

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

ANGEL E. ALVAREZ
Petitioner

v.

Case No.

3:26-CV-1079-WWB-SJ
(Supplied by Clerk of Court)

WARDEN, FLORIDA BAKER CORRECTIONAL INSTITUTE
Respondent
(name of warden or authorized person having custody of petitioner)

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

Personal Information

1. (a) Your full name: ANGEL ENRIQUE ALVAREZ LECHUGA
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: BAKER CORRECTIONAL INSTITUTION
(b) Address: 20706 U.S. Highway 90 WEST SANDERSON
FLORIDA 32087
(c) Your identification number: _____
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
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: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

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): _____

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

(a) Name and location of the agency or court: BAKER CORRECTIONAL INSTITUTION
20706 U.S. Highway 90 West SANDERSON FL 32087(b) Docket number, case number, or opinion number: [REDACTED](c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
FINAL DEPORTATION ORDER(d) Date of the decision or action: 02-19-2015**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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

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

☐ Yes

☒ No

If "Yes," answer the following:

(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: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (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: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 01-14-2026(b) Date of the removal or reinstatement order: 02-19-2015

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

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

☐ Yes ☒ No

If "Yes," provide:

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

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

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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: My detention has been UN CONSTITUTIONALLY PROLONGED AND VIOLATES THE FIFTH AMENDMENT OF THE CONSTITUTION

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

SINCE I RECEIVED MY FINAL ORDER OF REMOVAL ON 02-19-2015, I HAVE BEEN DETAINED ON TWO DIFFERENT OCCASIONS BY I.C.E. THE FIRST TIME THE DETENTION LASTED 88 DAYS UNTIL I WAS RELEASED UNDER SUPERVISION, WHICH I ALWAYS COMPLIED WITH, ALWAYS REPORTING TO THE I.C.E. OFFICES WHEN REQUESTED. (...)

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

☐ Yes

☒ No

GROUND TWO: BECAUSE MY EXPULSION TO ANY COUNTRY IS UNLIKELY IN A REASONABLY FORESEEABLE FUTURE, MY DETENTION NO LONGER SERVES THE PURPOSES OF I.C.E. AND VIOLATES THE IMMIGRATION AND NATIONALITY ACT AND THE FIFTH AMENDMENT OF THE CONSTITUTION

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

DURING MY 72 MONTH CRIMINAL SENTENCE, I TOOK SEVERAL COURSES ON ALCOHOL WITHDRAWALS, ANGER MANAGEMENT, AND REINTEGRATION INTO SOCIETY, IN ADDITION I MAINTAINED EXCELLENT BEHAVIOR WITHOUT ANY DISCIPLINARY PROBLEM WHICH MADE ME ELIGIBLE FOR A SENTENCE REDUCTION, I WAS ONLY INCARCERATED FOR A TOTAL OF 63 MONTHS. (...)

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

☐ Yes

☒ No

GROUND THREE: I HAVE A SON THAT IS NATURAL BORN U.S. CITIZEN OF 21 YEARS OF AGE HIS NAME IS THE SAME AS MINE ANGEL ALVAREZ HE IS STUDYING IN IDWA UNIVERSITY TO BE VETERINARY DOCTOR MY SON WAS BORN ON 01-10-2005 ON HIALEAH HOSPITAL

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

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

☐ Yes

☒ No

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GROUND FOUR: I ANGEL F. ALVAREZ HAVE LIVED HERE IN THE UNITED STATES IN MIAMI, FL SINCE 2001 I CAME TO UNITED STATES 06-02-2001 BY VISA LOTTERY GAME THAT EXIST BETWEEN U.S.A AND CUBA I PAID TAXES SINCE 2002 TO 2024

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

(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: THE APPEAL WOULD BE USELESS BECAUSE THE IMMIGRATION APPEALS BOARD CANNOT RESOLVE CONSTITUTIONAL ISSUES

Request for Relief

15. State exactly what you want the court to do: ORDER MY IMMEDIATE RELEASE FROM DETENTION OR, ALTERNATIVELY, ORDER A BAIL HEARING IN WHICH THE GOVERNMENT MUST PROVE WITH CLEAR AND CONVINCING EVIDENCE THAT MAY CONTINUED DETENTION IS NECESSARY

GROUND ONE:

(a) SUPPORTING FACTS:

(CONTINUE) (... HOWEVER, RIGHT NOW I HAVE BEEN DETAINED FOR 92 DAY
UNDER THE SAME CIRCUMSTANCES, WITHOUT THE RIGHT TO RELEASE
ON UNDER SUPERVISION

GROUND TWO:

(a) SUPPORTING FACTS:

(CONTINUE) (... UNTIL MY RELEASE FURTHERMORE, DURING THE FOLLOWING
48 MONTHS OF PROBATION, I ALWAYS APPEARED WHEN REQUIRED
AND NEVER HAD ANY KIND OF PROBLEMS.

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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:

04-25-2026

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:

04-25-2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any