

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
Fort Myers Division

Cristian Franchis Torres
Petitioner

*warden south Florida -
detention center Attorney
U.S. general.*
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. *2:26-cv-1741-KCD-KR1*
(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: *Cristian Franchis Torres*
(b) Other names you have used: *N/A*
2. Place of confinement:
(a) Name of institution: *South Florida detention center*
(b) Address: *54575 Tamiami Trail E.*
Ochopee Florida 34141
(c) Your identification number: *A- [REDACTED]*
3. Are you currently being held on orders by: [REDACTED]
☐ Federal authorities ☐ State authorities ☒ Other - explain:
immigration and customs enforcement
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: *N/A*
(b) Docket number of criminal case: *N/A*
(c) Date of sentencing: *N/A*
☐ Being held on an immigration charge
☒ Other (explain): *detained by immigration and*
customs enforcement.

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: N/A(b) Docket number, case number, or opinion number: N/A

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

(d) Date of the decision or action: _____

Your Earlier Challenges of the Decision or Action7. **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: N/A

(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: N/A8. **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: N/A

(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: N/A

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: N/A

(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: N/A

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: N/A

(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: N/A

(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: N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 4/18/2026

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

(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: N/A

(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: N/A

(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: N/A

(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: when the petitioner cristian Francis his is unlawfully detained under Beltran-V-Ripa No-2:25-CV-0174-Spc-Npm 2026 at * 2 [a Md FLA Jan-5-2026] where the court appeal to have determined;

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

that the presumptively reasonable six month period include the-90-days removed period and the-90-days immediately thereafter and expires once that time has run in advance in the supreme court held if removal is not practically attainable detention no longer served it.

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

☐ Yes

☒ No

GROUND TWO: when petition cristian is entitled to release under Ernest Joseph-V-Scotty-RHader United States District Court Middle District of Florida Jacksonville Division 3:25-CV-1579-MM-H-pdB

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

petition cristian does not challenge the commencement of a proceeding the adjudication of a case or the execution of his removal nor does he ask the court to review the removal order. Rather cristian challenge the legality of his detention under a framework devised by the supreme court.

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

☐ Yes

☒ No

GROUND THREE: when the petitioner cristian is unlawfully detained under J. U.S.C. 1226(a) after the United States District Court for the Central District of California

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

M. Lazaro Matudondo Baurista et al-V-Ernesto Santa Cruz 58 No. 5:25-CV-018-73-555-BEM [C.D. Cal. 2025] December-18-2025

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

☐ Yes

☒ No

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GROUND FOUR:

petitioner cristian-franchis torres-
status that is in 4-18-26 arrested in ITRAIL his bond
hold on him. ICE was pick up in ITRAIL
4-18-2026.

(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: petitioner wishes the court
will ground him to by release under immigration
supervision. petition also requesting the court
not to direct the petitioner for serve any order on
respondent due to the facility where his
being detained has no available resource.
to suspend the detained 4-18-2026.

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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: 5-31-2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

ICE

SSN

FL driver Lic



cc:


 Florida Soft Side South
 Inmate Mail/Parcels
 54575 Tamiami Trail E NA
 Ochopee, FL 34141
 PRO SE

Cristen Sanchez Gomez
 ✓

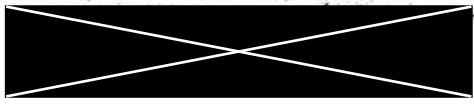
State of Florida

Petition for writ of habeas corpus.

Pursuant to Rule 9.100 I'm petitions
 the court for a writ of habeas corpus
 directed to the Respondent - Miami-
 Dade - Immigration Sheriff of Dade-
 County Florida and shows the court
 as follows:

Basis for invoking jurisdiction this court has
 jurisdiction to issue a writ of habeas
 corpus under article-V-Section-4-b-3
 of the Florida constitution and Rule
 9.030-b-3-of the FL Rule App. p
 habeas corpus is the proper Remedy
 to vacate conviction ~~and~~

I statement of fact the petition was
 taken into custody to be released now

CE-A-A-



claim civil right jurisdiction
to from 1959 to 1980:

against [REDACTED].

against [REDACTED]