

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 Florida

Rodriguez Morales Ricardo
Petitioner

ICE Field Office Director
South Florida Detention Facility
54575 Tamiami Trail E Ochopee FL 34114
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 2:26CV1692-JES-KRH
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: Rodriguez Morales, Ricardo
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Florida Soft Sided Facility South
(b) Address: 54575 TAMIAAMI TRAIL E
OCHOPPE FL 34114
(c) Your identification number: A# [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): _____

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)

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☐ 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: South Florida Detention Facility
54575 Tamiami Trail E Ochopee, FL 34141(b) Docket number, case number, or opinion number: Att [REDACTED]

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

My continue detention is unconstitutional under
the 5th Amendment. I have been detained
since 2/22/2026

(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:

Appealing might cause
the DHS/ICE to also appeal potentially resulting
in a worse outcome

8. Second appeal

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

☐ Yes☒ No

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(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: _____

*Filing NO Appeal
To ICE might prevent me Being Transferred To
A less Favorable Jurisdiction*

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: _____

*Challenging I.C.E.
in legal authority is futile when no funds are
Available For an AFFORDABLE ATTORNEY*

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

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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: My Detained Sentence was imposed in violation of the Constitution and Laws of the US.

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 02/22/2026

(b) Date of the removal or reinstatement order: 2018

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

☐ Yes

☒ No

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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: _____

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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: My Constitutional Rights under 5th Amendment For my Right To Liberty and Due process were violated

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

I have been Detained longer than 4 months and unlikely to be deported to Cuba. I left Cuba in 1994 I was only 21 year old and am now 52 years of age

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

☐ Yes

☒ No

GROUND TWO: My continue Detention is unconstitutional under the 5th Amendment

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

Cuba does NOT have Repatriation Agreement with The United State

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

☐ Yes

☐ No

GROUND THREE: My continue Detention is unconstitutional under the Amendment, I am challenging my Detainment and Request A Federal Court Review

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

It is unconstitutional to be Detain over 180 Days without Due process and is unconstitutional to be detained over the period of time without my Rights to Liberty in the 5th Amendment

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

☐ Yes

☒ No

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GROUND FOUR: My continue Detainment is unconstitutional
under The 5th Amendment

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

I have Been Detained for 4 months, I suffer
from many illnesses, Hypertension, leg, and short
of the oxygen. I am not a threat to the
community and. There is no foreseeable future in
deporting me to my country that won't accept me

(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: To be Released immediately for
the continue of violating my rights to liberty and
due process under the 5th Amendment of the
Constitution of the United States of America

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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:

05/13/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any