

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

JACKSONVILLE DIVISION

LUIS HERNANDEZ-ROMERO,

Petitioner,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE), et al.,

Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

PRO SE PETITION

Submitted by:

Luis Hernandez-Romero

A#:



Florida Baker Correctional Institute

FILED - 1600 - EMD - 2026
MAY 5 2026 2:44

I. INTRODUCTION

Petitioner, Luis Hernandez-Romero, respectfully submits this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging the legality of his continued detention.

His detention violates the Fifth Amendment Due Process Clause as it is excessive, unjustified, and no longer serves a legitimate government purpose.

Mr. Hernandez-Romero has lived in the United States for over twenty-one (21) years. He is a husband, father of three children, and the primary financial provider for his family. He has deep and permanent ties to the community and has demonstrated continuous compliance with the law.

Critically, Petitioner has an approved I-601A Provisional Waiver, confirming eligibility for lawful permanent residency through a family-based petition.

II. STATEMENT OF FACTS

Petitioner entered the United States in or around 2005 and has resided continuously since that time.

He is married to Maricela Martinez and resides with his family in Riverview, Florida. Together, they have three children who depend entirely on him for emotional and financial support.

Petitioner has worked in landscaping and has been the primary provider for his household.

On July 10, 2019, Petitioner received approval of his I-601A Provisional Waiver, establishing a lawful pathway toward permanent residency.

Despite timely compliance with NVC requirements, his case was administratively terminated due to government error, not abandonment.

Petitioner was detained on April 16, 2026, and remains in ICE custody.

III. LEGAL ARGUMENT

A. PROLONGED DETENTION VIOLATES DUE PROCESS

Civil immigration detention must be reasonable and justified. Petitioner's continued detention is excessive and violates due process.

B. PETITIONER IS NOT A FLIGHT RISK OR DANGER

Petitioner has strong family ties, a fixed residence, and a long history in the United States. These factors demonstrate he is neither a flight risk nor a danger.

C. EXISTING IMMIGRATION RELIEF

Petitioner has an approved I-601A waiver and an established immigration pathway. His detention undermines his ability to pursue lawful relief.

D. IRREPARABLE HARM

His detention causes severe emotional and financial hardship to his wife and children.

IV. REQUEST FOR RELIEF

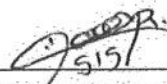
Petitioner respectfully requests that this Court:

1. Grant this Petition for Writ of Habeas Corpus;
2. Order his immediate release; or
3. Order a prompt bond hearing;
4. Grant any further relief deemed just and proper.

V. CONCLUSION

Mr. Hernandez-Romero is a long-term resident, devoted husband, and father who has followed legal immigration processes. His continued detention is unjustified and unconstitutional.

Respectfully submitted,



Luis Hernandez-Romero
Petitioner Pro Se

Date: 05/03/2026

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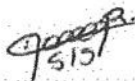
CERTIFICATE OF SERVICE

I, Luis Hernandez-Romero, served a true and correct copy of the foregoing Petition for Writ of Habeas Corpus upon the following parties by placing the same in the United States Mail, postage prepaid:

Office of the United States Attorney
Middle District of Florida
300 North Hogan Street, Suite 700
Jacksonville, FL 32202

Office of the Principal Legal Advisor (OPLA)
U.S. Immigration and Customs Enforcement
9495 Delegates Drive
Orlando, FL 32837

I declare under penalty of perjury that the foregoing is true and correct.



Luis Hernandez-Romero
Petitioner Pro Se

Date: 05/03/2026