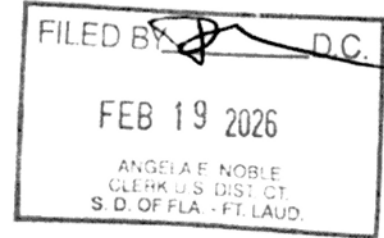


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
BROWARD DIVISION



I. (a) PLAINTIFFS

Juan Wilfredo Hernandez Yero,
on behalf of Alejandro Javier Figueroa Valdivia

County of Residence of First Listed Plaintiff: **ORANGE COUNTY**

II. BASIS OF JURISDICTION

3 – Federal Question

III. CITIZENSHIP OF PRINCIPAL PARTIES



IV. NATURE OF SUIT

463 – Habeas Corpus (General)
(check under **Defendant** column)

V. ORIGIN

1 – Original Proceeding

VI. CAUSE OF ACTION

28 U.S.C. § 2241 – Habeas Corpus (Immigration Detention)

VII. REQUESTED IN COMPLAINT

Leave blank (no money requested)




VIII. RELATED CASE(S)

No

DATE: 02/15/2026

SIGNATURE OF PRO SE PLAINTIFF

Signature:  _____
Printed Name: Juan Wilfredo Hernandez Yero

Address:  Orlando, FL 32822.
Phone: 
Email: 

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

JUAN WILFREDO HERNANDEZ YERO,
Petitioner, on behalf of His Son

A 

v.

BROWARD TRANSITIONAL CENTER
Field Office Director, U.S. Immigration and Customs Enforcement;
U.S. DEPARTMENT OF HOMELAND SECURITY,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)

I. INTRODUCTION

1. Petitioner **Juan Wilfredo Hernandez Yero** respectfully petitions this Court for a **Writ of Habeas Corpus** on behalf of his son, **Alejandro Javier Figueroa Valdivia** who is currently detained by U.S. Immigration and Customs Enforcement ("ICE") without explanation or lawful justification.
2. Alejandro's detention violates de **Due Process clause of the Fifth Amendment** because he was detained during an unlawful Traffic Stop, despite full compliance with immigration requirements, a pending residence application, no criminal history, and strong family ties in the United States.

II. JURISDICTION AND VENUE

III. PARTIES

4. Petitioner:

Juan Wilfredo Hernández Yero, father of Alejandro Javier Figueroa valdivia.

5. Detainee:

- Name: **Alejandro Javier Figueroa Valdivia**
- Date of Birth: [REDACTED]
- Citizenship: **Cuba**

6. Respondents:

- ICE Field Office Director responsible for Alejandro's detention
- U.S. Department of Homeland Security

IV. FACTUAL BACKGROUND

7. Alejandro Javier Figueroa Valdivia entered the United States on **December 23, 2026**, through **Brownsville, TX** with an **APPROVE CBP ONE** - [REDACTED]

8. Upon entry, Alejandro was issued an **APPROVE CBP ONE – I-94** [REDACTED] and has complied with **all conditions** of his release.

9. Alejandro has consistently attended **all routine ICE check-ins** and has **never violated** any immigration requirement.

10. In **December 29, 2025**, Alejandro applied for **I-485 Register Permanent Residence under the CUBAN ADJUSTMENT ACT** and his working permit under Cuban Adjustment Act.

11. On **FEBRUARY 4, 2026**, Alejandro was **detained during an UNLAWFUL TRAFFIC STOP**, during the encounter the **ICE agents were verbally rude and issued commands in a hostile tone** despite the pending application for the form I-485 under the **CUBAN ADJUSTMENT ACT**, and without explanation, notice, or stated legal basis was arrested.

13. At the time of his detention:

- Alejandro had all **documents up to date**
- He had a **pending residence application under CUBAN ADJUSTMENT ACT**
- He had **no criminal record**
- He posed **no danger to the community and no flight risk**

14. Alejandro has **never been in trouble with the law**, is a peaceful individual, and has demonstrated good moral character throughout his time in the United States.

V. LEGAL GROUNDS FOR RELIEF

A. Violation of Due Process

15. Detaining Alejandro without explanation, bond consideration, or individualized justification violates his **procedural and substantive due process rights** under the Fifth Amendment.

B. Unlawful and Arbitrary Detention

16. ICE's detention of Alejandro during an **UNLAWFUL TRAFFIC STOP**, despite full compliance and pending Residence Application – **UNDER THE CUBAN ADJUSTMENT ACT**, is **arbitrary and unlawful**.

VI. FAMILY HARDSHIP AND EQUITIES

18. Petitioner **Juan Wilfredo Hernandez Yero** respectfully requests the Court to consider:

- Alejandro role as good moral character.
- Alejandro's **clean record and compliance with the law**
- Alejandro's Pending Residence application **UNDER THE CUBAN ADJUSTMENT ACT**.

VII. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully asks this Court to:

A. Grant the **Writ of Habeas Corpus** and order the **immediate release** of Alejandro Javier Figueroa Valdivia;

OR, in the alternative,

B. Order a **prompt bond hearing** before an Immigration Judge.

C. Grant any other relief the Court deems just and proper.

VIII. VERIFICATION

I, Juan Wilfredo Hernandez Yero, declared under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: 2/15/2026

Respectfully submitted,



Juan Wilfredo Hernández Yero

Petitioner (Pro Se)

Address: _____ Orlando, FL 32822.

Phone No.: _____

Email: _____ gmail.com.

CERTIFICATE OF SERVICE

I, JUAN WILFREDO HERNADEZ YERO, hereby certify that on February 17, 2026, I served a true and correct copy of the foregoing **Respondent HABEAS CORPUS AND EMERGENCY MOTION FOR IMMEDIATE RELEASE**, it was sent by mail US District Court for the Southern District of Florida, 299 E Broward Blvd Fort Lauderdale, FL 33301, **one copy to ICE office Chief Counsel – Miami / Broward Transitional Center 3900 N. Powerline Rd, Pompano, FL 33073, and the US Attorney Office – Fort Lauderdale 500 E. Boward Blvd Fort Lauderdale, FL 33394.**

By PRIORITY MAIL

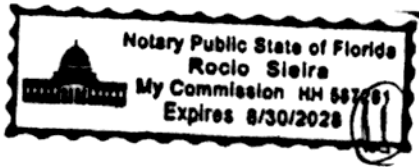
Respectfully Submitted,



Juan Wilfredo Hernandez Yero

For an acknowledgment in an individual capacity: STATE OF FLORIDA COUNTY OF Osceola the foregoing instrument was acknowledged before me this 15 day of February in the year 2026, by Juan Wilfredo Hernandez Vero.

(seal)




Signature of Notary Public

Print: Rocio Sieira

Personally known: _____

OR Produced Identification:

Type of Identification Produced:

N
e

