

FILED - USDC - FLND - JAX
MAY 5 2026 PM 2:49

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

3:26-CV-1151-WWB-MCR

D 

a minor, by and through his Next Friend

JUANA LETICIA CETO,

Petitioner,

v.

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

Respondents.

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

PRO SE

FOR IMMEDIATE RELEASE OF A DETAINED MINOR

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

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(A Minor, by Next Friend JUANA LETICIA CETO)

Petitioner,

v.

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

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

PRO SE PETITION

COMES NOW the Petitioner, D [REDACTED], a minor, by and through his Next Friend and legal custodian, JUANA LETICIA CETO, and respectfully petitions this Honorable Court for a Writ of Habeas Corpus, and states as follows:

I. INTRODUCTION

This case presents the unlawful and unconstitutional detention of a minor child by federal immigration authorities. Despite a valid state court order finding that the Petitioner is a victim of abuse, abandonment, and neglect, and despite the existence of a safe and stable custodial placement, Respondents continue to detain the Petitioner in violation of the Constitution and laws of the United States.

Immediate judicial intervention is required to prevent ongoing and irreparable harm.

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in custody under the authority of the United States and is being held in violation of the Constitution and laws of the United States.

Venue is proper in this District because Petitioner is detained within the Middle District of Florida.

III. PARTIES

Petitioner is a minor born on [REDACTED] 2007, in Guatemala, currently detained by U.S. Immigration and Customs Enforcement.

Respondents are the federal officials and agencies responsible for Petitioner's detention.

IV. STATEMENT OF FACTS

Petitioner suffered severe abuse, abandonment, and neglect in Guatemala. His father physically abused and abandoned him. His mother was unable to provide care due to alcoholism and neglect.

A Florida state court issued a final order granting legal custody of Petitioner to his sister, JUANA LETICIA CETO, after making explicit findings that:

- Petitioner was subjected to abuse, abandonment, and neglect;

- Reunification with either parent is not viable;
- It is not in Petitioner's best interest to return to Guatemala.

Petitioner has a pending Special Immigrant Juvenile Status (SIJS) petition.

Petitioner has a verified and stable residence with his sister, who is ready and able to assume custody immediately.

Despite these facts, Respondents continue to detain Petitioner.

V. GROUNDS FOR RELIEF

A. VIOLATION OF THE FIFTH AMENDMENT – DUE PROCESS

The continued detention of a minor with a valid custodial placement and pending immigration relief violates the Due Process Clause of the Fifth Amendment.

Petitioner's detention is arbitrary, excessive, and not reasonably related to any legitimate government purpose.

B. VIOLATION OF THE FLORES SETTLEMENT AGREEMENT

The detention of minors must comply with the Flores Settlement Agreement, which requires that minors be placed in the least restrictive setting and released without unnecessary delay to a suitable custodian.

Respondents have failed to comply with these requirements.

C. IRREPARABLE HARM

Petitioner is suffering ongoing emotional, psychological, and developmental harm as a result of continued detention.

Each additional day of detention exacerbates this harm.

D. BEST INTEREST OF THE CHILD

All relevant legal standards require that the best interest of the child be paramount. Continued detention directly contradicts this principle.

VI. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

1. Issue a Writ of Habeas Corpus;
2. Order Petitioner's immediate release from custody;
3. In the alternative, order an immediate bond hearing;
4. Grant expedited consideration of this Petition;
5. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,


D [REDACTED]

Date: 05/03/2026

Petitioner (Minor)



JUANA LETICIA CETO
Next Friend / Legal Custodian

Date: 4. 22 2024