

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

SANDRO ZAMORA,

Petitioner,

Case No. 3:26-cv-1238-WWB-MCR

v.

U.S. ATTORNEY GENERAL, et al.,

Respondents.

FEDERAL RESPONDENTS' OPPOSITION
TO PETITION FOR WRIT OF HABEAS CORPUS

Petitioner Sandro Zamora challenges his continued detention by U.S. Immigration and Customs Enforcement ("ICE"). Yesterday, Zamora receive the relief requested in his May 11, 2026 Petition: an individualized bond hearing. [Doc. 1 at 12]. The immigration judge denied bond, finding Petitioner to be a danger to the community [Exhibit A at 3]. The Petition is due to be denied as moot. Alternatively, Petitioner has an opportunity to file an appeal with the Board of Immigration Appeals, due June 18, 2026. [*Id.* at 4]. As no appeal has been filed to date, Petitioner has made no showing of an attempt to exhaust his administrative remedies.

FACTUAL BACKGROUND

On May 11, 2026, Zamora filed a petition for writ of habeas corpus in the arguing his detention violates the Due Process Clause of the Fifth Amendment and

the Immigration and Nationality Act. [Doc. 1].

Zamora received an individualized bond hearing on May 19, 2026. [Exhibit A]. The immigration judge made a finding that Petitioner poses a danger to the community. [*Id.* at 3]. Accordingly, Petitioner's request for a change in custody status was denied. [*Id.*] Petitioner's appeal is due to the BIA no later than June 18, 2026. [*Id.* at 4].

ARGUMENT

Zamora challenges his continued immigration detention. Because Zamora has received the relief sought, his Petition for a Writ of Habeas Corpus should be denied as moot.

Mootness is a jurisdictional doctrine that flows directly from the limitation, imposed by Article III of the Constitution, that federal court jurisdiction extends only to the consideration of cases and controversies. *See* U.S. Const. art. III; *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1335-36 (11th Cir. 2001). “[A] case is moot when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Al Najjar*, 273 F.3d at 1335-36. In other words, “a case is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief.” *Id.* at 1336 (internal quotation marks omitted). Thus, “[i]f events that occur subsequent to the filing of a lawsuit or an appeal deprive the court

of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed.” *Id.*

Of course, “a petitioner’s release from custody does not automatically moot a petitioner’s claim.” *Fregis v. Holder*, 2014 WL 54839, at *1 (M.D. Fla. Jan 7, 2014) (citing *Spencer v Kemna*, 523 U.S. 1, 7-8 (1998)). Indeed, “[t]he courts have developed two exceptions to the mootness doctrine: (1) the existence of collateral consequences; and (2) when events surrounding the case are capable of repetition yet evading review.” *Id.* at *2.

The collateral consequences exception to the mootness doctrine applies “when there is some remaining ‘collateral consequence’ that may be redressed by success on the petition.” *Fregis*, 2014 WL 54839, at *2 (quoting *Spencer*, 523 U.S. at 7). In other words, a petitioner must demonstrate that he is suffering a continued, concrete injury that can be remedied by the Court. *See Spencer*, 523 U.S. at 7-8.

A second exception to mootness is the so-called “capable-of-repetition doctrine.” *See Spencer*, 523 U.S. at 17. This exception “applies only in exceptional situations,” *id.*, where “(1) there is a reasonable expectation or a demonstrated probability that the *same* controversy will recur involving the same complaining party, and (2) the challenged action is in its duration too short to be fully litigated prior to its cessation or expiration,” *Al Najjar*, 273 F.3d at 1336. Importantly, “[t]he remote possibility that an event might recur is not enough to overcome

mootness, and even a likely recurrence is insufficient if there would be ample opportunity for review at that time.” *Id.*

Here, Zamora challenges his continued detention in ICE custody with no individualized bond hearing. Because Zamora received an individualized bond hearing yesterday, his petition should be denied as moot unless an exception to the mootness doctrine applies. *See Fregis*, 2014 WL 54839, at * 1. None does. Zamora has not put forth any evidence of a continuing injury that could be remedied by this Court, as is his burden under *Spencer*. *See* 523 U.S. at 13-14. Moreover, should Zamora face issues regarding what he deems unlawful or unduly prolonged detention, he would not be foreclosed from filing another petition under section 2241. Accordingly, neither exception to the mootness doctrine applies, so Zamora’s habeas petition should be dismissed. *See Fregis*, 2014 WL 54839, at *2-3.

CONCLUSION

As explained above, Zamora received the relief requested in the Petition. Because no exception to the mootness doctrine applies, Respondents respectfully request Zamora’s petition be denied as moot.

DATED this 20th day of May, 2026.

Respectfully submitted,

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