

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

UNITED STATES DISTRICT COURT

for the

FELIX CARRILLO NOA
Petitioner

v.

U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
WARDEN, BAKER COUNTY DETENTION CENTER
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 3:26-CV-1094-JEP-PD
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: FELIX CARRILLO NOA
- (b) Other names you have used: _____
2. Place of confinement:
 - (a) Name of institution: BAKER COUNTY DETENTION CENTER
 - (b) Address: 20706 U.S. HIGHWAY 90 W
SANDERSON, FL. 32087
 - (c) Your identification number: 
3. Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain:

ICE DETENTION
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: U.S. IMMIGRATION AND CUSTOMSENFORCEMENT

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

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

DETENTION WITHOUT DUE PROCESS IS UNCONSTITUTIONAL. PETITIONER IS UNDER OSUP SINCE 2013 AFTER PRIOR DETAINMENT. PETITIONER WAS RE-DETAINED ON 12/18/2025 WITH NO CHANGE TO HIS CIRCUMSTANCES, OSUP WAS NEVER REVOKED.

(d) Date of the decision or action: _____

Your Earlier Challenges of the Decision or Action7. **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: 2005(3) Docket number, case number, or opinion number: N/A(4) Result: DISMISSED(5) Date of result: 2005(6) Issues raised: N/A

(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: _____

NO LEGAL COUNSEL9. **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: _____

NO LEGAL COUNSEL10. **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: 12/18/2025(b) Date of the removal or reinstatement order: DATE OF REMOVAL 3/18/2003

(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: RE-DETENTION WITHOUT CHANGED CIRCUMSTANCES IS ARBITRARY AND UNLAWFUL

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 Do not cite cases or law.):

PETITIONER WAS PREVIOUSLY RELEASED AND COMPLIED WITH ORDER OF SUPERVISION SINCE 2013. ABSENT A MATERIAL CHANGE IN CIRCUMSTANCES, THE RE-DETENTION OF NONCITIZENS PREVIOUSLY RELEASED BY DHS VIOLATES THE INA BECAUSE IT DOES NOT SERVE THE PURPOSE OF THE STATUTE. PETITIONER'S OSUP WAS NEVER REVOKED.

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

☐ Yes

☒ No

GROUND TWO: REMOVAL TO CUBA IS NOT REASONABLY FORESEEABLE.

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

PETITIONER'S FINAL ORDER OF REMOVAL TO CUBA WAS ON 3-18-2003. PETITIONER'S PRIOR ICE DETAINMENT WAS FROM 7/2013-10/2013. PETITIONER'S CURRENT DETAINMENT WAS ON 12/13/2025. ICE HAS STILL NOT BEEN ABLE TO OBTAIN TRAVEL DOCUMENTS, FLIGHT, OR TIMEFRAME OF REMOVAL TO CUBA OR A THIRD COUNTRY. THERE IS NO REMOVAL IN THE REASONABLY FORESEEABLE FUTURE.

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

☐ Yes

☒ No

GROUND THREE: VIOLATION OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION DUE PROCESS CLAUSE.

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

PETITIONER HAD PRIOR DETAINMENT IN 2013. PETITIONER WAS RE-DETAINED ON 12/13/2025 NOT FOR A VIOLATION OF OSUP AS THERE WAS NO REVOCATION AND THERE WAS NO INFORMAL INTERVIEW. PETITIONER WAS RE-DETAINED BECAUSE OF A CHANGE IN THE POLITICAL LANDSCAPE, NOT BECAUSE REMOVAL CAN NOW BE EFFECTUATED, AND NOT BECAUSE A JUDGE SIGNED A REVOKATION OF RELEASE ORDER.

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

☐ Yes

☐ No

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GROUND FOUR: THERE IS NO REMOVAL TO A THIRD COUNTRY IN THE REASONABLY FORESEEABLE FUTURE.

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

SINCE RE-DETAINMENT STARTED ON 12/16/2025, PETITIONER HAS BEEN TOLD MULTIPLE TIMES BY ICE OFFICIALS THAT CUBA DOES NOT ACCEPT HIM, AND IF HE WANTS TO SIGN TO MEXICO, PETITIONER ASKED IF THERE ARE DOCUMENTS STATING ACCEPTANCE TO MEXICO, AND BOTH TIMES HE TOLD NO. ICE HAS BEEN TRYING TO COERCE PETITIONER TO SIGNING UNDER FALSE PRETENSES. THERE IS NO TRAVEL DOCUMENTS OR COUNTRY ACCEPTANCE TO A THIRD COUNTRY.

(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:

Request for Relief

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

PETITIONER RESPECTFULLY REQUEST FOR THIS COURT TO GRANT THIS WRIT OF HABEAS CORPUS AND IMMEDIATE RELEASE FROM ICE CUSTODY. PETITIONER FURTHER REQUEST ANY RELIEF THIS COURT DEEMS JUST AND PROPER INCLUDING CONTINUING CURRENT ORDER OF SUPERVISION.

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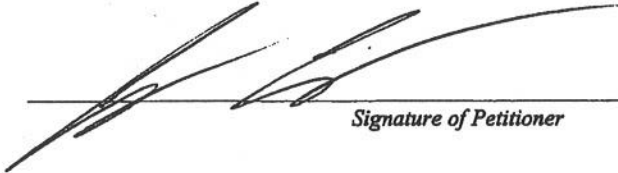
Declaration Under Penalty Of Perjury

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:

4/28/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any