

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ANGEL ANDRES MATEUS GONZALEZ,
Detainee,

by and through his Next Friend,
NELSY JEREZ ARIZA,

MAR 20 2026 PM 12:35
FILED - USDC - FLMD - TPA

Petitioner,

v.

WARDEN, FLORIDA SOFT SIDE SOUTH DETENTION FACILITY;
FIELD OFFICE DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (MIAMI FIELD
OFFICE);
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY;
ATTORNEY GENERAL OF THE UNITED STATES,

Respondents.

Case No.: 2:26-cv-696-KCD-NPM

**PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)**

INTRODUCTION

Petitioner Angel Andres Mateus Gonzalez ("Petitioner"), by and through his Next Friend, Nelsy Jerez Ariza, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Petitioner is currently detained by the Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE"), at the Florida Soft Side South Detention Facility located in Ochopee, Florida. This petition challenges the legality of Petitioner's continued detention under the Constitution and laws of the United States. Petitioner asserts that his detention violates the Due Process Clause of the Fifth Amendment and federal statutory law governing immigration detention. Petitioner seeks immediate release from custody, or in the alternative, a prompt bond hearing before a neutral adjudicator.

JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in custody under the authority of the United States and challenges the legality of that detention. Federal courts retain jurisdiction to review immigration detention where a petitioner alleges violations of constitutional rights or detention not authorized by statute. Venue is proper in the Middle District of Florida because Petitioner is detained within this judicial district at the Florida Soft Side South Detention Facility in Ochopee, Florida.

PARTIES

Petitioner Angel Andres Mateus Gonzalez is a native and citizen of Colombia born on November 17, 1989. He is currently detained by ICE under Alien Registration Number A240■326■401. Petitioner brings this action through his Next Friend, Nelsy Jerez Ariza, who resides at 1021 E 22nd Ave, Tampa, Florida 33605. Due to the restrictions of detention and lack of adequate legal resources, Petitioner is unable to prepare and file this petition himself. Respondents are the federal officials responsible for Petitioner's detention, including the Warden of Florida Soft Side South Detention Facility, the ICE Field Office Director for the Miami Field Office, the Secretary of the Department of Homeland Security, and the Attorney General of the United States.

FACTUAL BACKGROUND

On February 28, 2026, Petitioner was stopped by local police in Clearwater, Florida, for an alleged traffic violation relating to a suspended driver's license caused by accumulated points. Following this encounter with local authorities, Petitioner was processed through the Pinellas County Sheriff's Office. On March 1, 2026, a payment in the total amount of \$1,261.86 was made to the Pinellas County Sheriff's Office resolving the outstanding issue related to the traffic matter. Despite this payment and the absence of any serious criminal charge, Petitioner was transferred to the custody of U.S. Immigration and Customs Enforcement (ICE). Petitioner was subsequently detained at the Florida Soft Side South Detention Facility in Ochopee, Florida. Petitioner does not have a final order of removal. He currently has an active immigration case and has expressed his intention to pursue asylum protection under the laws of the United States. Petitioner has already appeared for an initial preliminary immigration hearing conducted virtually. Nevertheless, he remains detained and has not been provided meaningful access to the tools necessary to effectively challenge his detention.

CONSTITUTIONAL VIOLATIONS

Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment to the United States Constitution. Civil immigration detention is not intended to be punitive and must be reasonably related to a legitimate governmental purpose. The Supreme Court has repeatedly held that civil

detention without adequate procedural safeguards raises serious constitutional concerns. See *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003). Petitioner has not been convicted of a serious criminal offense and does not present a danger to the community. His detention stems solely from a minor traffic matter involving a suspended license that has already been financially resolved. Furthermore, Petitioner is actively pursuing asylum protection and therefore has a legitimate claim to remain in the United States while his case is adjudicated. Detaining Petitioner without providing a meaningful opportunity for release violates fundamental principles of due process and constitutes an unlawful deprivation of liberty.

LEGAL BASIS FOR HABEAS RELIEF

Under 28 U.S.C. § 2241, federal courts have the authority to grant habeas relief where an individual is held in custody in violation of the Constitution or laws of the United States. Courts have recognized that immigration detainees may seek habeas relief where detention becomes arbitrary, excessive, or unsupported by sufficient justification. Because Petitioner does not have a final order of removal and is actively pursuing asylum relief, continued detention without meaningful review is unlawful and contrary to constitutional principles.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court: 1. Issue a Writ of Habeas Corpus directing Respondents to justify Petitioner's continued detention; 2. Order the immediate release of Petitioner from ICE custody; or 3. In the alternative, order a prompt individualized bond hearing before an immigration judge; and 4. Grant any other relief the Court deems just and proper.

NEXT FRIEND DECLARATION

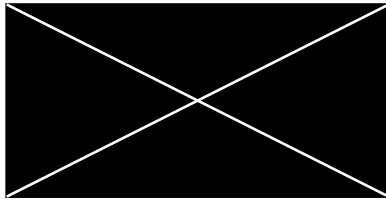
I, Nelsy Jerez Ariza, declare under penalty of perjury that I am submitting this petition as Next Friend for Angel Andres Mateus Gonzalez. Due to the limitations of detention and lack of adequate legal resources available to him, he is unable to effectively prepare and file this petition on his own. I affirm that the information provided in this petition is true and correct to the best of my knowledge.

Respectfully submitted,



Nelsy Jerez Ariza

Next Friend for Petitioner



EXHIBITS

Exhibit A – Passport of Angel Andres Mateous Gonzalez

Exhibit B – ICE Interim Notice Authorizing Parole

Exhibit C – Payment Confirmation to Pinellas County Sheriff's Office (\$1,261.86)

Exhibit D – Cash Appearance Bond Document (\$150)

Exhibit E – Cash Appearance Bond Document (\$1,013)

Exhibit F – Immigration Court Order Granting Change of Venue to Miami

Exhibit B

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

Date: 05/13/2022

In Reference to: A # XXXXXXXXXX

INTERIM NOTICE AUTHORIZING PAROLE

This letter is to inform you that U.S. Immigration and Customs Enforcement (ICE) has decided to parole you from its custody pursuant to its authority under section 212(d)(5)(A) of the Immigration and Nationality Act. This notice is being issued to you in lieu of Form I-94, *Arrival/Departure Record*, see 8 C.F.R. § 235.10(c)(2), and you should maintain a copy of this letter in your possession at all times.

Your parole authorization is valid for one year beginning from the date on this notice and will automatically terminate upon your departure or removal from the United States or at the end of the one-year period unless ICE provides you with an extension at its discretion. ICE may also terminate parole on notice prior to the automatic termination date. Parole is entirely within the discretion of ICE and can be terminated at any time and for any reason. Your parole is not valid for work authorization and is not an admission in lawful status.

Parole is conditioned on you complying with the terms and conditions of your release. You must notify ICE and the immigration judge of any address correction or address change. You must report for every scheduled hearing before the immigration court and every appointment as directed by ICE (including for removal from the United States should you become subject to a final removal order). You must not violate any local, State or Federal laws or ordinances. You must comply with any other specified conditions if identified separately.

I certify that I received a copy of this notice:

Mateous-Gonzalez, Angel *[Signature]* 05/13/2022
 Alien Name: Alien Signature: Date:

CERTIFICATE OF SERVICE

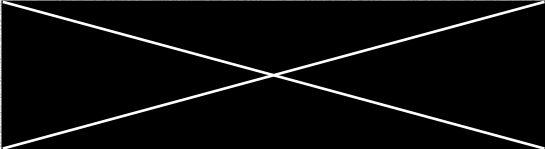
I certify that on today's date, I served the respondent a copy of this parole notice by the following method (as checked):

☒ In person ☐ Other: _____

R. Meraz, DO *[Signature]* 05/13/2022
 ICE Official Name ICE Official Signature Date

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se habra llenando

Exhibit F (Page 1)

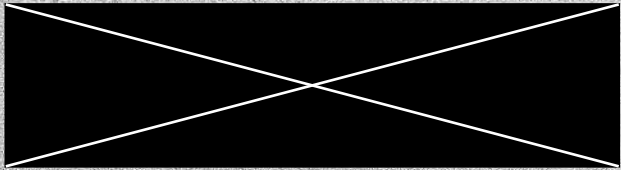
 UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW SAN DIEGO IMMIGRATION COURT	
Respondent Name: MATEUS GONZALEZ, ANGEL ANDRES	A-Number: 
	Held: In Removal Proceedings Date: 07/13/2023

ORDER OF THE IMMIGRATION JUDGE

Upon due consideration of ☒ Respondent's ☐ the Department of Homeland Security's motion for change of venue filed in this manner, and having been satisfied that the non-moving party was accorded notice and an opportunity to respond, for the following reason(s) the immigration court hereby orders that the motion for CHANGE OF VENUE is:

☒ **GRANTED**, as the requirements of 8 C.F.R. § 1003.20(b) have been met.
Venue is changed to Miami, Florida

Respondent's new address is:



Respondent's new attorney/representative (if any) is:

☐ **DENIED**, as no good cause shown has been shown. See 8 C.F.R. § 1003.20(b).

☐ **DENIED**, as no fixed address including city, state, and zip code, where Respondent may be reached for further hearing notification was provided. See 8 C.F.R. § 1003.20(c).

☐ **Other / Further explanation:**

Exhibit F (Page 2)


Immigration Judge: Anita O'Leary 07/13/2023

Certificate of Service

This document was served:

Via: ☒ M ☐ Mail ☐ P ☐ Personal Service ☐ E ☐ Electronic Service

To: ☒ M ☐ Noncitizen ☐ Noncitizen w/o custodial officer ☐ Noncitizen's att/rep. ☐ DHS

Respondent Name: MATEUS GONZALEZ, ANGEL ANDRES | A-Number: 

Redex:

Date: 07/13/2023 By: MCFEDRIES, LYNN, Court Staff