

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

YOLEXY RODRIGUEZ BELTRAN,

A# 

Petitioner,

vs.

PAM BONDI,

Attorney General of the United States.

KRISTI NOEM, SECRETARY,

U.S. Department of Homeland Security (DHS),

TODD M. LYONS,

Acting Director, U.S. Immigration and Customs Enforcement (ICE),

GARRETT J. RIPA,

Field Office Director, ICE Enforcement and Removal Operations (ERO),
Miami Field Office.

WARDEN/FACILITY ADMINISTRATOR,

FLORIDA SOFT SIDE SOUTH;

AND ALL OTHER PERSONS HAVING CUSTODY OF THE PETITIONER,

Respondents.

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

Petitioner, YOLEXY RODRIGUEZ BELTRAN, appearing, respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2241, challenging the legality and constitutionality of his civil immigration detention by the United States Department

of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE), and in support thereof Petitioner proffers the following facts and evidence:

I. INFORMATION ABOUT PETITIONER

1. Petitioner's name is: Yolexy Rodriguez Beltran.
2. Petitioner's Alien Registration Number is: A# [REDACTED]
3. Petitioner is a native and citizen of Cuba.
 - 3a. Petitioner was born on [REDACTED] in Villa Clara, Cuba.
4. Petitioner is currently detained at: FLORIDA SOFT SIDE SOUTH, located at 54575 Tamiami Trl E, NA, Ochopee, FL 34141.
5. Petitioner was taken into ICE custody on or about: December 2025.
6. Petitioner has continuously resided in the United States.
7. Petitioner is seeking relief in the form of Adjustment of Status pursuant to the Cuban Adjustment Act.
8. Petitioner has no criminal convictions and does not present a danger to the community.
9. Petitioner has strong family and community ties in the United States, including close relatives and long-term friendships.
10. Petitioner is willing to comply with any conditions of release imposed by the Court, including reporting requirements or other reasonable alternatives to detention.

II. JURISDICTION AND VENUE

11. This Court has jurisdiction over this Petition pursuant to 28 U.S.C. § 2241, as Petitioner is in custody under the authority of the United States and challenges the legality of his civil immigration detention as contrary to the Constitution and laws of the United States.
12. Petitioner is detained within the Southern District of Florida, making venue proper in this Court.
13. Petitioner challenges the constitutionality and lawfulness of his continued detention without adequate procedural safeguards as required by the Fifth Amendment.

III. PARTIES

14. Petitioner Yolexy Rodriguez Beltran is currently detained at FLORIDA SOFT SIDE SOUTH, 54575 Tamiami Trl E, NA, Ochopee, FL 34141.
15. Respondent Pam Bondi is the Attorney General of the United States and is responsible for the general enforcement of federal immigration laws.
16. Respondent Kristi Noem is the Secretary of the Department of Homeland Security, responsible for administering and enforcing immigration laws and policies.
17. Respondent Todd M. Lyons is the Acting Director of ICE, the DHS component responsible for Petitioner's detention.
18. Respondent Garrett J. Ripa is the Field Office Director of ICE Enforcement and Removal Operations for the Miami Field Office, responsible for ERO operations in Florida, including detention decisions affecting Petitioner.
19. The Warden / Facility Administrator of FLORIDA SOFT SIDE SOUTH at 54575 Tamiami Trl E, NA, Ochopee, FL 34141, is Petitioner's immediate custodian and has day-to-day control over Petitioner's confinement.

20. All other persons having custody of Petitioner are proper Respondents to the instant habeas Petition.

IV. FACTUAL BACKGROUND

21. Petitioner has a steady work history, demonstrating his stability and reliability.
22. Petitioner has no criminal convictions and does not present a danger to the community.
- 22a. A Florida Department of Law Enforcement (FDLE) record search reflects no Florida criminal convictions. FLORIDA SOFT SIDE SOUTH, located at 54575 Tamiami Trl E, NA, Ochopee, FL 34141, without a meaningful opportunity for an individualized release (or custody) determination on a record that accounts for her strong equities, strong and lengthy ties to the community, and lack of dangerousness.
23. Petitioner's continued detention has become prolonged and unreasonable, particularly in light of the absence of individualized findings justifying her confinement.
24. Petitioner is not a flight risk. He has substantial ties to the United States, including family, employment, and he is willing to comply with any and all necessary conditions of release, including but not limited to electronic monitoring, house arrest, and any other alternatives to detention that the Court deems meet, just and necessary to assure her presence in Court.

V. LEGAL FRAMEWORK

25. The Fifth Amendment to the United States Constitution guarantees that no person shall be deprived of liberty without due process of law.

26. Civil immigration detention must be reasonable in duration and accompanied by adequate procedural safeguards, including—where appropriate—an individualized custody determination.
27. Prolonged or arbitrary detention without a meaningful opportunity to be heard violates due process.
28. Federal courts have authority under 28 U.S.C. § 2241 to review the legality of immigration detention and to order appropriate relief, including an individualized bond/custody hearing or release under conditions.

VI. CLAIMS FOR RELIEF

COUNT ONE – VIOLATION OF DUE PROCESS: UNLAWFUL/ARBITRARY DETENTION WHERE RELEASE ON CONDITIONS IS REQUIRED

29. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.
30. Petitioner is held in civil immigration detention without a meaningful, individualized custody determination that accounts for her strong ties, lack of criminal convictions, and the availability of conditions of release.
31. Continued detention under these circumstances is excessive, arbitrary, and not narrowly tailored to any legitimate governmental interest, in violation of the Due Process Clause of the Fifth Amendment.

COUNT TWO – VIOLATION OF DUE PROCESS: ARBITRARY ARREST AND DETENTION WITHOUT JUDICIAL WARRANT

32. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

COUNT THREE – VIOLATION OF DUE PROCESS: FAILURE TO CONSIDER LESS RESTRICTIVE ALTERNATIVES TO DETENTION

33. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

34. Even if the government asserts concerns about appearance or supervision, less restrictive alternatives to detention (including reporting requirements, electronic monitoring, or other conditions) are available and adequate in light of Petitioner's circumstances.

35. Respondents' continued detention of Petitioner without adequate consideration of alternatives violates due process.

36. Petitioner was taken into ICE custody and detained without presentation of a judicial warrant or probable-cause determination by a neutral magistrate.

37. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

VII. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court to:

- A. Assume jurisdiction over this matter.
- B. Declare that Petitioner's continued civil immigration detention without a meaningful individualized custody determination violates the Due Process Clause of the Fifth Amendment.
- C. Order Respondents to release Petitioner from custody forthwith under reasonable conditions of supervision or on a reasonable bond set by this Court (or, in the alternative,

order a prompt individualized custody/bond hearing before a neutral decision-maker if the Court concludes such a hearing is the minimum necessary remedy).

- D. In the alternative, order any other relief necessary to secure Petitioner's prompt release, including a prompt individualized custody/bond hearing if required by law.
- E. Grant such other and further relief as the Court deems just and proper.

Respectfully Submitted,

MERCADO LAW PLLC
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Weston, Florida 33326
Telephone: (305) 467-4732

By: /s/ Juan C. Mercado
JUAN C. MERCADO, JR., ESQ.
Florida Bar. No. 1003320
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VIII. VERIFICATION

I, YOLEXY RODRIGUEZ BELTRAN, with alien number A# 244-318-042, declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

YOLEXY RODRIGUEZ BELTRAN

A# [REDACTED]

54575 Tamiami Trl E, NA,
Ochopee, FL 34141

Date: 3/11/26

EXHIBIT A – ICE Detainee Locator



U.S. Immigration and Customs Enforcement

[Home](#)

[Who We Are](#)

[What We Do](#)

[Newsroom](#)

Search Results: 1

YOLEXY RODRIGUEZ BELTRAN

Country of Birth : Cuba

A-Number 

Status : In ICE Custody

State: FL

Current Detention Facility: Florida Soft Side South

** Click on the Detention Facility name to obtain facility contact information*

[BACK TO SEARCH >](#)

EXHIBIT B – Master Hearing Notices

Automated Case Information

Name: RODRIGUEZ BELTRAN, YOLEXY | A-Number  Docket Date: 12/21/2023

Next Hearing Information

Your upcoming MASTER hearing is IN PERSON on April 23, 2027 at 8:30 AM.

JUDGE

Balasquide, Javier E.

COURT ADDRESS

333 SOUTH MIAMI AVE., STE. 700
MIAMI, FL 33130

Court Decision and Motion Information



This case is pending.

BIA Case Information

Court Contact Information