

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

YAMIL VASALLO GONZALEZ NOROÑA,

Petitioner,

v.

Case No. 2:26-cv-837-SPC-NPM

Warden, South Florida Detention Facility,

in his official capacity;

Field Office Director, U.S. Immigration and Customs Enforcement, Miami Field

Office, in his official capacity,

Respondent.

EMERGENCY MOTION FOR IMMEDIATE RELEASE

Petitioner, Yamil Vasallo Gonzalez Noroña, respectfully moves for immediate release pending adjudication of his Petition for Writ of Habeas Corpus.

Petitioner is detained pursuant to 8 U.S.C. § 1231(a) following a final order of removal dated December 21st, 2017. He has been detained since July 23rd, 2025, exceeding the six-month presumptively reasonable period recognized in *Zadvydas v. Davis*, 533 U.S. 678 (2001).

Petitioner previously completed the statutory removal period in 2018 and was released under supervision after removal efforts failed. The Government has not demonstrated that removal to Cuba is significantly likely in the reasonably foreseeable future.

Petitioner has not received a constitutionally adequate custody determination showing that continued detention is necessary. He complied with supervision for years and has no recent arrests.

Because removal is not significantly likely and the six-month period has expired, continued detention violates 8 U.S.C. § 1231 and the Due Process Clause of the Fifth Amendment.

WHEREFORE, Petitioner respectfully requests that this Court:

1. Order his immediate release under appropriate supervision; or
2. Alternatively, order an expedited, constitutionally adequate custody review.

Declaration Under Penalty Of Perjury

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

Name: Yamil Vasallo Gonzalez Morán

Date: 3-13-2026

A-Number: 



(Signature of Petitioner)