

**U.S. District Court
Southern District of Florida (Ft Lauderdale)
CIVIL DOCKET FOR CASE #: 0:26-cv-60262-EA**

MONTIEL FERNANDEZ v. Noem
Assigned to: Judge Ed Artau
Cause: 28:2241 Petition for Writ of Habeas Corpus (Federal)

Date Filed: 01/30/2026
Date Terminated: 03/23/2026
Jury Demand: None
Nature of Suit: 463 Habeas Corpus – Alien
Detainee
Jurisdiction: U.S. Government Defendant

Plaintiff

**JOSE DEMETRIO MONTIEL
FERNANDEZ**

represented by **David Iverson**
Iverson David
1625 N Commerce Parkway
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ATTORNEY TO BE NOTICED

Defendant

Kristi Noem
*United States Department of Homeland
Security*

represented by **Noticing 2241/Bivens US Attorney**
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Date Filed	#	Docket Text
01/30/2026	<u>1</u>	Second APPLICATION/PETITION (Complaint) for Writ of Habeas Corpus pursuant to 28 U.S.C. 2241 . Filing fee \$ 5.00. IFP Filed, filed by JOSE DEMETRIO MONTIEL FERNANDEZ. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summon(s))(Iverson, David) (Entered: 01/30/2026)
01/30/2026	<u>2</u>	Clerks Notice of Judge Assignment to Judge Ed Artau. (kpe) (Entered: 01/30/2026)

01/30/2026	<u>3</u>	Summons Issued as to Kristi Noem, U.S. Attorney and U.S. Attorney General (kpe) (Entered: 01/30/2026)
02/11/2026	<u>4</u>	PAPERLESS SUA SPONTE ORDER Having reviewed the record, it is unclear whether the Court has subject matter jurisdiction over this action. Therefore, the parties shall brief the Court's subject matter jurisdiction under 8 U.S.C. § 1252(b)(9), 8 U.S.C. § 1252(g), and/or any other applicable statutory provision. Additionally, because the docket entry title for the petition [ECF No. 1] indicates that this is a "second" petition for writ of habeas corpus, the parties shall also brief whether this petition is barred by res judicata and/or any other similar doctrine. The petitioner shall file his brief on or by February 18, 2026. The respondents shall file a brief on or by February 25, 2026. The petitioner may file a reply on or by March 4, 2026. Signed by Judge Ed Artau (twh) (Entered: 02/11/2026)
02/12/2026	<u>5</u>	NOTICE of Attorney Appearance by Liviu Lungu on behalf of Kristi Noem. Attorney Liviu Lungu added to party Kristi Noem(pty:dft). (Lungu, Liviu) (Entered: 02/12/2026)
02/17/2026	<u>6</u>	NOTICE of Attorney Appearance by Liviu Lungu on behalf of Kristi Noem (Lungu, Liviu) (Entered: 02/17/2026)
02/17/2026	<u>7</u>	MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Application/Petition (Complaint) for Writ of Habeas Corpus, , MOTION to Change Venue by Kristi Noem. Responses due by 3/3/2026. (Attachments: # <u>1</u> Exhibit Exh A (Detention History))(Lungu, Liviu) (Entered: 02/17/2026)
02/18/2026	<u>8</u>	RESPONSE to Motion re <u>7</u> MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Application/Petition (Complaint) for Writ of Habeas Corpus, MOTION to Change Venue filed by JOSE DEMETRIO MONTIEL FERNANDEZ. Replies due by 2/25/2026. (Attachments: # <u>1</u> PETITIONERS MOTION TO TRANSFER VENUE)(Iverson, David) (Entered: 02/18/2026)
03/23/2026	<u>9</u>	ORDER TRANSFERRING CASE. Motion to Dismiss for Lack of Jurisdiction or Motion to Change Venue DE <u>7</u> is GRANTED. The Clerk of the Court shall TRANSFER this case to the United States District Court for the Middle District of Florida. This CASE IS CLOSED. Signed by Judge Ed Artau on 3/23/2026. <i>See attached document for full details.</i> (ebz) (Entered: 03/24/2026)