

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

FILED BY MC D.C.

MAR 16 2026

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

Case No. _____

(Supplied by Clerk of Court)

(name of warden or authorized person having custody of petitioner)

U.S. Marshal Attorney
Respondent
Pamela Jo Bondi

v.

Abel Traba Ramirez
Petitioner

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

Personal Information

1.

(a) Your full name:

Abel Traba Ramirez

(b) Other names you have used:

Place of confinement:

(a) Name of institution:

South Florida Detention Center

(b) Address:

54535 Tamiami Trail, 34141
54535 Tamiami Trail, Ochopee FL 34141

(c) Your identification number:

Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain:

4.

Are you currently:

☐ A pretrial detainee (waiting for trial on criminal charges)

☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

(a) Name and location of court that sentenced you:

(b) Docket number of criminal case:

(c) Date of sentencing:

☒ Being held on an immigration charge

☐ Other (explain):

Decision or Action You Are Challenging

What are you challenging in this petition:

☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain):

Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: Ochoppe FL, 34141
ICE at South Florida Detention Center,
 (b) Docket number, case number, or opinion number: # 2026000402 / # 20000429
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
The respondent (ICE) detained me with out giving me any foreseen
reason of my detention, without any court case nor court
date trial, now being around 60 days being detained.
 (d) Date of the decision or action: 01/08/2026

Your Earlier Challenges of the Decision or Action

7. **First appeal**
 Did you appeal the decision, file a grievance, or seek an administrative remedy?
☐ Yes ☒ No
 (a) If "Yes," provide:

(1) Name of the authority, agency, or court:

- (2) Date of filing:
 (3) Docket number, case number, or opinion number:
 (4) Result:
 (5) Date of result:
 (6) Issues raised:

- (b) If you answered "No," explain why you did not appeal: I didn't know my resources
to appeal, and its the first time having a immigration detention

Second appeal

- After the first appeal, did you file a second appeal to a higher authority, agency, or court?
☐ Yes ☒ No

(a) If "Yes," provide:
(1) Name of the authority, agency, or court:

(2) Date of filing:
(3) Docket number, case number, or opinion number:
(4) Result:
(5) Date of result:
(6) Issues raised:

(b) If you answered "No," explain why you did not file a second appeal:
I allege and incorporate the same as referred on part 3(b) above

Third appeal
After the second appeal, did you file a third appeal to a higher authority, agency, or court?
☐ Yes
☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:
(3) Docket number, case number, or opinion number:
(4) Result:
(5) Date of result:
(6) Issues raised:

(b) If you answered "No," explain why you did not file a third appeal:
I allege and incorporate the same as referred on part 3(b) above

Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes
☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes
☐ No

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If "Yes," provide:
(1) Name of court:
(2) Case number:
(3) Date of filing:
(4) Result:
(5) Date of result:
(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?
☐ Yes
☒ No

If "Yes," provide:
(1) Name of court:
(2) Case number:
(3) Date of filing:
(4) Result:
(5) Date of result:
(6) Issues raised:

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?
☒ Yes
☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody:

(b) Date of the removal or reinstatement order:

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes
☒ No

If "Yes," provide:
(1) Date of filing:
(2) Case number:
(3) Result:
(4) Date of result:
(5) Issues raised:

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☒ No

If "Yes," provide:

(1) Name of court:

(2) Date of filing:

(3) Case number:

(4) Result:

(5) Date of result:

(6) Issues raised:

12.

Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues

raised in this petition?

☐ Yes ☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

(b) Name of the authority, agency, or court:

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

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Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: I was applied for Asylum in a court case that was still in progress. I was permitted to be in United States with also a work permit issued by Department of Homeland Security (DHS). I received my work permit on October 2024, two years later of begin applied and admitted for asylum in 2022. I went to my court audiences responsibly while my case was in progress. I was permitted by a judge to be in the United States and allowed to be working by DHS.

(b) Did you present Ground One in all appeals that were available to you? ☒ Yes ☐ No

GROUND TWO: Procedural Due Process Violations: Under the due process clause of the 5th Amendment an alien is entitled to timely and meaningful opportunity to demonstrate that should not be detained.

(a) Supporting facts (Be brief. Do not cite cases or law.):

In this case I have been denied that opportunity. ICE does not make a decision concerning alien custody in a neutral and impartial manner to the failure of my respondent (ICE) to provide a decision maker to receive my continual custody violates my right to procedural due process. There is no administrative mechanism in place provided by ICE, that allow me to demonstrate.

(b) Did you present Ground Two in all appeals that were available to you? ☐ Yes ☒ No

GROUND THREE: Substantive Due Process Right: ICE/ICE interest of my removal does not justify my indefinitely attention.

(a) Supporting facts (Be brief. Do not cite cases or law.):

This grant of writ Habeas Corpus because Substantive Due Process right violated, also the time for my departure is already exceeded, and I'm still in attention, above for more than 55 days.

(b) Did you present Ground Three in all appeals that were available to you? ☒ Yes ☐ No

GROUND FOUR:

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14.

If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

I was approved for Voluntary Departure on January 23, 2026 with a departure date not exceeding February 23, 2026. I am still detained without a court date and unlawfully. This in Docket Control Office, Krome, Miami, FL, by Carlos Perez, my Deportation Officer.

Request for Relief

15. State exactly what you want the court to do: I pray that this court grant me the following relief:
① Assume jurisdiction over this matter
② Grant writ of Habeas Corpus directing ICE immediate release from custody by ICE under reasonable release conditions or supervision to continue with my asylum process with the court until completed (closed)

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

03/06/26

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

Date: 03/05/2026

Signature of Petitioner

NITR (NOEL TRABA KAUTR

Signature of Attorney or other authorized person, if any

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