
Department of Homeland Security;

CHARLES PARRA, in their official
capacity as Assistant Field Office
Director for the Krome North Service;

PAMELA BONDI, in their official
capacity as Attorney General of the
United States;

GARRET RIPA, in their official
capacity as Director of Miami Field
Office, U.S. Immigration and Customs
Enforcement;

TODD LYONS, in their official capacity
as Acting Director of Immigration and
Customs Enforcement;

SIRCE OWEN, Acting Director of
EOIR, in their official capacity,
Executive Office for Immigration
Review

Respondents-Defendants.

Case NO.



PETITION FOR WRIT OF HABEAS CORPUS

The Petitioner, Jose Alvarez Llanes Figueroa, submits this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 to compel his release from custody, as his current civil immigration detention violates the Due Process Clause of the United States Constitution and the Administrative Procedure Act.

INTRODUCTION

1. Petitioner respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his continued and unlawful detention by United States Immigration and Customs Enforcement (“ICE”). Petitioner seeks immediate release, or in the alternative, a constitutionally adequate bond hearing.
2. Petitioner, Jose Llanes Alvaro Figueroa, is a Native and Citizen of El Salvador. He is currently 26 years old, as his date of birth is ~~XXXXXXXXXX~~. **Exhibit A – Passport.**
3. Petitioner was detained in Okaloosa County for Domestic Battery, which was dropped. He was thereafter transferred into the Custody of the Department of Homeland Security (“DHS”) and has remained in civil detention in the custody of Immigration and Customs Enforcement (“ICE”) at Krome North Service Processing Center, also known as Krome. **Exhibit B – ICE Detainee Locator.**
4. Petitioner has resided in the United States for approximately 10 years. Prior to his detention, Petitioner lived with and provided financial and emotional support for his family, including his U.S. citizen wife in Crestview, Florida. His ongoing detention imposes a severe hardship on his family by depriving his family of both his financial support and his supportive presence.

5. On or about December 16, 2016, Petitioner, Jose Alvaro Llanes Figueroa, entered the United States, without inspection, when he was 16 years old. He entered with his mother and sister.
6. Petitioner's ongoing detention violates the Immigration and Nationality Act, the Due Process Clause of the Fifth Amendment, and governing Supreme Court precedent.
7. This petition challenges the government's ongoing violation of Petitioner's statutory and constitutional rights. ICE's continued detention of Petitioner and absence of any public safety threat violates the Immigration and Nationality Act ("INA"), which limits civil detention to reasonable periods and lawful purposes, as well as the Due Process Clause of the Fifth Amendment, which prohibits punitive or arbitrary detention.
8. Petitioner's continued detention has become punitive in nature, violating the Due Process Clause of the Fifth Amendment. Civil detention is permissible only so long as it serves a legitimate immigration purpose, such as ensuring appearance or protecting the public.
9. Petitioner is married to Naomi Llanes Sanchez, a United States Citizen, by birth.
Exhibit C – Marriage Certificate, Birth Certificate, Passport and ID.
10. Petitioner's wife has filed a Petition for Alien Relative on his behalf, which has been approved by USCIS. **Exhibit D – I-130 Approval**
11. His prolonged detention, despite his pending Petition and strong family ties bears no reasonable relation to those purposes and instead operates as punishment. Such punitive confinement is unconstitutional in the context of civil immigration.
12. Petitioner's continued detention is unlawful because it (1) exceeds the scope of detention authority permitted under the INA, and (2) violates the Fifth


Amendment's Due Process Clause by subjecting him to punitive and indefinite confinement.

13. Petitioner therefore respectfully requests that this Court issue a writ of habeas corpus and order Petitioner's release from custody, with appropriate conditions of supervision, if necessary, without imposing any alternative to detention ankle monitoring.
14. In the alternative, Petitioner requests that this Court conduct or order an immigration judge to conduct a bond hearing at which (1) the government bears the burden of proving flight risk and dangerousness by clear and convincing evidence and (2) the reviewing court considers alternatives to detention that could mitigate risk of flight. Continued detention under these circumstances serves no legitimate governmental purpose and violates the humanitarian and constitutional principles that govern civil immigration custody.
15. In *Matter of Yajure Hurtado*, the Board of Immigration Appeals ("BIA") held that immigration judges have no authority to consider bond requests from noncitizens who entered the United States without inspection "because aliens who are present in the United States without admission are applicants for admission as defined under section 235(b)(2)(A) of the INA, 8 U.S.C. § 1225(b)(2)(A), and must be detained for the duration of their removal proceedings." 29 I&N Dec. 216, 220 (B.I.A. 2025).
16. The Plaintiff need not exhaust administrative remedies if "the administrative body is shown to be biased or has otherwise predetermined the issue before it." *McCarthy v. Madigan*, 503 U.S. 140, 148 (1992); see also *Shalala v. Ill. Counsel on Long Term Care, Inc.*, 529 U.S. 1, 13 (2000).

JURISDICTION AND VENUE

17. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody and seeks a writ of habeas corpus challenging the legality of his continued civil detention by U.S. Immigration and Customs Enforcement (“ICE”) in violation of the Constitution and laws of the United States.
18. Venue is proper in this Court under 28 U.S.C. § 2241(a) because Petitioner is detained within the geographic boundaries of the Southern District of Florida, at Krome North Service Processing Center in Miami Dade County, Florida, which lies within the Miami Division of this District.

PARTIES

19. **Jose Alvaro Llanes Figueroa** is a citizen and national of **El Salvador**, born on . He entered the United States on or about December 16, 2016, and has continuously resided in this country for more than 9 years. He is in custody, and under the direct control, of Respondents and their agents.
20. Respondent **KRISTI NOEM** is sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent **NOEM** is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement, the component agency responsible for Petitioner’s detention and custody. Respondent **NOEM** is a legal custodian of Petitioner.
21. Respondent, **CHARLES PARRA**, is sued in his official capacity as Assistant Field Office Director for the Krome North Service.
22. Respondent **PAM BONDI** is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which

administers the immigration courts and the BIA. Respondent BONDI is a legal custodian of Petitioner.

23. Respondent **GARRET RIPA** is sued in his official capacity as the Acting Director of the Miami Field Office of U.S. Immigration and Customs Enforcement. Respondent Ripa exercises authority over Petitioner's detention, transfer, and potential release.
24. Respondent **TODD LYONS** is sued in his official capacity as Acting Director of Immigration and Customs Enforcement.
25. Respondent, **SIRCE OWEN, EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR)** is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for Custody redetermination and in bond proceedings.

LEGAL FRAMEWORK

26. Federal courts possess jurisdiction to review immigration detention claims through the writ of habeas corpus under **28 U.S.C. § 2241**. The statute explicitly allows challenges by individuals who are "in custody in violation of the Constitution or laws or treaties of the United States" Habeas review is particularly appropriate where detention is arbitrary, prolonged, or otherwise unlawful.
27. Numerous courts have affirmed that immigration detainees may invoke § 2241 to test the legality of their confinement. See *INS v. St. Cyr*, 533 U.S. 289 (2001) (recognizing habeas jurisdiction for legal and constitutional claims of noncitizens); *Zadvydas v. Davis*, 533 U.S. 678 (2001) (permitting habeas relief where detention exceeds statutory or constitutional limits). Because Petitioner is detained in this District, jurisdiction properly lies with this Court.

28. The Fifth Amendment's Due Process Clause applies broadly to "all persons" within the United States, including noncitizens regardless of their immigration status. See *Mathews v. Diaz*, 426 U.S. 67, 77 (1976). The protection of due process encompasses both liberty and bodily integrity and includes freedom from arbitrary civil detention.
29. The district court in the Central District of California recently granted final judgment in a class action lawsuit, declaring that the members of the class are detained under 8 U.S.C. § 1226(a) and are entitled to a bond hearing before an immigration judge. *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, at docket entry 94 (C.D. Cal. Dec. 18, 2025). Petitioners are members of this class, whose detention has now been judicially declared unlawful. However, Immigration Judges in Florida continue to refuse to take jurisdiction on such types of cases.
30. Nonetheless, this should still grant the Petition for Writ because only this Court, and not the California court, has jurisdiction to rule on Petitioner's Petition. See *Rumsfeld*, 542 U.S. at 442 ("Congress added the limiting clause—'within their respective jurisdictions'—to the habeas statute in 1867 to avert the inconvenient and potentially embarrassing possibility that every judge anywhere could issue the Great Writ on behalf of applicants far distantly removed from the courts whereon they sat.
31. On September 5, 2025, the Board of Immigration Appeals ("BIA") issued a binding precedent decision holding that an immigration judge lacks authority to consider bond requests for individuals who entered the United States without admission. *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). The Board concluded that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible for release on bond. As a result, Petitioner has been categorically barred from seeking custody redetermination before an immigration judge, leaving habeas corpus as his sole available remedy to challenge continued detention.

32. The Fifth Amendment prohibits the federal government from imposing punishment without due process of law. This principle extends to immigration detention, which is civil, not criminal, in nature. *See Bell v. Wolfish*, 441 U.S. 520, 535 (1979). Conditions of confinement for civil detainees are unconstitutional when they rise to the level of punishment rather than regulation.

COUNT I

Violation of Fifth Amendment Right to Due Process (against all Respondents)

33. Petitioner incorporates by reference all preceding paragraphs as if fully set forth herein.
34. [T]he Due Process Clause applies to all “persons” within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas*, 533 U.S. at 693. While certain constitutional protections do not extend outside the “geographic borders” of the United States, “legal circumstances change” as soon as a noncitizen “enters the country.” *Id.*
35. To determine whether civil detention violates a detainee’s due process rights, courts apply the three-part test in *Mathews v. Eldridge*, 424 U.S. 319 (1976). Under *Mathews*, courts consider (1) the private interest that will be affected by the official action; (2) the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and (3) the Government’s interest, including the function involved and the fiscal administrative burdens that the additional or substitute procedural requirement would entail. *See id.* At 335.
36. Here, all three factors favor Petitioner. He has a significant private interest at stake. *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004) (freedom from physical detention is “the most elemental of liberty interests”); *see also Zadvydas*, 533 U.S. at 690 (“Freedom from imprisonment – from government custody, detention, or other forms of physical restraint – lies at the heart of the liberty that

[the Due Process] Clause protects.”). The petitioner is experiencing all the deprivations that come with physical detention, including separation from his family and the inability to work to support his family. Next, there is a large risk of the erroneous deprivation of Petitioner’s liberty interest through the procedures used in the immigration court proceedings particularly with Petitioner’s manner of entry. There are also alternative procedures, such as a cash bond, turn over of his passport, and other measures that might mitigate risk of flight. Finally, to the extent there is any government interest in detention, it is minimal compared with Petitioner’s liberty interest.

COUNT II

**VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT 8
U.S.C. §§ 1226**

(against all Respondents)

37. Petitioner incorporates by reference all preceding paragraphs as it fully set herein.
38. The Immigration and Nationality Act authorizes immigration detention only for narrow, lawful purposes: to ensure attendance at removal proceedings and to protect the community. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Detention beyond those limited purposes violates both the statute and the Constitution.
39. Petitioner’s detention exceeds the statutory limits Congress intended.
40. He is not subject to a final order of removal and therefore falls under §1226, which does not authorize indefinite or punitive custody. Petitioner has resided in the United States for over 9 years, and has no criminal record, which would impede a bond being granted.
41. The government has not shown that Petitioner’s continued detention is necessary to secure his appearance or to protect the public. Reasonable alternatives to

detention—such as bond, supervision, or release on recognizance— could achieve the same ends.

42. Accordingly, Petitioner’s ongoing detention violates 8 U.S.C. §1226 and the Due Process Clause of the Fifth Amendment. He respectfully requests that this Court order his immediate release or, in the alternative, direct that he receive a prompt bond hearing at which the Government bears the burden of establishing flight risk or dangerousness by clear and convincing evidence. Continued detention under these circumstances transforms what Congress intended to be temporary custody into indefinite civil confinement.

COUNT III

Violation of the Bond Regulations

43. Petitioner incorporates by reference the allegations of fact set forth in preceding paragraphs.
44. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and Detention of [Noncitizens],” the agencies explained that “[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. at 10323 (emphasis added). The agencies thus made clear that individuals who had entered without inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.
45. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the Court assume jurisdiction over this Petition and Complaint and grant the following relief:

- (1) Assume jurisdiction over this matter;
- (2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
- (3) Issue a writ of habeas corpus under 28 U.S.C. § 2241 ordering Petitioner's immediate release from immigration custody at Krome North Service Processing Center;
- (4) In the alternative, if the Court determines that immediate release is not warranted, order Respondents to provide Petitioner with a prompt and constitutionally adequate bond hearing before an immigration judge within fourteen (14) days of this Court's order;
- (5) Issue an Order prohibiting the Respondents from transferring Petitioner from the district without the Court's approval;
- (6) Declare that Petitioner's continued detention without an individualized custody determination violates the Due Process Clause of the Fifth Amendment and exceeds the scope of authority permitted under the Immigration and Nationality Act, 8 U.S.C. § 1226;
- (7) Award such other and further relief as the Court deems just and proper, including, if necessary, temporary or preliminary injunctive relief to ensure Petitioner's health and safety pending adjudication of this matter.

Respectfully submitted,

/s/ Juliana G. Lamardo, Esq.

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Dated: February 11, 2026

VERIFICATION

Pursuant to 28 U.S.C. § 2242 and 28 U.S.C. § 1746. I declare under penalty of perjury that the facts set forth in the foregoing Petition for a Writ of Habeas Corpus are true and correct.

/s/ Juliana G. Lamardo, Esq.

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Dated: February 11, 2026