

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

YEZID SHABANA,
Petitioner,

v. Case No. 2:26-cv-805-JES-NPM

SECRETARY, U.S. DEPARTMENT
OF HOMELAND SECURITY, et al.,
Respondents.

JUN 16 2026 04:11:47
FILED - USDC - FLMD - FTM

**EMERGENCY MOTION TO ENFORCE JUDGMENT
AND FOR IMMEDIATE RELEASE**

Petitioner, YEZID SHABANA, respectfully files this Emergency Motion to Enforce Judgment and for Immediate Release, and states:

1. On May 22, 2026, this Court granted Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 and ordered Petitioner released under supervision pursuant to *Zadvydas v. Davis*, 533 U.S. 678 (2001).
2. In its Opinion and Order, this Court specifically found that Respondents failed to establish a significant likelihood of Petitioner's removal in the reasonably foreseeable future.
3. The Court further stated:

"They do not claim that Israel has agreed to accept him (or routinely accepts deportees) or describe any other actions taken to effectuate Shabana's removal to Israel in the 189 days he has been detained in immigration custody. Under *Zadvydas*, this is insufficient to show a realistic likelihood of Shabana's removal in the reasonably foreseeable future."

4. Pursuant to this Court's Order, Petitioner was released from ICE custody on or about May 23, 2026.
5. Following release, Petitioner fully complied with all conditions of supervision imposed by ICE.

6. Specifically:

1. Petitioner reported to the ISAP office as instructed;
 2. Petitioner completed the required enrollment process;
 3. Petitioner installed and activated the monitoring application;
 4. Petitioner voluntarily appeared for all appointments;
 5. Petitioner did not abscond, violate supervision, or refuse cooperation.
7. On or about May 27, 2026, Petitioner was instructed by ICE to report to an ICE office.
8. Petitioner voluntarily appeared as instructed on May 28, 2026.
9. Upon arrival, ICE officers abruptly re-detained Petitioner.
10. Upon information and belief, ICE now claims that travel documents have allegedly been issued in connection with Petitioner's removal.
11. However, Petitioner has not been provided:
1. A copy of any alleged travel document;
 2. Evidence identifying the issuing authority;
 3. Proof that Israel has formally agreed to admit Petitioner;
 4. Evidence that removal is operationally feasible;
 5. Any scheduled removal date or flight itinerary;
 6. Any explanation demonstrating materially changed circumstances sufficient to justify renewed detention under *Zadvydas*.
12. The timing of the re-detention raises serious constitutional concerns.
13. ICE released Petitioner pursuant to this Court's habeas ruling, placed him under supervision, enrolled him in ISAP monitoring, and permitted him to remain in the community before abruptly reversing course only days later.
14. Petitioner fully complied with all supervision requirements and voluntarily appeared for all appointments.

15. Respondents have not demonstrated that Petitioner violated any condition of release or that removal has become genuinely imminent.
16. The Court previously determined that Respondents failed to establish a realistic likelihood of removal in the reasonably foreseeable future.
17. To justify renewed detention after habeas relief was granted, Respondents must demonstrate materially changed circumstances sufficient to satisfy the requirements of *Zadvydas*.
18. At present, Respondents have not produced evidence demonstrating:
 1. Actual receiving-country acceptance;
 2. Imminent removal;
 3. Scheduled deportation logistics;
 4. or a realistic likelihood of removal in the reasonably foreseeable future.
19. Continued detention under these circumstances appears inconsistent with this Court's prior ruling and the constitutional principles articulated in *Zadvydas*.

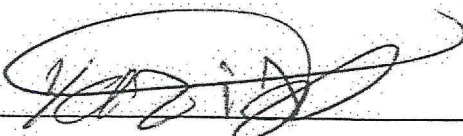
WHEREFORE, Petitioner respectfully requests that this Court:

1. Expedite consideration of this Motion;
2. Order Respondents to immediately explain the legal and factual basis for Petitioner's re-detention;
3. Require Respondents to produce:
 - a. any alleged travel documents;
 - b. proof of receiving-country acceptance;
 - c. evidence of scheduled removal;
 - d. the basis for revocation of supervision;
 - e. and all materially changed circumstances relied upon to justify renewed detention;
4. Order Petitioner's immediate release under appropriate supervision; and
5. Grant such other relief as the Court deems just and proper.

Name: _____

Date: _____

A-Number: _____



(Signature of Petitioner)