

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MAR 23 2026 PM 12:30
FILED - USDC - FLM - FTM

OSVALDO GINART MECIAS,

Petitioner,

v.

Case No. 2:26-cv-621-SPC-DNF

WARDEN, et al.,

Respondents.

PETITIONER'S REPLY TO RESPONDENTS' RESPONSE IN OPPOSITION

I. INTRODUCTION

Petitioner challenges the constitutionality of his continued detention, not the underlying removal order.

II. JURISDICTION

This Court retains jurisdiction over habeas challenges to prolonged detention under *Zadvydas v. Davis*, 533 U.S. 678 (2001).

III. PROLONGED DETENTION

Petitioner has been detained for an extended period approaching or exceeding six months, raising constitutional concerns.

IV. RESPONDENTS' EXHIBITS CONFIRM NO FORESEEABLE REMOVAL

Respondents' own exhibits demonstrate that removal has not been effectuated and remains speculative. Petitioner is a national of Cuba, yet Respondents attempted removal to Mexico, showing lack of a clear removal pathway. No evidence of travel documents or acceptance by a receiving country has been provided.

V. FAILURE TO COOPERATE DOES NOT JUSTIFY DETENTION

Any alleged refusal reflects at most a limited incident and does not establish ongoing obstruction. The government must still show a significant likelihood of removal, which it has failed to do.

VI. DUE PROCESS

Continued detention without a clear endpoint violates the Fifth Amendment.

VII. CONCLUSION

Petitioner respectfully requests release under supervision and any further relief deemed appropriate.

Respectfully submitted,



Jessica Ginart (Mar 18, 2026 09:56:46 EDT)

Signature of Next Friend

/s/ Jessica Ginart Lopez

Jessica Ginart Lopez

Next Friend for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail on all counsel of record.

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Date: 03/18/2026



Jessica Ginart (Mar 18, 2026 13:57:58 EDT)

Jessica Ginart Lopez
Next Friend for Petitioner