

MAY 18 2026 PM 1:27
FILED - USDC - FLMD - FTM

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

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT of FloridaAngel Reyes Aguilera
Petitioner

DHS v. ICE Det

Case No. 2:26-cv-1688-KCD-NPM
(Supplied by Clerk of Court)Thomas Gonsky, Esq.
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: Angel Reyes Aguilera
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Florida State Prison South
(b) Address: 54575 TAMPA TRAIL EAST
CELESTINE, FL 34141
(c) Your identification number: [REDACTED]
3. 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): My illegal detention by DHS "ICE"

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: FLORIDA SOFT SIDE SOUTH54575 TAMIAMI TRAIL EAST OCHOPPEE, FL 34441(b) Docket number, case number, or opinion number: [REDACTED]

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

M7 Illegal Detention by D.H.S. "ICE"

(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:

I am challenging my illegal detention by DHS ICE.

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:

I am challenging my illegal detention by DHS ICE.

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:

I am challenging my illegal detention by DHS ICE.

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

AO 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: I AM CHALLENGING MY ILLEGAL DETENTION

BY THE GOVT. NOT A SENTENCE NOR CONVICTION

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes☒ No

If "Yes," provide:

(a) Date you were taken into immigration custody: OCT 12 2025(b) Date of the removal or reinstatement order: 2012

(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: D.H.S. ICE HAS VIOLATED PETITIONERS 5TH AMENDMENT OF THE U.S. CONST. AND DUE PROCESS OF LAW

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 Do not cite cases or law.):

PETITIONERS CONTINUED DETENTION IS AN ACT OF IMPROPER MOTIVE BY ICE AND THE GOVERNMENT AS HE HAS EXCEEDED THE 180 MARK SET AS THE U.S. STATES SUPREME COURT HELD THAT DETENTION FOLLOWING A FINAL ORDER IS PRESUMPTIVELY REASONABLE FOR 6 MONTHS. ZARAYOAS V. DAVIS 533 U.S. 678 (2001)

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

☐ Yes

☒ No

GROUND TWO: D.H.S. "ICE" HAS VIOLATED PETITIONERS 5TH AMENDMENT DUE PROCESS OF LAW AND EQUAL PROTECTION RIGHTS.

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

PETITIONERS FINAL ORDER OF REMOVAL BECAME ADMINISTRATIVELY FINAL ON 2012 BY AN I.N.S. JUDGE WHO STATED ONCE CUBA BECOMES FREE OF COMMUNISM YOU CAN THEN BE REMOVED. CUBA REMAINS A COMMUNIST COUNTRY AND TO CONSIDER A 3RD COUNTRY NOT OF HIS ORIGIN IS ILLEGAL.

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

☐ Yes

☒ No

GROUND THREE: D.H.S. ICE CONTINUED DETENTION OF PETITIONER IS CLEARLY A VIOLATION OF HIS 5TH AMENDMENT RIGHTS AND DUE PROCESS

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

THE PRESUMPTIVELY REASONABLE PERIOD EXPIRED WITH THAT REMOVAL NOW THE BURDEN SHIFTING FRAMEWORK COMES INTO PLAY REGARDING THE SIGNIFICANT LIKELIHOOD OF REMOVAL IN THE FORESEEABLE FUTURE ON FEB 5 AND 18 OF 2026 ICE ATTEMPTED TO REMOVE PETITIONER TO MEXICO, WHO DENIED PETITIONER ENTRY DUE TO HIS HEALTH.

(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: D.H.S. ICE; have illegally continued PETITIONER'S DETENTION with no legal ground thus violating his 5TH AMENDMENT RIGHTS AND DUE PROCESS OF LAW

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

PETITIONER ARGUES THAT D.H.S. ICE "has not shown any evidence that there is a good likelihood of removal in the foreseeable future, AND he points out to the courts THAT ICE POINTS TO NO STATUTE OR JURISPRUDENTIAL AUTHORITY THAT WOULD SANCTION INDEFINITE CIVIL IMMIGRATION DETENTION BASED SOLELY ON DANGEROUSNESS SUCH STATEMENT IS EVIDENCE OF BAD FAITH AND A DELIBERATE STRATEGY TO

(b) Did you present Ground Four in all appeals that were available to you? CONTINUE INDEFINITE DETENTION
☐ 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: PETITIONER COMES BEFORE THIS COURT IN GOOD FAITH AND ASK THE COURT TO GRANT HIS PETITION AND ORDER HIS IMMEDIATE RELEASE RULING IN HIS FAVOR AND PROTECTING HIS 5TH AMENDMENT AND DUE PROCESS OF LAW.

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: 13.5.26

Alayes
Signature of Petitioner

Signature of Attorney or other authorized person, if any