

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

**HERNANDEZ RODRIGUEZ, JOSE GUADALUPE**

Petitioner,

v.

**RONNIE WOODALL**, Warden of Florida Baker  
Correctional Institute; **TODD LYONS**, Acting  
Director U.S. Immigration and Customs  
Enforcement, **MARKWAYNE MULLIN**,  
Secretary, U.S. Department of Homeland Security;  
U.S. DEPARTMENT OF HOMELAND  
SECURITY; **TODD BLANCHE**, Acting U.S.  
Attorney General; EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW.

Respondents.

Case No. 3:26-cv-01052-MMH-SJH

**PETITION FOR WRIT OF  
HABEAS CORPUS**

**NOTICE OF INTERVENING FACTS IN SUPPORT OF PETITION  
FOR WRIT OF HABEAS CORPUS**

**COMES NOW** Petitioner, *Jose Guadalupe Hernandez Rodriguez*, proceeding through counsel, and respectfully submits this Notice of Intervening Facts relevant to the pending Petition for Writ of Habeas Corpus filed on April 29, 2026, and states as follows:

1. On April 29, 2026, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254 / § 2241], challenging his detention by the Respondents.
2. Since the filing of the Petition, the following material developments have occurred:
  - a. On May 6, 2026, The United States Court of Appeals for 11<sup>th</sup> Circuit recent decision of merits in *Fidencio Alvarez v. Warden, Federal Detention Center Miami* (No. 25-

14065). In its ruling court opined that unadmitted aliens found in the interior of the United States are eligible for bond while in removal proceedings. Indeed, the Court in its *majority* opinion rejected the Government's argument that aliens must be detained without bond under 8 U.S.C. § 1225(b)(2)(A) (no bond policy), and confirmed that § 1225(b)(2)(A) only limits no-bond detention to applicants for admission who are “seeking admission,” and is inapplicable to those already present within the interior of the United States.

b. Consequently, on May 08, 2026, Petitioner filed a Motion for Bond with the Executive Office for Immigration Review. Bond was scheduled for May 14, 2026, and Petitioner was granted Bond in the amount of \$5,000.00.

3. These intervening facts are relevant to the Court’s consideration of the Petition rendering the legal issues presented in the Petition filed on April 29, 2026, moot.

**WHEREFORE**, Petitioner respectfully requests that this Court take judicial notice of these intervening facts in its consideration of the pending habeas petition.

DATED this 18<sup>th</sup> day of May, 2026.

Respectively Submitted

//s/ Atalie Hemans

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