

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

UNITED STATES DISTRICT COURT
for theMAY 18 2026 PM 1:28
FILED - USDC - FLMD - FTM

Danny Espinosa Viltres
Petitioner
 U.S. immigration and customs
 enforcement Field Office Director
 Florida South Florida 30 Ft Side
 South

Case No. 2:26 CV 1686 JES-KRH
(Supplied by Clerk of Court)

Respondent
 (name of warden or authorized person having custody of petitioner)

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

1. (a) Your full name: Danny Espinosa Viltres
- (b) Other names you have used: _____
2. Place of confinement:
 - (a) Name of institution: Florida South side South
 - (b) Address: 54575 Tamiami Trail E
Ochopee FL 34191
3. (c) Your identification number: [REDACTED]
- Are you currently being held on orders by:

☒ Federal authorities

☐ State authorities

☐ Other - explain: _____
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)

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

☐ 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 customs

Enforcement Refusal to Release From immigration

(b) Docket number, case number, or opinion number: None

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

ICE Refusal to Release me From
immigration detention.

(d) Date of the decision or action: _____

Your Earlier Challenges of the Decision or Action

7. 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: _____

(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 appeal: _____

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes

☒ No

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

(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: _____

9. **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: _____

10. **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

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

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: 04-08-2026 / 02-05-26 / Hold

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

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

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: _____

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

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: Violation of 8 U.S.C. 1231 (a)(2)

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

I have been detained by ICE beyond the
Removal Period Authorized by statute

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

☐ Yes

☐ No

GROUND TWO: Violation of The due Process
clause of The Fifth Amendment to us
constitution

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

ICE is depriving me of my Right to
liberty I have been detained by ICE
for a prolonged period (95) more

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

☐ Yes

☐ No

GROUND THREE:

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

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

☐ Yes

☐ No

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

GROUND FOUR:

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

(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:

Order my immediate Release From
immigration Enforcement customs
custody

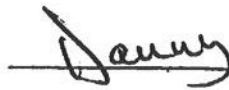
AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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: 04.10.2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

IT IS THEREFORE REQUESTED THAT YOU: (Continued)

- Relay this detainer to any other law enforcement agency to which you transfer custody of the individual.
- Notify this office in the event of the individual's death, hospitalization or transfer to another institution.

☐ If checked: please cancel the detainer related to this individual previously submitted to you on _____ (date).

J12253 JEAN - Deportation Officer

(Name and title of Immigration Officer)

JOEL JEAN

(Signature of Immigration Officer)

Notice: IT IS A CRIME TO HARBOR OR CONCEAL A PERSON WANTED BY THE FEDERAL GOVERNMENT.

Whoever harbors or conceals any person for whose arrest a warrant or process has been issued under the provisions of any law of the United States, so as to prevent his discovery and arrest, after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person, shall be fined under this title or imprisoned not more than one year, or both; except that if the warrant or process issued on a charge of felony, or after conviction of such person of any offense, the punishment shall be a fine under this title, or imprisonment for not more than five years, or both. 18 U.S.C. § 1071.

Pursuant to 8 U.S.C. § 1357(a)(1), DHS officers are authorized even without a warrant to interrogate any alien or person believed to be an alien as to his/her right to be or remain in the United States.

DHS officers are authorized to arrest a removable alien under the immigration laws pursuant to an administrative warrant pending a decision on whether they will be removed from the United States, under 8 U.S.C. § 1226(a) and 8 C.F.R. § 236.1(b), or pending removal, under 8 C.F.R. § 241.2(a)(1), and may arrest removable aliens under certain circumstances without a warrant pursuant to 8 U.S.C. § 1357(a). Under no circumstance is a judicial warrant required for the arrest of an alien under the immigration laws.

Notice: If the individual may be the victim of a crime or you want the individual to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE INDIVIDUAL WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____.

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the individual on _____, in the following manner:

☒ in person ☐ by inmate mail delivery ☐ other (please specify): _____

DEP. C. HERRERA

(Name and title of Officer)

[Signature]

(Signature of Officer)

X [Signature]

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: Event #: File No: 

Date: February 05, 2026

TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency) **TURNER GUIFORD KNIGHT (TGK) JAIL**
7000 NW 41ST ST.,
MIAMI, FL
US 33166

FROM: (Department of Homeland Security Office Address)
KROME, MIAMI, FL, DOCKET CONTROL OFFICE

Name of Individual: **ESPINOSA VILTRES, DANNY**Date of Birth: Citizenship: **CUBA**Sex: **M**

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE INDIVIDUAL. THIS DETERMINATION IS BASED ON (complete box 1 or 2).

- ☐ A final order of removal against the individual;
- ☐ The pendency of ongoing removal proceedings against the individual;
- ☒ Biometric confirmation of the individual's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the individual either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☒ Statements made by the individual to an immigration officer and/or other reliable evidence that affirmatively indicate the individual either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE INDIVIDUAL TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).

- ☐ Upon completion of the proceeding or investigation for which the individual was transferred to your custody, DHS intends to resume custody of the individual to complete processing and/or make an admissibility determination.

Consistent with "the policy of the United States to faithfully execute the immigration laws against all inadmissible and removable aliens, particularly those aliens who threaten the safety or security of the American people," set forth in Executive Order 14159, Protecting the American People Against Invasion, DHS requests cooperation regarding the subject who:

- ☐ Illegally reentered the United States after a prior removal;
- ☐ is subject to the detainer provision of the Laken Riley Act and is required to be effectively and expeditiously taken into custody by DHS pursuant to 8 U.S.C. § 1226(c)(3);
- ☐ is a member of a designated foreign terrorist organization; and/or
- ☒ otherwise poses a risk to national security, border security, or public safety.

IT IS THEREFORE REQUESTED THAT YOU:

- **Serve the individual** a copy of this form, and complete and return to ICE the service information at the bottom of this form. If the detainer is not served, the detainer is not valid and may not be relied upon to maintain custody of the individual.
- **Notify DHS** as early as practicable (at least 48 hours, if possible) before the individual is released from your custody. Please notify DHS by calling ☒ U.S. Immigration and Customs Enforcement (ICE) or ☐ U.S. Customs and Border Protection (CBP) at .
- If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at: (802) 872-6020. Pursuant to 8 U.S.C. § 1373(a), Federal, State, and local government entities and officials may not prohibit or in any way restrict the sending to, or receiving from, DHS information regarding the citizenship or immigration status, lawful or unlawful, of any individual.
- **Maintain custody** of the individual for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. This detainer arises from DHS authorities and should not impact decisions about the individual's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters.

U.S. DEPARTMENT OF HOMELAND SECURITY

Warrant for Arrest of Alien

File No. 

Date: 02/06/2026

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that ESPINOSA VILTRES, DANNY is removable from the United States. This determination is based upon:

- ☐ the execution of a charging document to initiate removal proceedings against the subject;
- ☒ the pendency of ongoing removal proceedings against the subject;
- ☐ the failure to establish admissibility subsequent to deferred inspection;
- ☒ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

J 09858 CHERENFANT - SDDO

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at MIAMI, FL (Location)
on ESPINOSA VILTRES, DANNY (Name of Alien) on 4/8/26 (Date of Service), and the contents of this

notice were read to him or her in the SPANISH (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

OBTS NUMBER		ARMED FORCES NO		BWC NO		COMPLAINT/ARREST AFFIDAVIT				POLICE CASE NO. 			
SPECIAL OPERATION: WAR		☐ FELONY ☐ MISD ☐ TRAFFIC ☐ JUV ☐ DV		☐ MOVES ☐ CIV INF		JAIL NO. 		PMHO NO		COURT CASE NO.			
FUGITIVE WARRANT: ☐				In State ☐ Out State ☐									
IDS NO.		AGENCY CODE 030		MUNICIPAL P.D. DEF. ID NO.		MDSO RECORDS AND ID NO.		STUDENT ID NO.		GANG RELATED NO		FRAUD RELATED NO	
DEFENDANT'S NAME (LAST, FIRST, MIDDLE) ESPINOSA-VILTRES, DANNY						ALIAS and / or STREET NAME ESPINOSA, DANNY VILTRES						SIGNAL:	
DOB (MM/DD/YYYY) 		AGE 28		RACE W		SEX M		HISPANIC: YES ETHNICITY: CUB		HEIGHT 5'04		WEIGHT 128	
HAIR COLOR BLK		HAIR LENGTH ATE		HAIR STYLE CRW		EYES BLK		GLASSES NO		FACIAL HAIR FUZ		TEETH NOR	
SCARS, TATTOOS, UNIQUE PHYSICAL FEATURES (Location, Type, Description)										PLACE OF BIRTH (City, State/Country) CC			
LOCAL ADDRESS										PHONE		CITIZENSHIP CC	
PERMANENT ADDRESS (Street, Apt. Number)						(City) MIAMI		(State) (Country) (Zip) FL US 33186		PHONE		OCCUPATION NONE	
SCHOOL OR BUSINESS ADDRESS (Street, Apt. Number)						(City)		(State) (Country) (Zip)		PHONE		ADDRESS SOURCE VERBAL	
DRIVER'S LICENSE NUMBER/STATE 				SOCIAL SECURITY NO. 				WEAPON SEIZED NO		Defendant/CONCEALED WEAPON PERMIT NONE		INDICATION OF: Alcohol Influence: N Drug Influence: N	
ARREST DATE 02/05/2026		ARREST TIME 17:00		ARREST LOCATION 9105 NW 25 ST MIAMI, FL 33172									
CO-DEFENDANT NAME										DOB		☐ IN CUSTODY ☐ FELONY ☐ JUVENILE ☐ AT LARGE ☐ DV ☐ MISDEMEANOR	
CO-DEFENDANT NAME										DOB		☐ IN CUSTODY ☐ FELONY ☐ JUVENILE ☐ AT LARGE ☐ DV ☐ MISDEMEANOR	
CO-DEFENDANT NAME										DOB		☐ IN CUSTODY ☐ FELONY ☐ JUVENILE ☐ AT LARGE ☐ DV ☐ MISDEMEANOR	
JUV only	Relation	Name		Street		Zip		Phone		Contacted?			
CHARGES				CHARGE AS:	CNTS	STATUTE NUMBER	VIOL OF SECT.	CODE OF	UCR	DV	WARRANT TYPE OR TRAFFIC CITATION		
1. Z/O-HOLD FOR IMMIGRATION				F.S.		995.997			95000069				
2.													
3.													
4.													
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law: On the 05 day of FEBRUARY, 2026, at 15 00 at 9105 NW 25 ST. MIAMI, FL, 33172 HOLD FOR IMMIGRATION, WARRANT #/COURT CASE#: FILE# CHARGE REF: UPON COMPLETION OF THE LOCAL CHARGES CONTACT THE (IMMIGRATION CUSTOMS ENFORCEMENT) ***DO NOT RELEASE NO BOND VERIFIED BY: NIEDZIALEK, WARRANT DATE: 02/05/2026 *** NO BOND ***** DO NOT RELEASE ***** DO NOT SUBPOENA THE OFFICER *** CONFIRMER/COMMENTS:													
HOLD FOR OTHER AGENCY VERIFICATION				☐ HOLD FOR BOND HEARING, DO NOT BOND (Only if Case Must Appear at Court Hearing)				☐ I understand that if held I will only be released before the hearing requested by this notice to appear that I verify the facts in compliance of court that I warrant for my arrest and that I agree that I agree that I will not violate any laws, rules or orders of an official hearing should be held in the above address. I agree that it is my responsibility to notify the court of the court proceedings and that I will not violate any laws that may affect my charges. ☐ I understand that I will not appear in court, and may comply with the order of the court on the reverse of this report.					
I SWEAR THAT THE ABOVE STATEMENT IS TRUE AND CORRECT.				SWORN TO AND SUBSCRIBED BY ME, THE UNDERSIGNED AUTHORITY THE 05 DAY OF FEBRUARY, 2026									
MARTE, H: Court ID: 030-05114 05031				BALUJA, J: Court ID: 030-05465 05031									