

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 26-21066-CV-DIMITROULEAS

GASPAR-MENDEZ, Mateo

Alien Number: 

Petitioner,

v.

PAMELA BONDI, U.S. Attorney General
KRISTI NOEM, U.S.
Secretary of Homeland Security ("DHS"),
TODD LYONS, Acting
Director U.S. Immigration and Customs
Enforcement,
JUAN AGUDELO, Acting Miami Field
Office Director,
Warden of Krome North Service
Processing Center,
IN THEIR OFFICIAL
CAPACITIES,

Respondents.

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ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

THIS CAUSE is before the Court on Petitioner Mateo Gaspar-Mendez ("Petitioner")'s Petition for Writ of Habeas Corpus (the "Petition") [DE 1], filed February 18, 2026. The Court has considered the Petition, the Respondents' February 25, 2026, Response [DE 5], Petitioner's March 4, 2026 Reply [DE 6] and is otherwise fully advised in the premises.

Upon careful consideration of the arguments presented by both sides, the Court is persuaded by the reasoning and conclusion of the recent decision entered on February 6, 2026 by the Fifth Circuit Court of Appeals, holding that the noncitizen petitioners in removal proceedings were subject to mandatory detention under 28 U.S.C. § 1225(b)(2) because they were present in

the United States without being admitted or paroled, despite having entered illegally many years ago. *See Buenrostro-Mendez v. Bondi et al.*, Case. Nos. 25-20496; 25-40701 (Feb. 6, 2026). The Court adopts the analysis of the majority opinion of that decision as if set forth herein.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Petitioner's Petition for Writ of Habeas Corpus [DE 1] is **DENIED**;
2. The Clerk shall **CLOSE** this case and **DENY AS MOOT** any pending motions.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 5th day of March, 2026.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
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