

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 MCO D.C.
MAR 17 2026
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

Lazaro Lopez Suarez
Petitioner

v.

Case No. _____
(Supplied by Clerk of Court)

Pamela Jo Bondi
U.S. Attorney General AA / ICE
Respondent
(name of warden or authorized person having custody of petitioner)

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

1. (a) Your full name: Lazaro Lopez Suarez
2. (b) Other names you have used: _____
Place of confinement:
(a) Name of institution: South Florida Detention Center
(b) Address: 54575 Tamiami Trail E.
Ochopee FL 34111
[REDACTED]
3. (c) Your identification number: _____
Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
ICE
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

5. 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): _____

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

- (a) Name and location of the agency or court: ICE at South Florida Detention Center in Ochopee, FL
 (b) Docket number, case number, or opinion number: BA# [REDACTED]
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
I'm been detained by ICE in my court visit with the judge of immigration. When DHS issued me a work permit for 5 years since 2021 that allows me to lawfully live in the United States.
 (d) Date of the decision or action: 01/27/2026

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~~

(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:

Because I didn't know my resources and is the first time I pass thru detention. There is no administrative mechanism to demand or appeal, in place.

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes~~No~~

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(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 reallocate and make reference on part 7(b) above.

9. **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 reallocate and make reference on part 7(b) above.

10. **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: 01/27/2026(b) Date of the removal or reinstatement order: unknown - no removal order given.

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

☐ Yes☒ No

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If "Yes," provide:

- (1) Date of filing: February, 2024
(2) Case number: _____
(3) Result: Assigned a court date 02/24/2024 - But was suspended
(4) Date of result: _____
(5) Issues raised: the court trial was suspended because the judge needed more information for the case, but no new date has been assigned.

(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: USCIS granted me the form I-220A in 2022 and I was also issued a work permit issued by DHS in 2024. Valid thru May 6, 2029, when I applied for permanent residence that allow me to be lawfully in the United States, by USCIS & DHS.

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

When I arrived to USA in 2022 the DHS and USCIS grant me the admission to enter this country via a I-220A form allowing me to live in United States, and lawfully (for) work in this country because my nationality of "Cuba", my work permit is valid until May 6, 2029.

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

☐ Yes

☒ No

GROUND TWO: Procedural Due Process Violation. I realleges and incorporate the referenced in parts 1-2 above. Under the process clauses of the fifth amendment of U.S.C an alien is entitled to timely and meaningful opportunities to demonstrate that should not be detained.

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

I've been denied opportunity on this ground to Procedural Due Process. ICE doesn't make any decision of my custody in a neutral or impartial manner. The failure of ICE to provide a neutral decision maker to have my custody violates the Procedural due process.

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

☒ Yes

☐ No

GROUND THREE: Substantive Due Process Right Violation.

ERO/ICE interest doesn't justify my indefinitely detention and grant this writ of Habeas Corpus because of Substantive due Process Right.

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

United States via ERO/ICE don't have an immigration agreement with my country Cuba, to allow them to (the) deport me or justify my indefinite. There is not administrative mechanism in place to demand or appeal this detention decision.

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

☐ Yes

☒ No

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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:

Request for Relief

15. State exactly what you want the court to do: I Pray for this court grant me the following relief: ① Assume jurisdiction over this matter ② Grant me writ of Habeas Corpus directing ICE/ERO immediate release from custody under reasonable conditions and supervision on bond

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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:

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: 03/06/2024

Signature of Petitioner

Signature of Attorney or other authorized person, if any