

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the
Middle District of FloridaRaydel Iglesias Pena
A244-469-504

Petitioner

v.

Warden, Glades County Detention Center, Todd Lyons,

Respondent

(name of warden or authorized person having custody of petitioner)

Case No. 2:26-cv-660-400
(Supplied by Clerk of Court)MAR 9 2026 AM 11:18
FILED - USDC - FLMD

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

Personal Information

1. (a) Your full name: Raydel Iglesias Pena.
- (b) Other names you have used: NONE
2. Place of confinement:
 - (a) Name of institution: Glades County Detention Center.
 - (b) Address: 1297 East SR 78, Moore Haven, FL 33471.
- (c) Your identification number:
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)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- ☐ 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:

Department of Homeland Security / Immigration and Customs Enforcement.

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

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

Continued and prolonged detention without a bond hearing.

(d) Date of the decision or action:

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:

(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 appeal: Petitioner has been detained since October 27, 25, and has not been provided a bond hearing. Exhaustion of administrative remedies is not required for constitutional challenges to prolonged detention when the agency lacks authority to grant the requested relief

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(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:

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:

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

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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: 10/27/2025
- (b) Date of the removal or reinstatement order:
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

- (1) Date of filing:
- (2) Case number:
- (3) Result:
- (4) Date of result:
- (5) Issues raised:

(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: Violation of Fifth Amendment Due Process

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

Petitioner has been held in ICE custody for approximately four months without an individualized bond hearing. This prolonged detention without a hearing to determine if he is a flight risk or a danger to the community violates the Due Process Clause

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

☐ Yes

☐ No

GROUND TWO: Unlawful Mandatory Detention.

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

Petitioner was arrested by ICE before his scheduled 2028 court date and has a pending Form I-485 for adjustment of status. His detention is not mandatory under the law, yet he has been denied a hearing to seek release

(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.*):

(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.)*:

(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: The immigration court and BIA do not have the jurisdiction to rule on the constitutionality of Petitioner's ongoing detention without a hearing

Request for Relief

15. State exactly what you want the court to do: Order the immediate release of Petitioner from custody under reasonable conditions of supervision.

In the alternative, order the Respondent to provide a bond hearing before an immigration judge within seven days, where the government bears the burden of proving that continued detention is necessary

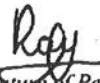
AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system: 03/05/2026

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: 03/05/2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA,

FORT MYERS DIVISION

Raydel Iglesias Pena, Petitioner, v. Warden, Glades County Detention Center, et al., Respondents.

MAR 9 2026 9:11:19
FILED - USDC - FLMD - FTM

**MEMORANDUM OF LAW IN SUPPORT OF PETITION FOR WRIT OF
HABEAS CORPUS**

I. JURISDICTION: This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody in violation of the Constitution.

II. ARGUMENT: Petitioner has been detained since October 27, 2025, without a bond hearing. Under the Fifth Amendment, prolonged civil immigration detention without individualized review is unconstitutional. Petitioner is not a flight risk, as evidenced by his pending Form I-485 (Receipt )

III. RELIEF: Petitioner requests this Court order his immediate release or, alternatively, an immediate bond hearing.

MAR 9 2026 PM 11:19
FILED - USDC - FLMD - FTN

PERSONAL STATEMENT OF RAYDEL IGLESIAS PENA

1. I, Raydel Iglesias Pena (, am the Petitioner in this case.
2. I was taken into ICE custody on October 27, 2025.
3. Before my arrest, I was following my legal process and had a court date scheduled for 2028.
4. I currently have a pending application for Adjustment of Status (Form I-485) and completed my biometrics on May 15, 2025.
5. I have been detained for approximately four months without a bond hearing or any opportunity to prove I am not a danger or a flight risk.

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

Date 03/05/2026

Signature: 