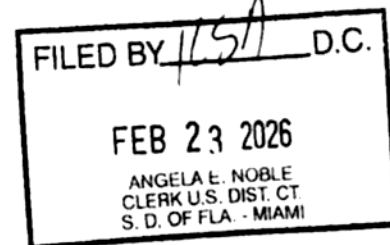


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**



**EMERGENCY MOTION FOR STAY OF REMOVAL
(INDEPENDENT)**

**PRO SE -- MEGA ULTRA
LANDIS LEDESMA NUNEZ,
Petitioner (PRO SE),**

v.

**MERRICK B. GARLAND, Attorney General of the United States;
ALEJANDRO MAYORKAS, Secretary of Homeland Security;
DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE);
WARDEN, BROWARD TRANSITIONAL CENTER,
Respondents.**

I. INTRODUCTION

Petitioner Landis Ledesma Nunez respectfully moves this Honorable Court for an immediate and independent Stay of Removal enjoining Respondents from removing or deporting Petitioner from the United States while his Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 remains pending.

This Motion is filed independently to preserve this Court's jurisdiction and to prevent irreparable harm that would result from Petitioner's removal prior to judicial review of his serious constitutional claims.

II. JURISDICTION AND AUTHORITY

This Court has authority to issue a Stay of Removal pursuant to its inherent equitable powers, the All Writs Act, 28 U.S.C. § 1651(a), and 28 U.S.C. § 2241. Federal courts retain jurisdiction to stay removal where necessary to preserve the effectiveness of habeas corpus review.

III. FACTUAL BACKGROUND

Petitioner is currently detained by ICE at the Broward Transitional Center. ICE retains the authority to execute removal orders without prior notice. Petitioner has a pending habeas petition challenging the legality of his arrest and continued detention.

Absent a Stay of Removal, ICE may deport Petitioner at any time, thereby mooting the habeas petition and permanently depriving this Court of jurisdiction.

IV. LEGAL STANDARD FOR STAY OF REMOVAL

In determining whether to grant a stay of removal, courts consider: (1) likelihood of success on the merits; (2) irreparable harm absent a stay; (3) balance of equities; and (4) public interest.

V. ARGUMENT

A. Petitioner Is Likely to Succeed on the Merits

Petitioner's habeas petition presents substantial constitutional claims, including unlawful arrest without a judicial warrant, detention without due process, and prolonged civil detention. These claims demonstrate a strong likelihood of success.

B. Irreparable Harm Is Certain Absent a Stay

Removal from the United States constitutes irreparable harm. Once removed, Petitioner would be deprived of liberty, family unity, and access to judicial review. Such harm cannot be undone.

C. Balance of Equities Favors Petitioner

Petitioner seeks only a temporary preservation of the status quo. Respondents suffer no prejudice from a brief stay pending judicial review.

D. Public Interest Supports Granting a Stay


The public interest is served when courts ensure compliance with the Constitution and prevent unlawful executive action. Granting a stay preserves confidence in the rule of law.

VI. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant an immediate Stay of Removal;
2. Enjoin Respondents from removing or deporting Petitioner from the United States;
3. Maintain the status quo pending resolution of the habeas petition;
4. Grant any other relief deemed just and proper.

Respectfully submitted,



Landis Ledesma Nunez
Petitioner, PRO SE

Date: 2/17/2026

Dayani Mesa Castillo

10341 NW 52 Pl Miami FL 33147

786-686-8382

Mesdaya2780@gmail.com

December 16, 2025

To Whom It May Concern:

I am writing this letter in support of **Landis Ledesma Nuñez** whom I have known for **20 years** as friend. During the time I have known **Landis Ledesma Nuñez**, they have consistently demonstrated responsibility, honesty, and strong moral character. They are committed to their family, maintain a strong work ethic, and show respect for the laws and the community in which they live. **Landis Ledesma Nuñez** is dependable and always willing to help others, making a positive contribution to those around them.

In addition, **Landis Ledesma Nuñez** is a hardworking and trustworthy individual who takes their responsibilities seriously and strives to maintain a stable and productive life in the United States. Their presence is a positive influence on their family and the community as a whole.

For these reasons, I respectfully recommend **Landis Ledesma Nuñez** for favorable consideration of their immigration application. I am confident that they will continue to demonstrate good moral character and remain a valuable member of society.

Thank you for your time and consideration. Please feel free to contact me if additional information is needed.

Sincerely,



Dayani Mesa Castillo

Frank & Sons Property Management, LLC

December 17, 2025

Landlord Recommendation Letter

To Whom It May Concern,

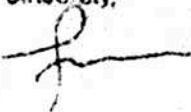
I am writing this letter to recommend Landis Ledesma Nunez, [REDACTED]
[REDACTED] who has been a tenant at [REDACTED] Hiataah, FL 33013
from September 01, 2025.

To the best of my knowledge Landis Ledesma Nunez is a responsible and respectful individual. Rent has always been paid on time, and the property has been well cared for throughout the tenancy. There have been no complaints, and he has lived quietly and peacefully, maintaining a positive relationship with neighbors and management.

Landis has caused no problems during the tenancy and has consistently complied with the terms of the lease. Based on my experience, I consider him to be a good tenant and a good person, and I would have no hesitation renting to him again.

If you require any additional information, please feel free to contact me at 786-281-6700 or frytperez@yahoo.com.

Sincerely,



Frank Perez
President
Frank & Sons Property Management, LLC

Personal Letter of Recommendation

From:

Lenia Perez

To Whom It May Concern,

I am pleased to write this personal letter of recommendation for **Landis Ledesma**, whom I have known on a personal level for a long time. During this period, I have come to know Landis as a person of strong moral character, honesty, and responsibility.

Landis is a trustworthy, respectful, and compassionate individual who consistently demonstrates kindness and integrity in their interactions with others. He shows a genuine concern for the well-being of those around him, and he is always willing to offer help when needed. His positive attitude and strong values make him someone others can rely on and respect.

In both personal and social situations, Landis has shown maturity, good judgment, and emotional stability. He handles challenges with patience and determination, always seeking constructive solutions. These qualities reflect his strong character and personal commitment to growth and responsibility.

I have no doubt that Landis Ledesma will continue to be a positive influence in any environment he is part of. I confidently recommend him as an individual of excellent character and integrity. Please feel free to contact me if further information is required at



Sincerely,

Lenia Perez

A handwritten signature in black ink, appearing to be 'Lenia Perez'.

Letter of Recommendation

From: Ernesto Garma

To Whom It May Concern,

I am writing this letter to highly recommend **Landis Ledesma**. I have had the opportunity to know and work with Landis, and during this time, he has consistently demonstrated strong professional ethics, responsibility, and dedication in everything he does.

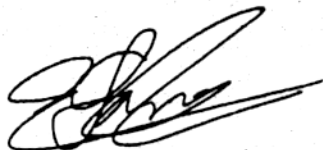
Landis is a reliable, motivated, and hardworking individual who approaches tasks with commitment and attention to detail. He has shown excellent interpersonal skills, working effectively both independently and as part of a team. His positive attitude and willingness to learn make him an asset in any professional or academic environment.

Throughout our professional interaction, Landis has proven to be dependable, respectful, and capable of handling responsibilities efficiently. He adapts well to new challenges and always strives to achieve high-quality results. His integrity and professionalism are qualities that truly set him apart.

I am confident that Landis Ledesma will be a valuable addition to any organization or program he chooses to pursue. I strongly recommend him without reservation. If you need any additional information, please do not hesitate to contact me at 786-619-7148.

Sincerely,

Ernesto Garma

A handwritten signature in black ink, appearing to read 'Ernesto Garma', with a long horizontal flourish extending to the right.

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
ORDER OF RELEASE ON RECOGNIZANCE

File No.
Date: Jan 06, 2022

Name: LEDESMA-NUNEZ, LANDIS

You have been arrested and placed in removal proceedings in accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- You must report for any hearing or interview as directed by Immigration and Customs Enforcement or the Executive Office for Immigration Review.
- You must surrender for removal from the United States if so ordered.
- You must report in writing (permanently) to ICE officer at Miami Field Office on January 1, 2022, 10:00 AM as directed.

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- You must not change your place of residence without first securing written permission from the officer listed above.
- You must not violate any local, State or Federal laws or ordinances.
- You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- Other: Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a re-determination of your release conditions or your arrest and detention.

If used with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under Federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine up to ten years imprisonment, or both.

- See attached sheet containing other readied conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by Immigration and Customs Enforcement.

(Name and Title of ICE Officer)

Alien's Acknowledgment of Conditions of Release under an Order of Release on Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the conditions of this order may subject me to a fine, detention, or prosecution.

(Signature of ICE Officer Issuing Order)

Jan 05, 2022
Date


I hereby cancel this order of release because:

- The alien failed to comply with the conditions of release.

(Signature of ICE Officer Canceling Order)

ICE Form I-224 (10-01)

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
**ORDER OF RELEASE ON RECOGNIZANCE
(ADDENDUM)**

File No. 
Date Jan 06, 2022

Name: LEDESMA-NUNEZ, LANDIS

- That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- That you do not commit any crimes while on this Order of Release on Recognizance.
- That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- Any violation of the above conditions will result in revocation of your employment authorization document.
- Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- Other



(Signature of Alien)

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act.

Subject ID: [REDACTED] FINS: [REDACTED] File No: [REDACTED]
DOB: [REDACTED] Event No: [REDACTED]

In the Matter of LANGIS, LIDYSMA-NUNOZ Respondent: _____ currently residing at:

3330 SW 83RD ST MIAMI, FLORIDA 33157-2160

(305) 775-0909

(Number, street, city, state and ZIP code)

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States.
2. You are a native of CUBA and a citizen of CUBA.
3. You arrived in the United States at or near EL PASO, TX, on or about December 29, 2021.
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: BCFR 208.30 BCFR 235.3(b)(5)(w)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at

333 SOUTH MIAMI AVE, STE 100 MIAMI FL 33130

(Complete Address of Immigration Court, including Room Number, if any)

on February 07, 2022 at 09:00 AM to show why you should not be removed from the United States based on the charge(s) set forth above.

DANIEL BARON Acting Patrol Agent in Charge
(Signature and Title of Hearing Officer) (Sign in ink)

Date January 04, 2022 MIAMI, FL
(City and State)

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration. This copy of the Notice to Appear served upon you is evidence of your alien registration when you are in removal proceedings. You are required to carry it with you at all times.

Representation. If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing. At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object on proper legal grounds to the receipt of evidence and to cross-examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(7)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.dhs.gov/contact/ice>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6963.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled:

Before _____

(Signature of Respondent) (Sign in ink)

Border Patrol Agent _____

Date: 01/04/2027

(Signature and Title of Immigration Officer) (Sign in ink)

Certificate of Service

This Notice To Appear was served on the respondent by me on January 24, 2027, in the following manner and in compliance with section 239(a)(1) of the Act:

- in person by certified mail, returned receipt requested by regular mail
- Attached is a credible fear worksheet
- Attached is a list of organization and attorneys which provide free legal services

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

Refused to Sign

(Signature of Respondent if Personally Served) (Sign in ink)

EDUARDO CHAVEZ, Border Patrol Agent (s)

(Signature and Title of Officer) (Sign in ink)

Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240 and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1380), and the regulations issued pursuant therein.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgment of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORNs): DHS/USCIS/ICE/CBP-001 Alien File Index, and National File Tracking System of Records; DHS/USCIS-007 Benefit Information System; DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARRIER); and DHS/ICE-003 General Counsel Electronic Management System (GEMS); and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/privacy-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN which can be viewed at <https://www.justice.gov/eoir/records-and-management-information-system-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement, other government agencies, and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.