

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANGELLA CHARLES,

Petitioner,

Case No. 3:26-cv-1002-WWB-PDB

v.

WARDEN, BAKER COUNTY
DETENTION CENTER, et al.,

Respondents.

_____ /

RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

Petitioner Angella Charles challenges her continued detention by U.S. Immigration and Customs Enforcement ("ICE"). Charles is no longer in ICE custody, as she was released on June 1, 2026. Charles's petition should therefore be denied as moot.

FACTUAL BACKGROUND

Charles is a national and citizen of Haiti. (Composite Exhibit, Ex. 1 at 1-2.¹) She was placed in ICE custody on March 17, 2026. *Id.* at 4.

On April 24, 2026, Charles filed a petition for writ of habeas corpus arguing her detention violates the Due Process Clause of the Fifth Amendment and

¹ Charles's February 17, 2026, Form I-213 indicates she has two pending criminal charges. The undersigned has been advised the charges have since been dropped.

Immigration and Nationality Act, and the Administrative Procedure Act. (Doc. 1.)

She was released from ICE custody on June 1, 2026. (Composite Exhibit, Ex. 1 at 4.)

ARGUMENT

Charles challenges her continued immigration detention. Because Charles is no longer in immigration custody, her Petition for a Writ of Habeas Corpus should be denied as moot.

Mootness is a jurisdictional doctrine that flows directly from the limitation, imposed by Article III of the Constitution, that federal court jurisdiction extends only to the consideration of cases and controversies. See U.S. Const. art. III; *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1335-36 (11th Cir. 2001). “[A] case is moot when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Al Najjar*, 273 F.3d at 1335-36. In other words, “a case is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief.” *Id.* at 1336 (internal quotation marks omitted). Thus, “[i]f events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed.” *Id.*

Of course, “a petitioner’s release from custody does not automatically moot a petitioner’s claim.” *Fregis v. Holder*, 2014 WL 54839, at *1 (M.D. Fla.

Jan 7, 2014) (citing *Spencer v Kemna*, 523 U.S. 1, 7-8 (1998)). Indeed, “[t]he courts have developed two exceptions to the mootness doctrine: (1) the existence of collateral consequences; and (2) when events surrounding the case are capable of repetition yet evading review.” *Id.* at *2.

The collateral consequences exception to the mootness doctrine applies “when there is some remaining ‘collateral consequence’ that may be redressed by success on the petition.” *Fregis*, 2014 WL 54839, at *2 (quoting *Spencer*, 523 U.S. at 7). In other words, a petitioner must demonstrate that he is suffering a continued, concrete injury that can be remedied by the Court. See *Spencer*, 523 U.S. at 7-8.

A second exception to mootness is the so-called “capable-of-repetition doctrine.” See *Spencer*, 523 U.S. at 17. This exception “applies only in exceptional situations,” *id.*, where “(1) there is a reasonable expectation or a demonstrated probability that the *same* controversy will recur involving the same complaining party, and (2) the challenged action is in its duration too short to be fully litigated prior to its cessation or expiration,” *Al Najjar*, 273 F.3d at 1336. Importantly, “[t]he remote possibility that an event might recur is not enough to overcome mootness, and even a likely recurrence is insufficient if there would be ample opportunity for review at that time.” *Id.*

Here, Charles challenges her continued detention in ICE custody.

Because Charles is no longer in ICE custody, her petition should be denied as moot unless an exception to the mootness doctrine applies. *See Fregis*, 2014 WL 54839, at * 1. None does. Charles has not put forth any evidence of a continuing injury that could be remedied by this Court, as is her burden under *Spencer*. *See* 523 U.S. at 13-14. Similarly, Charles has not provided any reason to believe that she will be taken back into custody, and “[t]he remote possibility that an event might recur is not enough to overcome mootness” *See Al Najjar*, 273 F.3d at 1336. Moreover, should Charles ever face ICE detention again, she would not be foreclosed from filing another petition under section 2241. Accordingly, neither exception to the mootness doctrine applies, so Charles’s habeas petition should be dismissed. *See Fregis*, 2014 WL 54839, at *2-3.

CONCLUSION

As explained above, Charles is no longer in immigration custody. Because no exception to the mootness doctrine applies, Respondents respectfully request Charles’s petition be denied as moot.

///

///

///

///

DATED this 1st day of June, 2026.

Respectfully submitted,

GREGORY W. KEHOE
United States Attorney

By: /s/ Chad C. Spraker
CHAD C. SPRAKER
Assistant United States Attorney
USA No. 198
2110 First Street, Ste. 3-137
Fort Myers, Florida 33901
Telephone: 239-461-2200
Email: chad.spraker@usdoj.gov
Counsel for Federal Respondents

Exhibit List

Exhibit 1-A: February 17, Form I-213

Exhibit 1-B: Detention History