

Emergency

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

JORGE VALDÉS VILLARREAL,
Petitioner,

v.

Case No. 2:26-cv-743-JES-DNF

WARDEN

Alligator Alcatraz
Florida Soft Side South
54575 Tamiami Trail East
Ochopee, Florida 34141,

Garret Ripa

FIELD OFFICE DIRECTOR

U.S. Immigration and Customs Enforcement
Miami Field Office,

Pam Bondi

ATTORNEY GENERAL OF THE UNITED STATES

Kristi Noem

SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY

Respondents.

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

Petitioner Jorge Valdés Villarreal respectfully petitions this Court for a Writ of Habeas Corpus under 28 U.S.C. §2241 and states as follows:

INTRODUCTION

1. Petitioner Jorge Valdés Villarreal respectfully submits this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his continued detention by immigration authorities.
2. Petitioner was taken into ICE custody on January 10th, 2026 and has remained detained since that time.
3. This Petition is filed after the expiration of the statutory 90-day removal period provided under the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(1).
4. Petitioner previously completed the mandatory removal period **(+6 Months in ICE Custody)** following his **November 4th, 2010 removal order** and was released under an Order of Supervision when ICE was unable to effectuate his removal.
5. For more than **ten years**, Petitioner complied fully with all ICE supervision requirements and committed no violations of the supervision order.
6. Despite this long period of compliance and the absence of any new criminal conduct, **ICE re-detained Petitioner in January 2026.**
7. Petitioner suffers from multiple serious medical conditions including diabetes, hypertension, chronic ischemic heart disease, and prior myocardial infarction, requiring ongoing medical monitoring.
8. Continued detention under these circumstances violates the Due Process Clause of the Fifth Amendment and exceeds the lawful limits of detention authorized by the Immigration and Nationality Act (INA).

PETITIONER INFORMATION

9. Name: **Jorge Valdés Villarreal**
10. Date of Birth: 
11. Marital Status: **Single**
12. Children: **Five children — Two (2) are United States citizen children residing in the United States**
13. Country of Origin: **Cuba**

14. A-Number: A [REDACTED]
15. Date of Entry to the US: *January 14th, 1995 (Entered legally)*
16. Immigration Status: *Subject to a removal order issued November 4, 2010. Petitioner previously completed the statutory removal period (+6 Months in ICE Custody) and was released under an Order of Supervision (OSUP) when removal could not be effectuated.*
17. Date of Arrest by ICE: *January 10th, 2026 (Miramar, Florida)*
18. Processing Date: *January 11th, 2026*
19. Date Registered in ICE Custody: *January 13th, 2026.*
20. Current Detention Facility: *Florida Soft Side South (54575 Tamiami Trail East Ochopee, Florida 34141)*

JURISDICTION

21. This Court has jurisdiction under 28 U.S.C. §2241 because Petitioner is in custody under authority of the United States.
22. Petitioner is currently detained at:
Florida Soft Side South
54575 Tamiami Trail East
Ochopee, Florida 34141

RESPONDENTS

23. **Warden**; Florida Soft Side South Detention Center
24. **Field Office Director**; U.S. Immigration and Customs Enforcement, Miami Field Office
25. **Attorney General**; Pam Bondi
26. **Secretary of Homeland Security**; Kristi Noem
27. Each Respondent has legal authority over Petitioner's detention and the enforcement of immigration laws applicable to this case.

FACTUAL BACKGROUND

28. Petitioner Jorge Valdés Villarreal was born on  in Cuba.
29. He entered the United States legally on January 14th, 1995, through Guantánamo Bay.
30. Petitioner has lived in the United States for decades and has established strong ties to the country.
31. Petitioner is the father of five children, including two United States citizen children who reside in the United States.
32. Petitioner was ordered removed from the United States on November 4th, 2010.
33. Following the removal order, Petitioner remained in immigration custody during the statutory removal period.
34. Because ICE was unable to effectuate his removal, Petitioner was subsequently released under an Order of Supervision (OSUP).
35. For more than ten years, Petitioner complied with all ICE reporting requirements and supervision conditions.
36. ICE never alleged that Petitioner violated the terms of supervision.
37. Petitioner has not committed any new criminal offenses since his earlier cases.
38. Petitioner's last criminal case occurred in 2009 in Monroe County, for which he received probation.
39. A probation violation occurred in 2011 related to a fishing regulation offense.
40. Since that time, Petitioner has remained compliant with the law and with ICE supervision.
41. On January 10th, 2026, ICE officers arrested Petitioner in Miramar, Florida and placed him into immigration detention.
42. Petitioner is currently detained at Florida Soft Side South (Alligator Detention Facility).

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MEDICAL CONDITIONS

43. Petitioner suffers from several serious medical conditions including:
- o Type 2 diabetes mellitus
 - o Essential hypertension
 - o Chronic ischemic heart disease
 - o Prior myocardial infarction (heart attack)
 - o Coronary angioplasty implant and graft
 - o Hyperlipidemia
44. Medical documentation confirms that Petitioner requires ongoing treatment and monitoring.
45. Petitioner currently takes medications including:
- o Nitroglycerin for chest pain
 - o Pantoprazole
 - o Omega-3 fatty acids
46. These conditions require consistent medical monitoring and treatment.
47. Continued detention significantly increases the risk of serious medical complications.

GROUND'S FOR HABEAS RELIEF

Ground One (Continued Detention After the 90-Day Removal Period Violates the INA)

48. Under the Immigration and Nationality Act, the government may detain an individual for a 90-day removal period following a final order of removal.
49. Petitioner has now remained detained beyond that statutory period.
50. Petitioner previously completed the removal period following the 2010 removal order and was released under supervision because ICE could not effectuate removal.
51. The government has not demonstrated that removal is now significantly likely in the reasonably foreseeable future.
52. Continued detention therefore exceeds the authority granted under the INA.

Ground Two

(Continued Detention Violates the Fifth Amendment Due Process Clause)

53. Civil immigration detention must remain regulatory rather than punitive.
54. Petitioner complied with ICE supervision for more than a decade without violations.
55. Re-detaining Petitioner without any new violations or criminal conduct constitutes arbitrary detention.
56. Such detention violates the Due Process Clause of the Fifth Amendment.

Ground Three (Serious Medical Conditions Weigh Strongly in Favor of Release)

57. Petitioner suffers from significant medical conditions including heart disease, diabetes, and hypertension.
58. Detention facilities are not equipped to provide the specialized care required for patients with complex cardiovascular conditions.
59. Continued detention places Petitioner at significant medical risk.

Ground Four (Less Restrictive Alternatives Are Available)

1. Petitioner previously demonstrated that he can comply with immigration supervision.
2. For more than ten years, he complied with all reporting requirements under the Order of Supervision.
3. Release under supervision would adequately serve any legitimate governmental interest.

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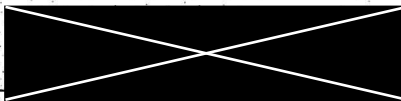
Declaration Under Penalty of Perjury

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 material fact may serve as the basis for prosecution for perjury.

Name: Jorge Valdes Villarreal

Date: 03/14/24

A-Number:



Jorge Valdes Villarreal

(Signature of Petitioner)