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

JULIO ISAAC OROZCO FABELA

Petitioner,

v.

WARDEN, BAKER CORRECTIONAL INSTITUTION, et al.,

Respondents.

3:26-CV-1015-MMH-LLL

**EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)**

A-Number: 

Detained at: Baker Correctional Institution

Date of Detention: January 24, 2026

Next Hearing: May 1, 2026 at 2:30 PM

Immigration Judge: Pedro J. Espinal

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

**JULIO ISAAC OROZCO FABELA,
Petitioner,**

Case No: Att 

**WARDEN, BAKER CORRECTIONAL INSTITUTION,
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY,
Respondents.**

**EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)**

Petitioner, JULIO ISAAC OROZCO FABELA, respectfully submits this Emergency Petition and states:

I. INTRODUCTION

This case presents a clear violation of the Fifth Amendment Due Process Clause. Petitioner has a fundamental liberty interest protected under the Constitution, which is being violated by his continued detention without an individualized bond hearing.

Petitioner remains detained despite having an active immigration case and a scheduled court hearing, demonstrating that his detention is unjustified and constitutionally deficient.

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241.

Venue is proper because Petitioner is detained within this District.

III. PARTIES

Petitioner:

Julio Isaac Orozco Fabela

A#:



Detained at Baker Correctional Institution, Florida

Respondents:

Warden, Baker Correctional Institution

U.S. Immigration and Customs Enforcement (ICE)

Secretary, U.S. Department of Homeland Security

IV. FACTUAL BACKGROUND

Petitioner is a native and citizen of Mexico who has resided in the United States for approximately twenty-two (22) years.

On or about January 24, 2026, Petitioner was detained by immigration authorities in Tampa, Florida.

Petitioner is currently in active removal proceedings. His case remains pending, and he has a scheduled Master Calendar hearing on May 1, 2026 at 2:30 PM before Immigration Judge Pedro J. Espinal.

Petitioner is married and the father of three (3) United States citizen children.

One of Petitioner's minor children suffers from a severe and life-altering medical condition, specifically cerebral palsy, requiring continuous care, supervision, medical treatment, and emotional support.

Petitioner plays a critical and irreplaceable role in the care and stability of his child. His detention has significantly disrupted the child's well-being and access to proper care.

Petitioner has been the primary financial provider for his household and has maintained steady employment as a skilled electrician and carpenter.

His continued detention has caused severe financial hardship and emotional distress to his family.

V. LEGAL ARGUMENT

A. DETENTION WITHOUT A BOND HEARING VIOLATES THE FIFTH AMENDMENT

The Due Process Clause prohibits arbitrary detention.

Petitioner has been detained for a prolonged period without a meaningful opportunity to challenge his custody before a neutral decision-maker.

See Jennings v. Rodriguez, 138 S. Ct. 830 (2018);

Demore v. Kim, 538 U.S. 510 (2003);

Zadvydas v. Davis, 533 U.S. 678 (2001).

Such detention without procedural safeguards is unconstitutional.

B. PETITIONER IS NOT A DANGER AND DOES NOT POSE A FLIGHT RISK

Petitioner has:

- Over two decades of residence in the United States**
- A stable family with U.S. citizen children**
- Strong community ties**
- Consistent employment history**

These factors demonstrate that continued detention is unnecessary.

C. DETENTION CAUSES SEVERE AND IRREPARABLE HARM

Petitioner's continued detention is causing extraordinary harm to his family, particularly to his minor child suffering from cerebral palsy.

This condition requires constant care, stability, and parental support, which has been significantly disrupted.

The absence of Petitioner has created a direct and adverse impact on the child's medical care, emotional stability, and overall well-being.

Courts recognize that humanitarian considerations and the protection of vulnerable U.S. citizen children are critical factors in evaluating the constitutionality of continued detention.

VI. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant this Emergency Petition for Writ of Habeas Corpus;
2. Order Respondents to provide an immediate bond hearing before an Immigration Judge;
3. Alternatively, order Petitioner's immediate release under reasonable conditions of supervision;
4. Grant any other relief deemed just and proper.

Respectfully submitted,



Julio Isaac Orozco Fabela

Date: 04/25/26

A#

