

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AUGUSTO LAZA CUESTA,
Petitioner,

v. Case No. 2:26-cv-00675-KCD-DNF

WARDEN, et al.,
Respondents.

FILED
MAY 12 2026
APR 10 5:58
FILED - USDC - FLM - FLM

**PETITIONER'S EMERGENCY MOTION TO EXPEDITE RULING ON PETITION
FOR WRIT OF HABEAS CORPUS**

Petitioner, Augusto Laza Cuesta, proceeding pro se, respectfully moves this Court to expedite its ruling on his Petition for Writ of Habeas Corpus and states:

I. INTRODUCTION

This case is fully briefed and ripe for adjudication. Petitioner has now been detained by immigration authorities for approximately **six months**, without a clear timeline for removal and without a bond hearing. Continued detention under these circumstances raises serious constitutional concerns.

Given the length of detention and the absence of any demonstrated likelihood of removal in the reasonably foreseeable future, expedited consideration is warranted.

II. PROCEDURAL POSTURE

1. Petitioner filed his §2241 Petition on March 10, 2026.
2. The Court promptly issued an Order to Show Cause.
3. Respondents filed their response on March 31, 2026.
4. Petitioner filed a Reply on April 13, 2026.
5. Petitioner also filed an Emergency Motion for Immediate Release on April 13, 2026.
6. Petitioner submitted a Supplement on May 1, 2026.

Accordingly, the matter is **fully briefed and ripe for decision**.

III. GROUNDS FOR EXPEDITED CONSIDERATION

A. Prolonged Detention Without Resolution

Petitioner has been detained for approximately six months. Courts have recognized that prolonged immigration detention, particularly beyond the six-month mark, raises significant due process concerns.

Each additional day of detention imposes substantial liberty restrictions without a final determination on the legality of that detention.

B. Lack of Evidence of Foreseeable Removal

Respondents have not demonstrated that Petitioner's removal is significantly likely to occur in the reasonably foreseeable future.

There is no indication that:

- Travel documents have been issued,
- Removal has been scheduled, or
- A concrete timeline for deportation exists.

Absent such evidence, continued detention becomes increasingly unreasonable.

C. Ongoing Irreparable Harm

Petitioner continues to suffer:

- Loss of liberty
- Emotional and psychological strain
- Uncertainty regarding his legal status

These harms are ongoing and cannot be remedied retroactively.

D. Judicial Efficiency and Case Readiness

This case requires no further factual development. The issues have been fully presented, and resolution now turns on legal determinations already before the Court.

Expedited ruling will promote judicial efficiency and prevent unnecessary continued detention.

IV. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Expedite its ruling on the Petition for Writ of Habeas Corpus;
 2. Give priority consideration in light of Petitioner's prolonged detention; and
 3. Grant such other relief as the Court deems just and proper.
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V. CONCLUSION

Petitioner's continued detention without a prompt ruling risks prolonging potentially unlawful custody. Given the fully briefed status of this case and the significant liberty interests at stake, expedited consideration is both appropriate and necessary.

Respectfully submitted,

/s/ Augusto Laza Cuesta

Augusto Laza Cuesta

Pro Se Petitioner



Date: 5/6/26