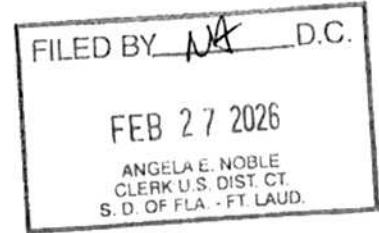


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

Daniel Cuervo Gonzalez,

A# 

Petitioner,



v.

Case No. _____

U.S. Department of Homeland Security,
Immigration and Customs Enforcement (ICE),
Warden, Broward Transitional Center,
Respondents.

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

I. INTRODUCTION

Petitioner respectfully submits this Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 challenging his ongoing civil immigration detention, which has become unreasonably prolonged and violates the Due Process Clause of the Fifth Amendment.

II. JURISDICTION AND VENUE

Jurisdiction is proper under 28 U.S.C. § 2241 because Petitioner is in the custody of ICE within this District and challenges the legality of that custody. Venue is proper because Petitioner is detained at the Broward Transitional Center (BTC), located within the Southern District of Florida.

III. PARTIES

- Petitioner: Daniel Cuervo Gonzalez, A# [REDACTED] detained at BTC.
- Respondents: DHS, ICE, and the Warden of BTC.

IV. FACTUAL BACKGROUND

1. Petitioner is a Cuban national who lawfully entered the United States through the CBP One process and was granted parole.
 2. Petitioner applied for lawful permanent residence under the Cuban Adjustment Act.
 3. Petitioner has no criminal record.
 4. ICE detained Petitioner on November 21, 2025, without a judicial warrant.
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5. Petitioner was initially held at the South Florida Detention Center and transferred to BTC on January 24, 2026.
6. The Petitioner has never received an individualized bond hearing.
7. Petitioner attended a preliminary immigration hearing on February 17, 2026, which addressed only his immigration case—not the legality of his detention.
8. Petitioner's next immigration hearing is scheduled for April 2026, leaving him detained for months without any review of his custody.
9. ICE has not demonstrated that the Petitioner is a danger to the community or a flight risk.

V. LEGAL CLAIMS

A. Petitioner's Detention Has Become Unreasonably Prolonged

Civil immigration detention is constitutional only for a reasonable period and must include adequate procedural protections. Prolonged detention without a bond hearing violates the Fifth Amendment.

B. Petitioner Is Detained Under 8 U.S.C. § 1226(a)

Section 1226(a) requires an individualized bond determination. Petitioner has never received one.

C. The Government Bears the Burden of Proof

If a bond hearing is ordered, the Government must prove by clear and convincing evidence that Petitioner is a danger or flight risk.

VI. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

1. Order his immediate release; or
2. In the alternative, order ICE to provide a prompt bond hearing before an immigration judge, with the Government bearing the burden of proof.

VII. VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.



Daniel Cuervo Gonzalez

A# 

Date: 02-25-2026