UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JUAN DERIS REYES UMANZOR,

Petitioner,

v.

Kristi NOEM, Secretary, U.S. Department of Homeland Security Garrett J. Ripa, Miami Field Office Director of Enforcement and Removal Operations, Miami Field Office, Immigration and Customs Enforcement; U.S. DEPARTMENT OF HOMELAND SECURITY; Pamela BONDI, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; Warden of Glades County Detention Center,

Respondents.

Case No.

**PETITION FOR WRIT OF HABEAS CORPUS**

## INTRODUCTION

1. Petitioner Juan Deris Reyes Umanzor, brings this petition for a writ of habeas corpus to seek enforcement of their rights as members of the Bond Denial Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.) Petitioner is in the physical custody of Respondents at Glades County Detention Center. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) have refused to abide by the declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

2. On November 20, 2025, the district court granted partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners' Motion for Partial Summary Judgment).

3. The declaratory judgment held that the Bond Denial Class members are detained under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

4. Nonetheless, the Executive Office for Immigration Review and its subagency the Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to

abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the opportunity to be released on bond.

a. Petitioner Juan Deris Reyes Umanzor is a member of the Bond Eligible Class, as he:

b. does not have lawful status in the United States and is currently detained at the Glades County Detention Center. He was apprehended by immigration authorities on December 20, 2025;

c. entered the United States without inspection on or about April 28, 2019 and was not apprehended upon arrival, *cf. id.*; and

d. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

5. The Court should expeditiously grant this petition.

6. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a). Nevertheless, Respondents continue to flagrantly defy the judgment in that case and continue to subject Petitioner to unlawful detention despite his clear entitlement to consideration for release on bond as a Bond Eligible Class member.

7. Immigration judges have informed class members in bond hearings that they have been instructed by "leadership" that the declaratory judgment in *Maldonado Bautista* is not controlling, even with respect to class members, and that instead IJs remain bound to follow the agency's prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

8. Because Respondents are detaining Petitioner in violation of the declaratory judgment issued in *Maldonado Bautista,* the Court should accordingly order that within one day, Respondent DHS must release Petitioner.

9. Alternatively, the Court should order Petitioner's release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

10. Petitioner has been granted Special Immigrant Juvenile ("SIJ") classification by the United States Citizenship and Immigration Services, reflecting a federal determination that Petitioner qualifies for humanitarian protection under the immigration laws of the United States. While this classification provides a pathway to lawful permanent residence, Petitioner is presently unable to file an application for adjustment of status because the priority date associated with the approved SIJ petition is not yet current under the Department of State Visa Bulletin. As a result, Petitioner is awaiting visa availability before proceeding with the final step of the adjustment process. Petitioner therefore remains eligible to pursue lawful permanent residence once a visa becomes available and continues to await that opportunity in accordance with the statutory framework governing SIJ beneficiaries.

**JURISDICTION**

11. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Glades County Detention Center in Moore Heaven, Florida.

12. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

13. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

**VENUE**

14. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Southern District of Florida, the judicial district in which Petitioner currently is detained.

15. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Southern District of Florida.

**REQUIREMENTS OF 28 U.S.C. § 2243**

16. The Court should grant the petition for writ of habeas corpus "forthwith," as the legal issues have already been resolved for class members in *Maldonado Bautista.*

17. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

**PARTIES**

18. Petitioner Juan Deris Reyes Umanzor is a citizen of El Salvador who has been in immigration detention since December 20, 2025.

19. Respondent Garrett J. Ripa is the Director of the Miami Field Office of ICE's Enforcement and Removal Operations division. As such, Garrett J. Ripa is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

20. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and

Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

21. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

22. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

23. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

24. Respondent Warden of Glades County Detention Center is employed by a private corporation as Warden of Glades County Detention Center, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

**CLAIM FOR RELIEF**
**Violation of the INA:**
**Request for Relief Pursuant to *Maldonado Bautista***

25. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

26. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for release on bond under 8 U.S.C. § 1226(a).

27. The order granting partial summary judgment in *Maldonado Bautista* holds that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

28. The order granting class certification in *Maldonado Bautista* further orders that "[w]hen considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole."

29. Respondents are parties to *Maldonado Bautista* and bound by the Court's declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).

30. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA and the Court's judgment in *Maldonado Bautista*.

**PRAYER FOR RELIEF**

WHEREFORE, Petitioner prays that this Court grant the following relief:

a. Assume jurisdiction over this matter;

b. Issue a writ of habeas corpus requiring that within one day, Respondents release Petitioner;

c. Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven days;

d. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

e. Grant any other and further relief that this Court deems just and proper.

DATED this 3rd of March, 2026.

Yaritssa Plasencia

Yaritssa Plasencia, Esq.
Florida Bar No.: 1021659
Great American Law Firm PLLC
100 Frandorson Cir., Ste. 202C
Apollo Beach, FL 33572

Phone: (407) 929-9292
greatamericanlaw@gmail.com
*Attorney for Petitioner*

**VERIFICATION BY SOMEONE ACTING ON THE PETITIONER'S BEHALF PURSUANT TO 28 U.S.C. § 2242**

I, Yaritssa Plasencia, am submitting this verification on behalf of the petitioner because I am the petitioner's attorney. I am acting on behalf of the petitioner, Juan Deris Reyes Umanzor based on discussions with his attorney. On the basis of these discussions and reviewing the record, I hereby verify that the statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

DATED this 3rd of March, 2026.

Yaritssa Plasencia

Yaritssa Plasencia, Esq.
Florida Bar No.: 1021659
Great American Law Firm PLLC
100 Frandorson Cir., Ste. 202C
Apollo Beach, FL 33572
Phone: (407) 929-9292
greatamericanlaw@gmail.com
*Attorney for Petitioner*