

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION**

EDUARDO ALEJANDRO
DELGADO-DE ARMAS,

Petitioner,

v.

WARDEN, ET AL.,

Respondents.

Case No. 2:26-cv-792-KCD-DNF

**FEDERAL RESPONDENTS' RESPONSE
TO THE COURT'S DIRECTIVE AT ECF NO. 21**

In response to our request for specific evidence that there is a significant likelihood the Petitioner will be removed in the reasonably foreseeable future, the U.S. Attorney's Office was provided with the following: (1) Declaration of Victor S. Castillo. Ex. 1 (Declaration of D.O. Victor Castillo). Considering this District's rulings in many previous cases presenting similar circumstances,¹ the United States

¹ See e.g. *Suarez-Rosabal v. Warden, Florida Soft Side South, et al.*, No. 2:26-cv-1376-KCD-DNF (M.D. Fla. May 20, 2026) (ordering release after the presumptively reasonable period expired where the record reflected "the total absence of any travel documents for his removal"); *Betancourt v. Alcatraz*, No. 2:26-CV-1403-KCD-NPM, 2026 WL 1320246, at *2 (M.D. Fla. May 13, 2026) (finding the burden shifted where Mexico refused entry and ICE relied on a declaration from a Deportation Officer describing the procedures to be followed to effect removal to Mexico); *Londres v. Warden, S. Fla. Det. Facility*, No. 2:26-CV-935-JES-NPM, 2026 WL 1260847, at *2 (M.D. Fla. May 8, 2026) (finding burden-shifting framework triggered and SLRRFF not established where ICE asserted that they are seeking removal but did not explain why progress had not been made in Petitioner's 184 days in custody); *Blanco Rivero v. Noem, et al.*, No. 2:26-cv-00353, 2026 WL 820499, at *2 (M.D. Fla. Mar. 25, 2026) (finding ICE absence of documentation to support SLRRFF amounted to "hope and a placeholder.").

Attorney's Office anticipates that the Court will conclude that this Declaration lacks sufficient detail to meet the government's burden in justifying continued detention.

We await and will comply with any order issued.

Dated May 27, 2026

Respectfully submitted,

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