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Attorney for Petitioner

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

Lazaro Reitor Riveron,

Petitioner,

v.

Warden, Florida Baker Correctional Institute;

Garrett J. Ripa, Field Office Director, ICE
Miami Field Office;

Todd Lyons, Director of Immigration and
Customs Enforcement;

Markwayne Mullin, Secretary of the U.S.
Department of Homeland Security; and

Todd Blanche, Attorney General of the United
States,

Respondents.

Case No.: 3:26-cv-1161

PETITION FOR WRIT OF
HABEAS CORPUS

IMMIGRATION HABEAS CASE

PETITIONER'S REPLY TO RESPONDENTS' OPPOSITION
TO PETITION FOR WRIT OF HABEAS CORPUS

Petitioner Lazaro Reitor Riveron, by and through undersigned counsel, submits this Reply to Respondents' Opposition to the Petition for Writ of Habeas Corpus (Doc. 8), and respectfully shows the Court:

PRELIMINARY STATEMENT

This case has been largely resolved by Respondents' own brief. In their Opposition, the Government expressly **concedes** that *Hernandez Alvarez v. Warden, Fed. Det. Ctr. Miami*, No. 25-14065, 2026 WL 1243395 (11th Cir. May 6, 2026), is binding on this Court. Doc. 8 at 5. The Government further concedes that under *Hernandez Alvarez*, § 1225(b)(2)(A) mandatory detention does not apply to Petitioner, and that — in the event this Court orders a bond hearing — it requests only seven working days to arrange one. *Id.* The logical extension of those concessions is that Petitioner is not subject to mandatory detention and is entitled to an immediate, individualized bond hearing under § 1226(a) — or, given the undisputed facts of record, to outright release.

Respondents' sole remaining argument — that expired parolees are a distinct subcategory of arriving aliens who remain subject to § 1225 mandatory detention even after *Hernandez Alvarez* — is foreclosed by the Eleventh Circuit's plain holding. The Court should issue the writ, and should order Petitioner's prompt release or, at minimum, an immediate bond hearing at which the burden falls on the Government to justify continued detention by clear and convincing evidence.

ARGUMENT

I. RESPONDENTS CONCEDE THAT *HERNANDEZ ALVAREZ* IS BINDING AND DISPOSITIVE.

The Government's concession could not be clearer: “*Respondents acknowledge Hernandez Alvarez is binding on this Court.*” Doc. 8 at 5 (emphasis added). The Government does not ask this Court to depart from *Hernandez Alvarez*; it reserves only a potential future appellate challenge. *Id.* That reservation is irrelevant to the case before this Court. The Eleventh Circuit's decision is the law of this circuit, and this Court is bound by it.

Hernandez Alvarez held in plain terms that § 1225(b)(2)(A) mandatory detention applies only to aliens **seeking lawful entry at the border**, and not to aliens “present” in the interior who are not actively seeking admission. 2026 WL 1243395, at *13-14. The court held: “§ 1225 applies to arriving aliens seeking entry at the border, whereas § 1226 applies to aliens unlawfully in the interior.” *Id.* at *14. That holding governs this case.

II. RESPONDENTS' 'FORMER PAROLEE' DISTINCTION CANNOT SURVIVE *HERNANDEZ ALVAREZ*.

Respondents argue that Petitioner, as a formerly paroled alien whose parole has expired, remains an “arriving alien” subject to § 1225 mandatory detention even after *Hernandez Alvarez*. Doc. 8 at 3-4. The argument depends on the regulatory definition that an “arriving alien remains an

arriving alien even if paroled pursuant to section 212(d)(5) of the Act, and even after any such parole is terminated or revoked.” 8 C.F.R. § 1.2. This argument fails for multiple independent reasons.

A. The Regulatory Label Cannot Override the Statute.

The regulatory definition in 8 C.F.R. § 1.2 classifies parolees as “arriving aliens” for administrative purposes. But *Hernandez Alvarez* did not construe the regulatory definition — it construed the **statute**: § 1225(b)(2)(A). The Eleventh Circuit held that the statutory text “is clear” and applies only to a narrow category of aliens “seeking lawful entry” at the border. 2026 WL 1243395, at *13. An agency regulation cannot expand the reach of a mandatory detention statute beyond what Congress authorized. *Chevron U.S.A., Inc. v. Natural Resources Defense Council*, 467 U.S. 837, 842-43 (1984) (agency may not act contrary to clear statutory text); *Loper Bright Enterprises v. Raimondo*, 144 S. Ct. 2244 (2024) (courts determine statutory meaning independently).

Petitioner is not “seeking lawful entry” at a port of entry. He has been physically present in the United States for over three years, employed, and residing in Jacksonville with his United States citizen partner. He is squarely within *Hernandez Alvarez*'s category of aliens “present in the interior,” not those “seeking entry at the border.” 2026 WL 1243395, at *14.

B. District Courts in This District Have Already Rejected the 'Former Parolee' Exception.

Respondents cite *Cooper Pedro v. Warden*, No. 2:26-cv-KCD-DNF (M.D. Fla. Apr. 2, 2026), for the proposition that formerly paroled aliens remain subject to § 1225. Doc. 8 at 4. But *Cooper Pedro* was decided on April 2, 2026 — over a month **before** the Eleventh Circuit issued *Hernandez Alvarez* on May 6, 2026. That decision plainly did not have the benefit of — and cannot survive — the controlling circuit authority.

Indeed, courts in this very district that considered the question after *Hernandez Alvarez* have granted relief. Respondents themselves acknowledge that *Mendes v. Garrett J. Ripa*, No. 3:26-cv-118-JEP-PDB (M.D. Fla. May 19, 2026), rejected the argument that formerly paroled aliens are categorically excluded from *Hernandez Alvarez*'s holding. Doc. 8 at 4-5. *Mendes* is directly on point: it arose in this district, post-*Hernandez Alvarez*, and involved a paroled alien placed in removal proceedings after parole termination — the identical posture here.

C.The Government's 'As If Stopped at the Border' Theory Proves Too Much.

Respondents rely on *Dep't of Homeland Security v. Thuraissigiam*, 591 U.S. 103, 139 (2020), for the proposition that parolees may be treated “as if stopped at the border.” Doc. 8 at 4. But *Thuraissigiam* addressed the scope of **habeas review** for aliens detained in expedited removal under § 1225(b)(1) — not the mandatory detention standards of § 1225(b)(2). It has no application to whether § 1226(a) governs Petitioner's detention.

Moreover, even accepting arguendo the “stopped at the border” fiction, that fiction was operative only during Petitioner's parole period — the device by which DHS defers formal exclusion

proceedings. Once parole expired and Petitioner was no longer “at” any border, but was instead apprehended as a passenger in a vehicle in Jacksonville, Florida, the legal fiction loses its foundation. *Hernandez Alvarez* explicitly rejected the position that aliens encountered in the interior remain subject to border-based detention authority merely because of their prior mode of entry. 2026 WL 1243395, at *13-14.

III. PETITIONER'S DETENTION IS GOVERNED BY § 1226(a), WHICH REQUIRES AN INDIVIDUALIZED BOND HEARING.

Because § 1225(b)(2)(A) mandatory detention does not apply, Petitioner's detention is governed by § 1226(a), which provides that “an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States.” Under § 1226(a), detention is discretionary — not mandatory — and must be accompanied by a bond hearing before an immigration judge.

At that hearing, Petitioner is entitled to the full framework established by the BIA in *Matter of Guerra*, 24 I&N Dec. 37, 40 (BIA 2006), including consideration of his family ties, employment history, community ties, criminal record, and prior compliance with immigration authorities. The record here is unambiguous on all relevant factors:

(1) **No criminal record.** Petitioner has no arrests, charges, or convictions in the United States or Cuba. His Cuban criminal records certificate confirms no criminal antecedents as of May 2023. The I-213 itself lists his criminal record as “NEGATIVE.”

(2) **Employment and financial stability.** Petitioner earned \$52,828 in wages in 2025, as reflected in his U.S. Form 1040. He is employed by [REDACTED] as an operator/fabricator/laborer, earning \$750 weekly.

(3) **Stable residential ties.** Petitioner has resided continuously at [REDACTED] [REDACTED] since his arrival in 2023.

(4) **United States citizen partner.** Petitioner lives with Lisa Beccardi, a United States citizen. This relationship constitutes a powerful incentive to appear and comply with all conditions of supervision.

(5) **Pending I-485 under the Cuban Adjustment Act.** Petitioner has a pending adjustment of status application filed with USCIS. His Category C09 EAD application (Receipt No. [REDACTED] filed February 28, 2025) confirms the pendency of his I-485 well before the CHNV termination notice. Approval of his I-485 will confer lawful permanent resident status and moot removal proceedings entirely.

(6) **Manner of encounter.** Petitioner was not engaged in any criminal conduct. He was a passenger in a delivery vehicle and was encountered incidentally. No criminal charges have been filed.

Applying *Matter of Guerra*, the government cannot demonstrate that Petitioner is a danger to the community or a flight risk. The appropriate relief is release on recognizance or, at most, a nominal bond.

IV. THE COURT SHOULD ORDER RELEASE — OR, AT MINIMUM, AN IMMEDIATE BOND HEARING WITH THE BURDEN ON THE GOVERNMENT.

Respondents concede this Court has authority to order a § 1226(a) bond hearing, and request only seven working days to arrange one. Doc. 8 at 5. But given the undisputed record — clean criminal history, stable employment, USC partner, pending I-485, three years of continuous presence — the Court need not wait for a bond hearing to determine the appropriate outcome. *See Zadvydas v. Davis*, 533 U.S. 678, 699-700 (2001) (habeas court has authority to craft appropriate remedy); *Madu v. U.S. Att'y Gen.*, 470 F.3d 1362, 1366-67 (11th Cir. 2006).

Petitioner has now been detained since April 28, 2026 — over six weeks — without any individualized determination that his detention is necessary. Each day of continued detention without process is an independent constitutional injury. *See Mathews v. Eldridge*, 424 U.S. 319, 335 (1976) (balancing the private interest, the risk of erroneous deprivation, and the government's interest). The private interest here — liberty itself — is at its zenith. The risk of erroneous deprivation is high, given that Petitioner's detention rests on a mandatory detention theory the Government now concedes does not apply. The government interest is minimal; Petitioner presents no danger and no flight risk.

If the Court orders a bond hearing rather than immediate release, Petitioner respectfully requests:

- (1) The hearing shall be held within **three (3) business days** of this Court's order, not seven working days as the Government proposes;
- (2) The **burden of proof** shall rest on the Government to demonstrate by clear and convincing evidence that continued detention is necessary on grounds of dangerousness or flight risk;
- (3) The immigration judge shall consider the full *Matter of Guerra* framework, and the pending I-485 and pending habeas petition shall be treated as relevant factors counseling release; and
- (4) This Court shall retain jurisdiction and Respondents shall be ordered not to transfer Petitioner outside this district or remove him from the United States while this matter is pending.

**V. PETITIONER'S PENDING I-485 AND CUBAN ADJUSTMENT ACT ELIGIBILITY
PROVIDE AN INDEPENDENT BASIS FOR RELIEF.**

Even setting aside the § 1225 vs. § 1226 detention question, Petitioner's continued detention is independently unlawful. He has a pending Form I-485 filed under the Cuban Adjustment Act of

1966 — a statute of Congress that has never been repealed and which the Trump administration's Federal Register Notice did not purport to repeal or modify.

The CAA provides that a Cuban national who has been inspected and paroled into the United States and who has been physically present for at least one year shall be eligible for adjustment to lawful permanent resident status. *Pub. L. No. 89-732, 80 Stat. 1161*. Petitioner satisfies each requirement: he entered on parole on May 15, 2023; he has been continuously present for over two years; and his I-485 was filed and confirmed by his C09 EAD receipt notice (IOE0930436157, dated February 28, 2025).

A pending CAA-based I-485 is a legally cognizable basis for authorized presence. The government may not detain and remove a Cuban national while his congressionally authorized adjustment application remains unadjudicated, without affording him the process necessary to protect that statutory right. *See INS v. St. Cyr*, 533 U.S. 289, 307 (2001) (aliens have protected interests in relief for which they are eligible); *Landon v. Plasencia*, 459 U.S. 21, 34 (1982).

Respondents' Opposition does not address the pending I-485 or the CAA at all. The government's silence on this issue is telling. Petitioner's adjustment application is not a theoretical future possibility — it is a filed, pending, confirmed statutory application that USCIS has not adjudicated. The government cannot simply bypass that process through detention and removal.

CONCLUSION

The Government has conceded the controlling legal authority. *Hernandez Alvarez* is binding and dispositive: § 1225(b)(2)(A) mandatory detention does not apply to Petitioner. He is entitled to detention review under § 1226(a). The undisputed record — no criminal history, stable employment, United States citizen partner, pending I-485 under the Cuban Adjustment Act, three years of continuous lawful presence, and apprehension as a mere passenger in a vehicle — compels his release.

WHEREFORE, Petitioner Lazaro Reitor Riveron respectfully requests that this Court:

1. Grant the Petition for Writ of Habeas Corpus;
2. Order Petitioner's immediate release from custody under reasonable conditions of supervision; or in the alternative,
3. Order Respondents to provide Petitioner with an individualized bond hearing under § 1226(a) within three (3) business days, at which the Government bears the burden of demonstrating by clear and convincing evidence that continued detention is necessary;
4. Order that the burden of proof at any such bond hearing rest on the Government;
5. Order Respondents to refrain from transferring Petitioner outside the jurisdiction of this Court or removing him from the United States while this matter is pending;
6. Award attorneys' fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412; and
7. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Anny Leon

Anny Leon, Esq.

Florida Bar No. 1010760

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anny@annyleonlaw.com

Attorney for Petitioner Lazaro Reitor Riveron

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June 2026, a true and correct copy of the foregoing Reply was filed with the Clerk of Court using the CM/ECF system, which will transmit a Notice of Electronic Filing to counsel for Respondents: Matthew T. Brodersen, Special Assistant United States Attorney, U.S. Attorney's Office, 400 W Washington Street, Suite 3100, Orlando, FL 32801.

/s/ Anny Leon

Anny Leon, Esq.

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [REDACTED]

Event: [REDACTED]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

FINS: [REDACTED]

File No: [REDACTED]

In the Matter of:

Respondent: LAZARO REITOR RIVERON

currently residing at:

20706 US Highway 90 Sanderson, FLORIDA 320872359

(Number, street, city, state and ZIP code)

(Area code and phone number)

- ☐ You are an arriving alien.
- ☒ You are an alien present in the United States who has not been admitted or paroled.
- ☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of CUBA and a citizen of CUBA ;
3. You arrived in the United States at or near UNKNOWN PLACE , on or about unknown date ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.
5. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the See Continuation Page Made a Part Hereof

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

See Continuation Page Made a Part Hereof

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

20706 FL-10, SANDERSON, FLORIDA 32087. BAKER CORRECTIONAL INSTITUTION

(Complete Address of Immigration Court, including Room Number, if any)

on June 3, 2026 at 1:00 pm to show why you should not be removed from the United States based on
(Date) (Time)

the charge(s) set forth above.

[Signature]
(Signature and Title of Issuing Officer)

Date: April 30, 2026

JACKSONVILLE, FLORIDA
(City and State)

201K - 1 01 4

Notice to Respondent

Alien Registration: This Notice to Appear serves as evidence of your alien registration pursuant to INA § 262. If you are 18 years or older, failure to carry this Notice to Appear, or other evidence of alien registration as provided in 8 C.F.R. § 264.1(b), on your person at all times is a criminal offense pursuant to INA § 264(e), for which you may be subject to a criminal penalty of \$5,000 and imprisonment of up to 30 days.

Notification to the Department of Homeland Security (DHS) of Change of Address: All aliens aged 14 years or older, and all parents and legal guardians of aliens under the age of 14, must report a change of address to U.S. Citizenship and Immigration Services, a component of DHS, within 10 days of moving, pursuant to INA § 265(a). Failure to notify DHS of your change of address is a criminal offense pursuant to INA § 266(b), for which you may be subject to a criminal penalty of \$5,000 and imprisonment of up to 30 days. More information is available online at <https://www.uscis.gov/addresschange>. This obligation is in addition to your obligation to notify the Immigration Court of your change of address.

Representation: If you choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to INA §§ 240(b)(4)(A) and 292. Unless you request otherwise in writing, no hearing will be scheduled earlier than 10 days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost is provided with this notice.

Conduct of the hearing: At your hearing you will be given the opportunity to admit or deny any or all of the allegations in this Notice to Appear, including that you are inadmissible or deportable. You will be advised by the immigration judge of any relief from removal for which you may appear eligible, including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge. At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross-examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/I-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to INA § 208(a)(2)(B).

Notification to the Immigration Court of Change of Address: You are required to notify the Immigration Court, in writing, of your full mailing address and telephone number (if any). You must also immediately notify the Immigration Court whenever you change your address or telephone number during the course of this proceeding by using Form EOIR-33/IC, Change of Address/Contact Information Form. Notices of hearing will be mailed to this address. If you file a Form EOIR-33/IC with the Immigration Court, you must serve a copy on the ICE Office of the Principal Legal Advisor. If you change your address or telephone number during the course of this proceeding and do not submit Form EOIR-33/IC, the Immigration Court shall not be required to provide you with written notice of your hearing. This obligation is in addition to your obligation to notify DHS of your change of address.

Failure to Appear: If you fail to attend the hearing at the date, time, and place designated on this notice, or any date, time, or place later directed by the Immigration Court, the immigration judge shall order you removed in your absence upon determining that you were provided written notice and are removable. If you are arrested by ICE after being ordered removed in your absence by the immigration judge pursuant to INA § 240(b)(5), you will be required to pay a minimum fee of \$5,000, adjusted for inflation, or a greater amount as established by the Secretary of Homeland Security.

Mandatory Duty to Depart the United States: If you become subject to a final order of removal as defined in 8 C.F.R. § 1241.1, you must depart the United States within 90 days of the order. If you do not depart, you may be subject to a civil penalty under INA § 274D(a) of \$500 per day, adjusted for inflation, and imprisonment of up to 4 years (or 10 years if you belong to certain specified classes described in INA § 237(a)(1)(E), (2), (3), or (4)). If you are granted voluntary departure, you must comply with the terms of the voluntary departure order. If you fail to voluntarily depart within the time provided, you will be subject to a final order of removal, may be ineligible for certain immigration benefits for a period of 10 years from the date you overstayed the order, and may be subject to a civil penalty from \$1,000 to \$5,000, adjusted for inflation. For additional information, refer to the order granting voluntary departure, as well as INA § 240B(d).

Sensitive Locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in INA § 239(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date:

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on May 1, 2026, in the following manner and in compliance with section 239(a)(1) of the Act.

- ☒ in person ☐ by certified mail, returned receipt # _____ requested ☐ by regular mail
☐ Attached is a credible fear worksheet.
☒ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

Refused to Sign

(Signature of Respondent if Personally Served)

Jacob Wilson

JACOB WILSON - Deportation Officer
 (Signature and Title of officer)

Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the above-mentioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

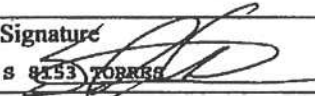
For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name REITOR RIVERON, LAZARO	File Number 	Date 04/30/2026
THE SERVICE ALLEGES THAT YOU: Immigration and Nationality Act; ON THE BASIS OF THE FOREGOING, IT IS CHARGED THAT YOU ARE SUBJECT TO REMOVAL FROM THE UNITED STATES PURSUANT TO THE FOLLOWING PROVISION(S) OF LAW: 212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General. null		
Signature 		Title SDDO



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ORLANDO IMMIGRATION COURT

Respondent Name:

REITOR RIVERON, LAZARO

To:

Leon, Anny
4243 Sunbeam Rd
Suite 2
Jacksonville, FL 32257

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

06/04/2026

☐ Unable to forward - no address provided.

☒ Attached is a copy of the **decision of the Immigration Judge**. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:

Board of Immigration Appeals
Office of the Clerk
P.O. Box 8530
Falls Church, VA 22041

☐ Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242B(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252B(c)(3) in deportation proceedings or section 240(b)(5)(c), 8 U.S.C. § 1229a(b)(5)(c) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

Immigration Court

☐ Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available.

☐ Attached is a copy of the decision of the immigration judge relating to a **Credible Fear Review**. This is a final order. No appeal is available.

☒ Other:

Date: 06/04/2026



Immigration Judge: Espinal, Pedro 06/04/2026

Certificate of Service

This document was served:

Via: ☐ M] Mail | ☐ P] Personal Service | ☐ E] Electronic Service | ☐ U] Address Unavailable

To: ☐] Alien | ☐] Alien c/o custodial officer | ☐ E] Alien atty/rep. | ☐ E] DHS

Respondent Name : REITOR RIVERON, LAZARO | A-Number :



Riders:

Date: 06/04/2026 By: PEREZ, MYRNELIS, Court Staff



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ORLANDO IMMIGRATION COURT**

Respondent Name:

REITOR RIVERON, LAZARO

To:

Leon, Anny
4243 Sunbeam Rd
Suite 2
Jacksonville, FL 32257

A-Number:



Riders:

In Custody Redetermination Proceedings

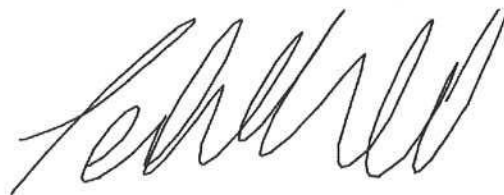
Date:

06/04/2026

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- ☒ Denied, because
An Immigration Judge has no authority over the custody and detention of arriving aliens and is therefore without authority to consider the bond request of this respondent. Matter of Oseiwusu, 22 I&N Dec. 19, 20 (BIA 1998) and Matter of X-K, 23 I&N Dec. 731, 732 (BIA 2005). Arriving aliens are generally subject to mandatory detention under INA § 235(b)(2)(A).
- ☐ Granted. It is ordered that Respondent be:
- ☐ released from custody on his own recognizance.
 - ☐ released from custody under bond of \$
 - ☐ other:
- ☐ Other:



Immigration Judge: Espinal, Pedro 06/04/2026

Appeal: Department of Homeland Security: ☒ waived ☐ reserved
Respondent: ☐ waived ☒ reserved

Appeal Due: 07/06/2026

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : REITOR RIVERON, LAZARO | A-Number :



Riders:

Date: 06/04/2026 By: PEREZ, MYRNELIS, Court Staff



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ORLANDO IMMIGRATION COURT

Respondent Name:

REITOR RIVERON, LAZARO

To:

Leon, Anny
4243 Sunbeam Rd
Suite 2
Jacksonville, FL 32257

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

06/04/2026

☐ Unable to forward - no address provided.

☐ Attached is a copy of the **decision of the Immigration Judge**. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:

Board of Immigration Appeals
Office of the Clerk
P.O. Box 8530
Falls Church, VA 22041

☐ Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242B(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252B(c)(3) in deportation proceedings or section 240(b)(5)(c), 8 U.S.C. § 1229a(b)(5)(c) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

Immigration Court

☐ Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available.

☐ Attached is a copy of the decision of the immigration judge relating to a **Credible Fear Review**. This is a final order. No appeal is available.

☒ Other:

Date: 06/03/2026



Immigration Judge: Espinal, Pedro 06/04/2026

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To: ☐ [] Alien | ☐ [] Alien c/o custodial officer | ☐ [E] Alien atty/rep. | ☐ [E] DHS

Respondent Name : REITOR RIVERON, LAZARO | A-Number



Riders:

Date: 06/04/2026 By: PEREZ, MYRNELIS, Court Staff



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ORLANDO IMMIGRATION COURT**

Respondent Name:

REITOR RIVERON, LAZARO

To:

Leon, Anny
4243 Sunbeam Rd
Suite 2
Jacksonville, FL 32257

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

06/04/2026

ORDER ON MOTION TO DISMISS

☒ The Respondent ☐ the Department of Homeland Security ☐ the parties jointly has/have filed a motion to dismiss these proceedings under 8 CFR 1239.2(c). The moving party has given notice of the motion to the non-moving party and the court has provided the non-moving party with an opportunity to respond. The motion is ☐ opposed ☐ unopposed.

After considering the facts and circumstances, the immigration court orders that the motion to dismiss is:

- ☐ Granted without prejudice
☒ Denied

Further explanation:

Respondent is inadmissible as charged.

IT IS SO ORDERED.



Immigration Judge: Espinal, Pedro 06/04/2026

Certificate of Service

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Via: ☒ M] Mail | ☐ P] Personal Service | ☐ E] Electronic Service | ☐ U] Address Unavailable

To: ☐] Alien | ☐] Alien c/o custodial officer | ☐ E] Alien atty/rep. | ☐ E] DHS

Respondent Name : REITOR RIVERON, LAZARO | A-Number :



Riders:

Date: 06/04/2026 By: PEREZ, MYRNELIS, Court Staff