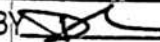


UNITED STATES DISTRICT COURT

for the

Southern District of Florida

FILED BY  D.C.

FEB 19 2026

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. LAUD.

Francis Martin Bestard Matos

Petitioner

v.

Facility Director,
Broward Transitional CenterCase 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

1. (a) Your full name: Francis Martin Bestard Matos
- (b) Other names you have used: _____
2. Place of confinement: _____
 - (a) Name of institution: Broward Transitional Center
 - (b) Address: 3900 N Powerline Road, Pompano Beach, Florida 33073
- (c) Your identification number: A-
3. Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. 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:

 - (a) Name and location of court that sentenced you: _____
 - (b) Docket number of criminal case: _____
 - (c) Date of sentencing: _____

☒ Being held on an immigration charge

☐ Other (explain): _____

Decision or Action You Are Challenging

5. 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)

- ☐ 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): _____

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

(a) Name and location of the agency or court: Immigration and Customs Enforcement/ Immigration Court

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

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

Continued immigration detention despite dismissal of removal proceeding by the immigration Judge on August 20, 2025, and while the government appeal to the Board of Immigration Appeals is pending, without a bond hearing.

(d) Date of the decision or action: August 20, 2025**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: Board of Immigration Appeals (BIA)(2) Date of filing: September 5, 2025(3) Docket number, case number, or opinion number: Pending(4) Result: Pending(5) Date of result: N/A(6) Issues raised: Appeal of continued detention without bond after dismissal of removal proceedings.

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

8. **Second appeal**

After the first appeal, did you file a second 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 second appeal: No additional administrative or judicial remedies are available while the BIA appeal remains pending.

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: No additional administrative or judicial remedies are available while the BIA appeal remains pending.

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

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: _____

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: August 20, 2025

(b) Date of the removal or reinstatement order: August 20, 2025 (Immigration Judge dismissed removal proceedings)

(c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes☐ No

If "Yes," provide:

- (1) Date of filing: September 5, 2025
 (2) Case number: Pending
 (3) Result: Pending
 (4) Date of result: _____
 (5) Issues raised: Challenge to continued detention without bond

(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: _____

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:

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

The Immigration Judge dismissed my removal proceedings on August 20, 2025. Despite the dismissal, I remain detained at Broward Transitional Center while the government's appeal the Board of Immigration Appeals is pending, without a bond hearing.

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

☒ Yes

☐ No

GROUND TWO:

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

I have been subjected to prolonged immigration detention without an individualized bond hearing to determine whether continued detention is justified.

(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.)*:

I am not a flight risk or danger to the community and my continued detention is unnecessary to ensure appearance at future immigration proceedings.

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

☒ Yes

☐ No

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

There is no foreseeable end to my detention because the appeal before the Board of Immigration Appeals remains pending, resulting in continued custody without meaningful review.

(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: N/A

Request for Relief

15. State exactly what you want the court to do: I respectfully request that this Court review the legality of my continued immigration detention and order my immediate release from ICE custody. In the alternative, I request that the Court order an individualized bond hearing before a neutral decision-maker. I further request an emergency stay of removal and any other relief the Court deems just and proper.

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:

02/09/26



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Print

Save As

Reset

COVER LETTER TO THE CLERK OF COURT

Francis Martin Bestard Matos

A number:



Broward Transitional Center

3900 N. Powerline Road

Pompano Beach, FL 33073

Date: 02/09/26

Clerk of Court United States District Court Southern District of Florida Miami Division 400 North
Miami Avenue Miami, FL 33128

Re: Petition for Writ of Habeas Corpus (28 U.S.C. § 2241) Emergency Motion for Temporary
Restraining Order and Stay of Removal Motion to Proceed in Forma Pauperis

Dear Clerk of Court:

I respectfully submit the enclosed documents for filing. I am the petitioner in this matter and I am
currently detained at the Broward Transitional Center. I am proceeding pro se.

The enclosed filings include an emergency request for a temporary restraining order and stay of
removal. Due to the urgent nature of this matter and the risk of irreparable harm, I respectfully
request prompt docketing and review.

Thank you for your time and assistance.

Respectfully submitted,

Francis Martin Bestard Matos Petitioner, Pro Se

CERTIFICATE OF SERVICE

I certify that on _____, I served a true and correct copy of the foregoing documents by U.S. Mail on: _____

Warden, Broward Transitional Center

3900 N. Powerline Road

Pompano Beach, FL 33073

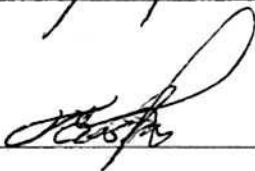
United States Attorney

Southern District of Florida

99 N.E. 4th Street

Miami, FL 33132

Date: 02/09/26



Francis Martin Bestard Matos

A Number: 

Petitioner, Pro Se