

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

YUDIESKY MACHADO GONZALEZ,

Petitioner,

v. Case No. 2:26-cv-806-SPC-NPM

WARDEN, FLORIDA SOFT SIDE

SOUTH DETENTION CENTER, et al.,

Respondents.

_____/

PETITIONER'S REPLY TO RESPONDENT'S RESPONSE
AND OPPOSITION TO MOTION TO DISMISS

Petitioner respectfully submits this Reply in response to Respondent's filings and in accordance with the Court's Order.

This Reply does not raise new grounds but addresses the arguments raised in response to the Petition.

Petitioner has not been provided timely access to Respondent's filings and therefore responds based on the arguments typically raised in similar cases.

I. RESPONSE TO MOTION TO DISMISS

Petitioner respectfully opposes Respondent's Motion to Dismiss.

Petitioner challenges the legality of continued immigration detention under 28 U.S.C. § 2241, which is a proper basis for habeas jurisdiction.

To the extent Respondent argues lack of jurisdiction, such argument should be rejected because Petitioner challenges the legality of detention, not the validity of any removal order.

To the extent Respondent argues failure to state a claim, the Petition alleges that continued detention has become prolonged and is no longer reasonably related to the purpose of removal.

APR 9 2026 PM 1:38
ROUD - USDC - FLMD - FTM

To the extent Respondent raises exhaustion arguments, such arguments should be rejected where administrative remedies are not meaningfully available or are inadequate to address prolonged detention.

Accordingly, Respondent's Motion to Dismiss should be denied.

II. CONTINUED DETENTION IS NOT JUSTIFIED

Petitioner maintains that continued detention has become prolonged and raises serious concerns under applicable law governing post-removal-period detention.

To the extent Respondent argues that removal remains reasonably foreseeable, Petitioner is not aware of any evidence demonstrating that removal is significantly likely in the reasonably foreseeable future.

Petitioner is not aware of:

- Any confirmed travel documents
- Any confirmation from a receiving country
- Any scheduled removal date

Absent such information, continued detention may no longer be justified.

III. GENERAL ASSERTIONS ARE INSUFFICIENT

To the extent Respondent relies on general statements that removal efforts are ongoing, such assertions alone do not resolve whether continued detention remains lawful.

The relevant inquiry is whether removal is realistically foreseeable, not whether efforts are

ongoing. IV. PROLONGED DETENTION CONCERNS

Petitioner has been in immigration custody for a prolonged period.

Continued detention without a clear and realistic timeline for removal raises due process

concerns. V. PRIOR PROCEEDINGS

Petitioner previously filed a habeas petition that was dismissed without prejudice on procedural grounds.

That dismissal did not address the merits and does not prevent this Court from considering the present Petition.

VI. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court:

- Deny Respondent's Motion to Dismiss
- Consider the merits of the Petition
- Grant appropriate relief, including release under supervision or an appropriate custody review

and grant any further relief the Court deems just and proper.

Date: 04/04/2026



YUDIESKY MACHADO GONZALEZ

Petitioner (Pro Se)

Declaration Under Penalty of Perjury (Prison Mailbox Rule)

"I declare under penalty of perjury that this document was placed in the institution's legal mail system on the date indicated above and that first-class postage has been prepaid.



YUDIESKY MACHADO GONZALEZ

← Feeha

← Firma

← Firma.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

YUDIESKY MACHADO GONZALEZ,
Petitioner,

v. Case No. 2:26-cv-806-SPC-NPM

WARDEN, FLORIDA SOFT SIDE
SOUTH DETENTION CENTER, et al.,
Respondents.

← Fecha
← Firma.

NOTICE REGARDING REPLY

Petitioner respectfully submits this Notice in response to the C

Petitioner has not been provided timely access to Respondent
received a copy of the Response and Motion to Dismiss.

Petitioner is making efforts to obtain and review Respondent's filings and to prepare a reply in
accordance with the Court's Order.

Due to the limitations inherent in detention, including delays in receiving legal mail, Petitioner
respectfully requests that the Court consider these circumstances and allow a reasonable
opportunity to submit a reply after receiving and reviewing Respondent's filings.

Petitioner submits this Notice in good faith and as soon as practicable under the
circumstances.

Date: 04/04/2026


YUDIESKY MACHADO GONZALEZ

Petitioner (Pro Se)