

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 APR 21 2026
MDA-01

LAZARO LEONARDO Sabater

Petitioner

v.

Case No. _____
(Supplied by Clerk of Court)

TODD BLANCHE: Acting Attorney General
 MARK MULLER: DHS Secretary
 HOMER BRYSON: ATLANTA FIELD OFFICE Director
 Deportation Officer: ~~K. Johnson~~ STEWART DET. CTR.
 Warden or authorized person having custody of petitioner:
 Warden: Jason Strickland STEWART DET. CTR.
 (5 in total)

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

Personal Information

1. (a) Your full name: LAZARO LEONARDO Sabater
 (b) Other names you have used: N/A
2. Place of confinement:
 (a) Name of institution: STEWART DETENTION CENTER
 (b) Address: 146 CCA ROAD
 Lumpkin GA 31815-0248
 (c) Your identification number: _____
3. Are you currently being held on orders by:
☐ Federal authorities ☐ State authorities ☒ Other - explain:
 D.H.S./I.C.E.
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: N/A
 (b) Docket number of criminal case: N/A
 (c) Date of sentencing: N/A
☒ Being held on an immigration charge
☐ Other (explain): N/A

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): N/A

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

(a) Name and location of the agency or court: DHS/I.C.E. Revoking Order of Supervision & Released into confinement.(b) Docket number, case number, or opinion number: A# [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Will not be physically removed within a foreseeable future to Cuba.

(d) Date of the decision or action:

Final Order of Removal '2012' Miami, FL

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

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A(2) Date of filing: N/A(3) Docket number, case number, or opinion number: N/A(4) Result: N/A(5) Date of result: N/A(6) Issues raised: N/A(b) If you answered "No," explain why you did not appeal: N/A

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: N/A(2) Date of filing: N/A(3) Docket number, case number, or opinion number: N/A(4) Result: N/A(5) Date of result: N/A(6) Issues raised: N/A(b) If you answered "No," explain why you did not file a second appeal: N/A9. **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: N/A(2) Date of filing: N/A(3) Docket number, case number, or opinion number: N/A(4) Result: N/A(5) Date of result: N/A(6) Issues raised: N/A(b) If you answered "No," explain why you did not file a third appeal: N/A10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☒ NoIf "Yes," answer the following: N/A

(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: N/A(2) Case number: N/A(3) Date of filing: N/A(4) Result: N/A(5) Date of result: N/A(6) Issues raised: N/A

- (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: N/A(2) Case number: N/A(3) Date of filing: N/A(4) Result: N/A(5) Date of result: N/A(6) Issues raised: N/A

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: December 29, 2025

- (b) Date of the removal or reinstatement order: 2012 Miami FL

- (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: N/A(2) Case number: N/A(3) Result: N/A(4) Date of result: N/A(5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☒ No

If "Yes," provide:

(1) Name of court: N/A(2) Date of filing: N/A(3) Case number: N/A(4) Result: N/A(5) Date of result: N/A(6) Issues raised: N/A

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: N/A(b) Name of the authority, agency, or court: N/A(c) Date of filing: N/A(d) Docket number, case number, or opinion number: N/A(e) Result: N/A(f) Date of result: N/A(g) Issues raised: N/A

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: Petitioner can not be removed to Cuba because of the Cuban repatriation conditions regarding the "1980 Mariel Boat lift."

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

Cuba will not except in return any Cuban citizen that fled politically via the Mariel Boat lift. This is to Honor Fidel Castro's Presidency. However, Fidel released (in 1979) a list called "the Migrate Accord," a list with over 2,000 names that Fidel would relieve back to Cuba.

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

☐ Yes

☒ No

GROUND TWO: Petitioner is not on the "Migrate Accord" list. Hence, Petitioner was not & will not be physically removed to Cuba.

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

IF Petitioner could be removed to Cuba, then Petitioner would be in Cuba by now. Petitioner has been removed for over 14 years with no resolve on any removal.

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

☐ Yes

☒ No

GROUND THREE: Petitioner was tried upon an attempted removal to a Third ~~country~~ country: "Mexico"

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

On or around February 2026, Petitioner was taken to Texas to undergo a Deportation into Mexico. However, ICE returned Petitioner to original place of confinement, Georgia, because the removal was void.

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

☐ Yes

☐ No

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GROUND FOUR:

~~Fourteen~~ Fourteen Years in Removal Status & 2 failed removals to country of citizenship & Third country alternative: Mexico

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

Petitioner is not going to be removed at all.

(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:

No Appeal has ever been serviced by Petitioner in this matter

Request for Relief

15. State exactly what you want the court to do:

I-122 & Release from Detention immediately
 due to the inability to undergo an actual physical removal out of the U.S.A.

Thankyou

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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:

04/09/26



Signature of Petitioner

Signature of Attorney or other authorized person, if any