

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

ARIEL SUAREZ ROSQUEDA
Petitioner

DHS-ICE, DEM
GARRETT RIPA
TODD M. LYONS, KRISTINA M. PARR, BONNIE
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 2:26-cv-1745-SPC-KRH
(Supplied by Clerk of Court)

MAJ 22 2026 AM 10:46
FILED - USDC - FLMD - FTM

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

Personal Information

1. (a) Your full name: ARIEL SUAREZ ROSQUEDA
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: FLORIDA SOFT SILE SOUTH
(b) Address: 54575 TAMIAH TRL W-14 ST
OCHOPPEE FL 34441
(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): MY ILLEGAL DETENTION BY 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)

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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: FLORIDA SOFT SIDE SOUTH
54575 TAMiami TRAIL EAST OCHOWEE FL 34146(b) Docket number, case number, or opinion number: A# 

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

I AM CHALLENGING MY ILLEGAL DETENTION BY 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 ICE

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: I AMCHALLENGING MY ILLEGAL DETENTION by ICE9. **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 CHALLENGINGMY ILLEGAL DETENTION by ICE10. **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:

I AM CHALLENGING MY ILLEGAL DETENTION
BY ICE. 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: JAN 5, 2026(b) Date of the removal or reinstatement order: FEB 2024

(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: ICE HAS ILLEGALLY DETAINED PETITIONER VIOLATING HIS 5TH AMENDMENT RIGHTS AND DUE PROCESS OF LAW.

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 Do not cite cases or law.):

PETITIONER'S ORDER OF REMOVAL BECAME ADMINISTRATIVELY FINAL ON FEB 2024. PETITIONER WAS RELEASED BY ICE DAYS AFTER UNDER SUPERVISION BASED ON ICE'S OWN DETERMINATION THAT THERE WAS NO LIKELIHOOD OF REMOVAL IN THE FORESEEABLE FUTURE, THUS MAKING PETITIONER'S DETENTION UNLAWFUL.

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

☐ Yes

☒ No

GROUND TWO: ICE CONTINUES DETENTION OF PETITIONER IS A VIOLATION OF HIS DUE PROCESS OF LAW AND 5TH AMENDMENT OF THE U.S. CONST.

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 Do not cite cases or law.):

ICE HAS CLEARLY FAILED TO FOLLOW ITS OWN REGULATIONS IN REVOKING PETITIONER'S RELEASE. SUCH FAILURES ARE INDEED VIOLATIONS OF DUE PROCESS MANDATING HABEAS RELIEF.

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

☐ Yes

☒ No

GROUND THREE: ICE HAS ILLEGALLY AND WITH NO LEGAL SUPPORT DETAINED PETITIONER VIOLATING HIS 5TH AMENDMENT OF THE U.S. CONST. DUE PROCESS OF LAW AND EQUAL PROTECTION RIGHTS

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

DETENTION OF AN ALIEN IS ADMITTED WHEN THE FINAL ORDER OF REMOVAL BECOMES ADMINISTRATIVELY FINAL AND ICE AND THE GOVERNMENT SHOW EVIDENCE THAT THERE IS A GOOD LIKELIHOOD OF REMOVAL IN THE FORESEEABLE FUTURE. TO THIS DAY NEITHER ICE OR THE GOVERNMENT HAVE SHOWN SUCH EVIDENCE.

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

☐ Yes

☒ No

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GROUND FOUR: TCE HAS ENGAGED IN A DELIBERATE CYCLE OF RELEASE AND REDETENTION, VIOLATING HIS 5TH AMENDMENT OF THE U.S. CONST. DUE PROCESS AND EQUAL PROTECTION RIGHTS.

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

PETITIONER POINTS OUT THAT THE JUDGE WHO SIGNED HIS FINAL ORDER OF REMOVAL STATED ON RECORDS: "ONCE CUBA IS FREE OF COMMUNISM YOU CAN BE REMOVED. CUBA REMAINS A COMMUNIST COUNTRY AND TO CONSIDER A 3RD COUNTRY NOT OF PETITIONER'S ORIGIN WOULD BE ILLEGAL, UNLAWFUL AND A VIOLATION OF THE U.S. CONST. PETITIONER'S DETENTION IS AN ACT OF IMPROPER MOTIVE BY THE GOVERNMENT."

(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 COMES BEFORE THE COURT IN GOOD FAITH AND ASK THE COURT TO GRANT HIS PETITION AND ORDER HIS IMMEDIATE RELEASE RULING IN HIS FAVOR THUS PROTECTING HIS 5TH AMENDMENT OF THE U.S. CONST. AND DUE PROCESS OF LAW.

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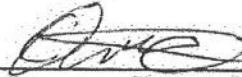
Declaration Under Penalty Of Perjury

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:

5/10/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any