

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

FILED BY _____ D.C.
<i>Susan Sheehan</i>
FEB 13 2026
ANGELA E. NOBLE CLERK U.S. DIST. CT. S. D. OF FLA. MIAMI

Keinne Rodriguez
Petitioner

v.

Case No. _____
(Supplied by Clerk of Court)

Respondent
(name of warden or authorized person having custody of petitioner)

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

Personal Information

- (a) Your full name: Keinne Rodriguez Casas
- (b) Other names you have used: None
- Place of confinement:
 - Name of institution: Krome North Service Processing Center
 - Address: 18201 SW 12th ST., Miami, FL 33194
 - Your identification number: A* ~~XXXXXXXXXX~~
- Are you currently being held on orders by:

Federal authorities State authorities Other - explain:
- Are you currently:

A pretrial detainee (waiting for trial on criminal charges)

Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

 - Name and location of court that sentenced you: _____
 - Docket number of criminal case: _____
 - Date of sentencing: _____

Being held on an immigration charge

Other (explain): _____

Decision or Action You Are Challenging

- What are you challenging in this petition:

How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings

Other (explain): Current immigration detention that has exceeded 90 days without a court decision. The legality and constitutionality of my continued immigration detention without an individualized bond hearing.

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: _____

(b) Docket number, case number, or opinion number: _____

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): _____

(d) Date of the decision or action: _____

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: Administrative remedies are unavailable to address the constitutional violations raised in this petition.

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

Yes No

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(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: _____
- (2) Date of filing: _____
- (3) Docket number, case number, or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: _____
- (2) Date of filing: _____
- (3) Docket number, case number, or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes No

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If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

My conviction resulted from a guilty plea that was entered based on ineffective assistance of counsel; I was not informed of the full immigration consequences of my plea. Secondly, the time limitations and procedural barriers of § 2255 make the remedy ineffective as the one-year statute of limitations on successive motions prevent full review of the constitutional violations that occurred in my case. Lastly, my detention by I.C.E. is a direct consequence of the conviction, yet § 2255 does not provide practical avenue to challenge legality.

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 11-21-2025
- (b) Date of the removal or reinstatement order: NO
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and ___ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

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If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes No

If "Yes," provide:

- (a) Kind of petition, motion, or application: _____
- (b) Name of the authority, agency, or court: _____

- (c) Date of filing: _____
- (d) Docket number, case number, or opinion number: _____
- (e) Result: _____
- (f) Date of result: _____
- (g) Issues raised: _____

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Grounds for Your Challenge in This Petition

- 13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Prolonged detention without bond hearing violates due process. The prisoner's continued detention by Immigration and Customs Enforcement without an individualized bond hearing violate the Due Process Clause of the Fifth Amendment.

(a) Supporting facts (Be brief. Do not cite cases or law.):

Petitioner has been detained by ICE since November of 2025. Petitioner remains in removal proceedings and has not been provided with a constitutionally adequate bond hearing at which the government bears the burden of justifying continued detention. Petitioner's detention has now lasted 3 months, which is unreasonably prolonged.

(b) Did you present Ground One in all appeals that were available to you?

- Yes
- No

GROUND TWO: Detention has become unreasonably prolonged. Petitioner has been detained for a prolonged period of time while removal proceedings and/or appeals remain pending. The continued detention has become punitive rather than administrative in nature.

(a) Supporting facts (Be brief. Do not cite cases or law.):

Petitioner's detention has lasted three months. There is no significant likelihood of removal in the reasonably foreseeable future and proceeding remain ongoing through no fault of petitioner. As a result, continued detention violates due process.

(b) Did you present Ground Two in all appeals that were available to you?

- Yes
- No

GROUND THREE:

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Three in all appeals that were available to you?

- Yes
- No

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GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

Yes No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully requests that this court: 1. Order an immediate individualized bond hearing before an immigration judge; 2. Require the government to bear the burden of proving that continued detention is justified; Or, alternatively, order Petitioner's immediate release under reasonable conditions of supervision.

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Declaration Under Penalty Of Perjury

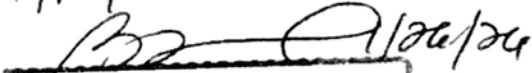
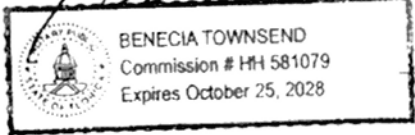
If you are incarcerated, on what date did you place this petition in the prison mail system:

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: 1/16/2024



Signature of Petitioner

Signature of Attorney or other authorized person, if any

February 01, 2026

Dear Sir or Madam,

I am writing this letter to inform you about the situation regarding my case. My name is Keinne Rodríguez Casas, a lawful permanent resident of the United States of America, [REDACTED]. I am currently detained by ICE due to an incident that occurred on January 23, 2023, in Miami, Florida.

On that day I was approaching a traffic light and passed very close to a pickup truck. My car, which was also large, brushed against the other vehicle's side mirror without causing any damage. Two men got out of the truck: one spoke English and the other spoke both English and Spanish. I apologized to them, but they began to insult me, and I also got out of my car.

At that time, I was smoking marijuana and using cocaine, and because of that I always carried a lighter in my pocket along with my car keys. I took it out, making it appear as though I had a weapon. Shortly after, everything calmed down, and we all got back into our vehicles and disappeared. However, after arriving at my apartment the police also arrived. They knocked on the door, took me out of the apartment, and arrested me.

I asked the officers what had happened, and they told me that I had fled from an accident and that I had threatened the people in the other car with a weapon. I told them what really happened and authorized the police to search my apartment so they could see that it was a lie that there was a weapon. I also gave them permission to search for the car so they could see that there had not been any accident either.

They did their job and found nothing because there was nothing of what I was being accused of. The only thing they found were three small packets of cocaine with almost one gram inside a sock that was in a drawer. From there, I was taken to jail until February 19, when I was released on bail. At that time, my lawyer was Attorney Martínez, who charged twelve thousand dollars to represent me. After I paid him that money, he wanted me to pay him twelve thousand dollars more, which I could not afford because I did not have the money. I was free for a year, and on November 12, 2024, almost two years after what happened, my lawyer told me that I had a court date. When we met, he told me that I had to plead guilty because if I did not plead guilty, I would go to prison for two to five years for the cocaine that had been found in my apartment. He told me that if I pleaded guilty, they would give me one year of probation.

I completed my probation without any problems, but due to the economic situation that my family and I are going through, I have not been able to pay my probation officer. Because of this, I am now detained by ICE, being accused of a crime that I did not commit. That is why I am writing this letter, asking for help to get out of this place and reunite with my family, so that I can resolve this situation from outside and rebuild my life again in this great country together with my children and my wife.

Sincerely,

Keinne Rodríguez Casas