

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

SOLBEY LORENA GALLARDO CARDENAS,

Petitioner,

v.

CASE NO. 3:26-cv-

KRISTI NOEM,  
in her official capacity as  
Secretary of the Department  
of Homeland Security,

PAMELA JO BONDI,  
in her official capacity as Attorney General,

IMMIGRATION AND CUSTOMS ENFORCEMENT (“ICE”),

ICE FIELD OFFICE DIRECTOR, JACKSONVILLE FIELD OFFICE,

UNITED STATES DEPARTMENT OF HOMELAND SECURITY (“DHS”),

RICK STALY,  
in his official  
capacity as the Sheriff of Flagler County  
and manager and overseer  
of Flagler County Jail,

Respondents.

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**VERIFIED<sup>1</sup> PETITION FOR WRIT OF HABEAS CORPUS AND  
COMPLAINT  
FOR EMERGENCY DECLARATORY AND INJUNCTIVE RELIEF**

**I. INTRODUCTION**

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<sup>1</sup> A signed sworn verification by Petitioner is attached hereto as *Exhibit A*.

1. Petitioner Solbey Lorena Gallardo Cardenas (“Petitioner”) is a 31-year-old college educated citizen of Colombia who arrived in this country on or about November 13, 2023, at the Eagle Pass, Texas point of entry. A signed sworn verification by Petitioner is being filed simultaneously with this motion as *Exhibit A*. At some point after her arrival in the country, Petitioner was permitted to remain in the United States pending her hearing date before an immigration judge. Regarding this hearing, the Petitioner filed a petition for asylum, which is pending.

2. Petitioner has resided at 5800 SW 38th Street, West Park, Florida since at least July of 2024. ICE issued Petitioner a permit to work in the United States and she obtained a Florida driver’s license. A copy of Petitioner’s work permit and driver’s license are attached hereto as *Exhibit B*.

3. On November 19, 2025, Petitioner was arrested by local law enforcement in Broward County, Florida regarding a domestic dispute. Although Petitioner was arrested for aggravated assault with a weapon, the State dropped the case on January 9, 2026, after its review. A copy of the State’s no information notice is attached hereto as *Exhibit C*.

4. Despite the State’s no information notice, ICE took custody of the Petitioner on January 9, 2026. Since January 9, 2026, Petitioner has been unlawfully detained by ICE at ICE facilities and at local jails, including the Flagler County Jail, where she remains in custody. Thus, since at least January 9, 2026, Petitioner has been unlawfully detained by Respondents without criminal charges,

without a judicial warrant authorizing her arrest and detention, and without lawful authority. Petitioner has been held on an ICE immigration detainer, an administrative request that does not authorize detention. Petitioner has not received a bond hearing. Instead, Petitioner has been subjected to continued and prolonged detention without due process.

5. Respondents have also unlawfully detained and transferred Petitioner in and between ICE facilities and local state jails including the Orange County Jail and the Flagler County Jail. Respondents have also threatened or attempted to transfer Petitioner to permanent ICE custody, which would irreparably deprive her of liberty and risk frustrating this Court's habeas jurisdiction. In that regard, on February 11, 2026, the Petitioner received a Notice of an Internet Master Calendar Hearing to be held on February 13, 2026. Another hearing has been set in her case for February 27, 2026. Thus, Petitioner seeks a writ of habeas corpus under 28 U.S.C. § 2241 challenging her ongoing and unlawful detention at the Flagler County Jail in Bunnell, Florida, and further requests her immediate release and emergency injunctive relief preserving the status quo pending final adjudication of this action.

## **II. JURISDICTION AND VENUE**

6. This Court has jurisdiction under 28 U.S.C. §§ 1331, 2241, and 2243.

7. This Court is authorized to grant the writ and to dispose of the matter as law and justice require.

8. Venue properly lies within the Middle District of Florida under 28 U.S.C. § 1391, because Petitioner is detained in Flagler County, Florida, and Respondents exercise custody in this District.

### **III. PARTIES**

9. Petitioner resides in Broward County, Florida and is currently detained at the Flagler County Jail in Flagler County, Florida.

10. Respondent Kristi Noem is the Secretary of DHS and is sued in her official capacity. She is charged with the administration and enforcement of immigration laws. 8 U.S.C. § 1103(a).

11. Respondent Pam Bondi is the Attorney General of the United States and is sued in her official capacity as the head of the Department of Justice. The Attorney General is responsible for the fair administration of the laws of the United States.

12. Respondent Rick Staly is the Sheriff of Flagler County who, in this capacity oversees and manages the Flagler County Jail, and is currently responsible for Petitioner's day-to-day confinement

13. Respondents DHS, ICE, and the ICE Jacksonville Field Office Director are responsible for civil immigration enforcement and the detainer at issue.

### **IV. FACTS**

14. Petitioner was initially detained by local law enforcement in Broward County on November 19, 2025. Thereafter, Petitioner was taken into custody by

ICE on January 9, 2026, and placed at the ICE-ERO Center in Miramar, Florida. Petitioner was then relocated to a second ICE facility, the Broward Transitional Center in Pompano Beach, Florida on January 13, 2026. Petitioner was relocated again to Orange County Jail in Orlando, Florida on January 14, 2026, where she remained until February 3, 2026. To effectuate her prolonged detention at the Orange County Jail, ICE would periodically remove her from the jail and then rebook her at the jail that same day.

15. On February 3, 2026, ICE moved Petitioner out of the jurisdiction of Orlando Division of the Federal District Court to the Baker County Detention Center, another ICE facility, in Macclenny, Florida. Thereafter, on February 6, 2026, Petitioner was transported to the Flagler County Jail in Bunnell, Florida, where she remains as of this filing. Thus, Petitioner is “in custody” for purposes of 28 U.S.C. § 2241.

16. No criminal charges are pending against Petitioner. No probable cause affidavit or judicial warrants exist justifying her current detention. Instead, Petitioner is being detained on the stated basis that she was allegedly “undocumented.” Upon information and belief, the sole basis for Petitioner’s confinement is an ICE immigration detainer, which only permits a criminal justice agency to “maintain custody of [an] alien for a period not to exceed 48 hours, excluding Saturdays, Sundays, and holidays in order to permit assumption of custody” by the ICE. 8 C.F.R. § 287.7(d).

17. Petitioner has remained in the United States pursuant to her pending asylum application. She possesses a U.S. Employment Authorization Document valid through February 24, 2030, and has an immigration court hearing scheduled for February 27, 2026.

18. Respondents have indicated an intent to transfer Petitioner to ICE custody before this Court can adjudicate the legality of her prolonged detention. Indeed, Respondents have already relocated Petitioner twice.

19. Petitioner's boyfriend lives in West Park, Florida.

20. Thus, Petitioner faces the possibility of imminent transfer outside of this judicial district and removal from the United States.

21. Based on the foregoing, no adequate or available administrative remedy exists to challenge a local jail's detention based solely on an ICE detainer. Exhaustion is not required and would be futile.

## V. CLAIMS FOR RELIEF

### **Count One: Writ of Habeas Corpus Should be Granted and Petitioner Should be Released.**

22. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

23. "It is well-settled that courts have habeas jurisdiction to consider 'challenges to the lawfulness of immigration-related detention.'" *Gimenez Rivero v. Mina*, No. 6:26-cv-66, 2026 U.S. Dist. LEXIS 13724, at \*5 (M.D. Fla. Jan. 26, 2026) (Dalton, J.) (quoting *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001)).

“Noncitizens present in the United States are entitled to due process under the Fifth Amendment.” *Mejia v. Noem*, No. 2:25-CV-981-SPC-NPM, 2025 WL 3078656, at \*2 (M.D. Fla. Nov. 4, 2025) (citing *Reno v. Flores*, 507 U.S. 292, 306 (1993)). This includes protection against deprivations of liberty, such as immigration detention, without due process of law. *Id.* (citing *Zadvydas*, 533 U.S. at 690 for the proposition that “[f]reedom from imprisonment— from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that Clause protects.”).

24. Petitioner, a non-citizen who has been residing in the United States, and has an application for asylum pending, is not subject to mandatory detention under 8 U.S.C. § 1225(b)(2). *See, e.g., Gimenez Rivero*, 2026 U.S. Dist. LEXIS 13724 at \*10 (joining “the many, many others to conclude that mandatory detention under § 1225 does not apply to noncitizens who are already present in this country” and concluding that the “Government’s detention of Gimenez Rivero under § 1225 is unlawful, and he is entitled to habeas relief.”); *Reyes v. Rose*, No. CV 25-7138, 2026 WL 75816, at \*1 n.1 (E.D. Pa. Jan. 9, 2026) (concluding the petitioner was detained under 8 U.S.C. § 1226(a) and entitled to habeas relief by virtue of a bond hearing and noting that “[a]s of January 5, 2026, ‘308 judges have ruled against the [Government’s] mass detention policy — ordering release or bond hearings in more than 1,600 cases — [while] just 14 judges . . . have sided with the [Government’s] position.”).

25. Petitioner falls into the class of individuals entitled to a bond hearing in immigration court under 8 U.S.C. § 1226(a). *Delgado Garcia v. Quinones et al*, No. 6:26-cv-181-GAP-DCI, Doc. 7, (M.D. Fla. Jan. 26, 2026) (Presnell, J.); *Guaiquire v. Quinones*, No. 6:26-cv-169-RBD-RMN, 2026 U.S. Dist. LEXIS 21745, at \*18-19 (“Mandatory detainer applies to noncitizens “seeking admission” at the border. Section 1226, and the protection of a bond hearing, applies to noncitizens already present within our borders.”); *see also De Souza v. Soto*, No. CV 25-18734 (JXN), 2026 WL 102946, at \*2 (D.N.J. Jan. 14, 2026) (recognizing that the petitioner who overstayed his B2 tourist visa and was arrested was detained under 8 U.S.C. § 1226(a) and entitled to a bond hearing with an immigration judge); cf. *Lopez v. Dir. of Enf’t & Removal Operations*, No. 3:25-cv-1313, 2026 U.S. Dist. LEXIS 22613 (M.D. Fla. Jan. 26, 2026) (Pratt, J.); *Buenrostro-Mendez v. Bondi*, No. 25-20496 CONSOLIDATED WITH No. 25-40701, 2026 U.S. App. LEXIS 3899 (5th Cir. Feb. 6, 2026) (mandate not yet issued).

26. An ICE immigration detainer would only permit Petitioner’s detention by a criminal justice agency for not more than 48 hours. 8 C.F.R. § 287.7(d). Petitioner’s detention has far exceeded this time period. In an effort to trump the 48 hour rule, Respondents have unlawfully moved Petitioner from jail to jail. However, Petitioner has remained unlawfully detained without a bond hearing, as Petitioner is entitled to under the laws of the United States.

27. Respondents’ prolonged and unlawful detention of Petitioner is also a

violation of the Fifth and Fourteenth Amendments to the U.S. Constitution, as Petitioner has been deprived of her liberty and freedom without notice, hearing, or lawful process.

28. In conclusion, Petitioner's prolonged detention is unlawful and she is entitled to habeas relief, including her immediate release.

**Count Two: Petitioner Is Entitled To A Temporary Restraining Order and Preliminary Injunction Pursuant to Federal Rule of Civil Procedure 65**

29. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

30. Federal Rule of Civil Procedure 65 authorizes this Court to issue a Temporary Restraining Order ("TRO") without notice to the adverse party when (a) "specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury . . . will result to the movant before the adverse party can be heard in opposition," and (b) "the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required."

31. If the movant establishes that she is justified in seeking ex parte relief, she then must show that injunctive relief is warranted. To do so, the movant must demonstrate "(1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the nonmovant; and (4) that

the entry of the relief would serve the public interest." *Schiavo ex. rel Schindler v. Schiavo*, 403 F.3d 1223, 1225-26 (11th Cir. 2005). "The balance-of-the-harms and public-interest elements merge when the government is the party opposing the injunctive relief." *Melendez v. Sec'y, Fla. Dep't of Corr.*, No. 21-13455, 2022 U.S. App. LEXIS 10263, 2022 WL 1124753, at \*17 (11th Cir. Apr. 15, 2022) (citing *Swain v. Junior*, 961 F.3d 1276, 1293 (11th Cir. 2020)).

**a. Likelihood of Success on the Merits**

32. Based on the allegations set forth herein, Petitioner is entitled to a bond hearing and due process of law, which Respondents have denied her. Therefore, Respondents' detention of Petitioner without a bond hearing and due process is unlawful and Petitioner has demonstrated a likelihood of success on the merits

**b. Irreparable Harm**

33. Petitioner has demonstrated that without an injunction she will suffer irreparable injury, which is an injury that "cannot be undone through monetary remedies." *Scott v. Roberts*, 612 F.3d 1279, 1295 (11th Cir. 2010) (quoting *Cunningham v. Adams*, 808 F.2d 815, 821 (11th Cir. 1987)). "It is well established that the deprivation of constitutional rights 'unquestionably constitutes irreparable injury.'" *Mejia*, 2025 U.S. Dist. LEXIS 217352, 2025 WL 3078656, at \*3 (quoting *Gayle v. Meade*, 614 F. Supp. 3d 1175, 1205 (S.D. Fla. 2020)). Under the same or similar circumstances, courts have found irreparable harm where

noncitizens, such as Petitioner, were detained without bond hearings. *See e.g. Anzola v. Warden, Orange Cnty. Jail*, No. 6:26-cv-00180-GAP-NWH, 2026 U.S. Dist. LEXIS 14747 (M.D. Fla. Jan. 27, 2026) (Presnell, J.); *Perez v. Quinones*, No. 6:26-cv-00228-GAP-DCI, 2026 U.S. Dist. LEXIS 17033 (M.D. Fla. Jan. 28, 2026) (Presnell, J.).

34. To allow Petitioner, who appears to be entitled to a bond hearing regarding her continued detention, to be transferred from the Flagler County Jail to an ICE holding facility outside this Court's jurisdiction would frustrate the speedy resolution of this case. Further, if Petitioner is smuggled away to ICE holding facilities, neither the Court nor Petitioner's counsel, family, or loved ones will have success locating, much less communicating with her. *See, e.g., Delgado Garcia v. Quinones et al*, No. 6:26-cv-181-GAP-DCI, Doc. 7, ¶ 5-6 (M.D. Fla. Jan. 26, 2026). Indeed, the filing of this Petition was delayed because of the movement of Petitioner between local jails, which made it difficult for Petitioner's counsel to locate her and finalize said Petition.

35. Accordingly, Petitioner, has shown irreparable harm will occur if this Court does not prohibit Petitioner's transfer from the Flagler County Jail until such time that the Court can adjudicate the case.

**c. Balance of Equities and Public Interest**

36. Petitioner's rights to due process and liberty are at issue. "Freedom from imprisonment—from government custody, detention, or other forms of

physical restraint—lies at the heart of the liberty [the Fifth Amendment's Due Process Clause] protects." *Mejia*, 2025 U.S. Dist. LEXIS 217352, 2025 WL 3078656, at \*3 (quoting *Zadvydus*, 533 U.S. at 690). "There is no identifiable legitimate public interest served by Petitioner's likely unlawful detention without a bond hearing." *Anzola*, 2026 U.S. Dist. LEXIS 14747 at \*6; *Perez*, 2026 U.S. Dist. LEXIS 17033 at \*6. Instead, "the public is better served by the faithful execution of immigration laws." *Id.* Accordingly, Petitioner has demonstrated that the balance of equities and the public interest justify the entry of a TRO prohibiting her further transfer from the Flagler County Jail until further order of the Court.

**d. Rule 65(c) bond requirement**

37. The Local Rules and Rule of Civil Procedure 65(c) typically require that a TRO motion "include . . . a precise and verified explanation of the amount and form of the required security." Fed. R. Civ. P. 65(c); accord M.D. Fla. R. 6.01(a)(4). However, this Court has "discretion to waive [the security] requirement imposed by Rule 65(c)." *Disability Rts. Fla., Inc. v. Jacobs*, 473 F. Supp. 3d 1335, 1340 (M.D. Fla. 2019) (citing *Baldree v. Cargill, Inc.*, 758 F. Supp. 704, 707-08 (M.D. Fla. 1990), *aff'd*, 925 F.2d 1474 (11th Cir. 1991)); *see also Ajugwe v. Noem*, No. 8:25-CV-982-MSS-AEP, 2025 WL 1370212, at \*10 (M.D. Fla. May 12, 2025) (exercising "discretion to waive the bond requirement in Fed. R. Civ. P. 65(c)"). Indeed, in a strikingly analogous case involving an immigration detainee seeking a writ of habeas corpus and a TRO, a court in the Middle District

of Florida found that “because there is no realistic likelihood of prejudice to Respondents from the issuance of this limited restraint, the Court exercises its discretion to dispense with the requirement that [the Petitioner] provide security under Rule 65(c).” *Saint Remy v. Bondi*, No. 3:26-cv-28-MMH-SJH, 2026 U.S. Dist. LEXIS 5322, at \*3 (M.D. Fla. Jan. 12, 2026) (Howard, J.) Petitioner asks the Court to make the same finding here and waive the requirement that she post a security bond.

## **VI. REQUESTED RELIEF**

For the foregoing reasons, Petitioner respectfully requests that this Court:

1. Order Respondents and those in privity with them to immediately release Petitioner from custody;
2. Enter a TRO and/or preliminary injunction prohibiting Respondents and those in privity with them from transferring Petitioner from Flagler County Jail until further order from the Court;
3. Order expedited proceedings under 28 U.S.C. § 2243; and
4. Grant any other such relief as this Court deems just and proper.

Respectfully submitted this 19<sup>th</sup> day of February, 2026.

/s/ Fritz Scheller

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 19, 2026, I electronically served a copy of the foregoing on the Flagler County Jail, 1002 Justice Lane, Bunnell, FL 32110 via email to DEngert@flaglersheriff.com and JLeMaster@flaglersheriff.com, and ICE-Jacksonville Field Office via email to Miami.Outreach@ice.dhs.gov, Orlando.DutyAtty@ice.dhs.gov.

/s/ Fritz Scheller

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JS 44 (Rev. 08/18)

**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**

Solbey Lorena Gallardo Cardenas

**DEFENDANTS**

Kristin Noom, Secretary of the Department of Homeland Security, Pamela Jo Bondi, Attorney General, ICE Field Office Director, U.S. Dept. of Homeland Security, Rick Staly, Sheriff Flagler County

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Fritz Scheller, Esq., Fritz Scheller, P.L.  
Andrew Searle, Esq., Searle Law, P.A.

Attorneys (If Known)

**II. BASIS OF JURISDICTION (Place an "X" in One Box Only)**

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT (Place an "X" in One Box Only)**

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input checked="" type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**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

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

**VI. CAUSE OF ACTION**

Brief description of cause:  
Habeas Corpus

**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 2/19/2026 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

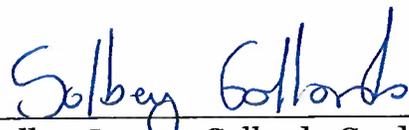
# Exhibit A

**SWORN VERIFICATION BY PETITIONER IN SUPPORT OF VERIFIED  
PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR  
EMERGENCY DECLARATORY AND INJUNCTIVE RELIEF**

I, Solbey Lorena Gallardo Cardenas, being duly sworn to tell the truth, state the following:

1. I am the Petitioner in the present case. I am over eighteen (18) years of age and competent to testify to the facts stated below.
2. I have personal knowledge of the facts set forth in the foregoing *Verified Petition for Writ Of Habeas Corpus and Complaint for Emergency Declaratory and Injunctive Relief*, and if called on to testify I would competently testify as to the factual matters stated therein. I further verify that the factual statements in the *Verified Petition for Writ Of Habeas Corpus and Complaint for Emergency Declaratory and Injunctive Relief* concerning myself, my movements, and my activities are true and correct.
3. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 18<sup>th</sup> day of February, 2026 in Flagler County, Florida.

  
\_\_\_\_\_  
Solbey Lorena Gallardo Cardenas  
Petitioner