

JUN 16 2026 AM 11:17
FILED - USDC - FLMD - JAX

****UNITED STATES DISTRICT COURT****

****MIDDLE DISTRICT OF FLORIDA****

****JACKSONVILLE DIVISION****

****ABEL ALFARO GONZALEZ****

****A Number: A ****

****PETITIONER,****

V.

****CASE NO.:**

3:26-cv-01297

****WARDEN RONNIE WOODALL, BAKER CORRECTIONAL
INSTITUTION, IN HIS OFFICIAL CAPACITY, ET AL.,****

****RESPONDENTS.****

**### **PETITIONER'S REPLY TO RESPONDENTS' OPPOSITION AND
REINFORCEMENT OF THE PETITION FOR A WRIT OF HABEAS
CORPUS AND IMMEDIATE RELEASE****

The Petitioner, Abel Alfaro Gonzalez, by and through undersigned counsel, respectfully appears before this Honorable Federal Court to submit his Formal Reply to the Opposition issued by the Government

This reply aims to dismantle, through factual foundations and strict operation of law, the arguments of the Respondents, who seek to justify the indefinite, punitive, unlawful, and constitutionally unsustainable detention of Mr. Alfaro Gonzalez at the Baker Correctional Institution. The Petitioner demonstrates conclusively that the Government's arguments lack a legal basis, deliberately ignore binding class-wide federal judicial rulings, violate federal custody review regulations, and trample upon the fundamental rights protected by the Fifth Amendment to the United States Constitution.

INTRODUCTION AND SUMMARY OF THE CONTESTED PREMISE**

The Government attempts to argue before this Court that the detention of Mr. Alfaro Gonzalez is legitimate based on an obsolete and erroneous interpretation of immigration laws, specifically under the guise of a purported mandatory detention framework that has already been dismantled by the federal judiciary. The Government's opposition incurs three serious flaws that this reply deconstructs:

1. The Government insists on legally classifying the Petitioner under the mandatory detention framework of 8 U.S.C. § 1225(b)(2), willfully ignoring that the Petitioner belongs to the class protected by the federal judicial ruling issued on December 18, 2025, in the case *Lazaro Maldonado Bautista et al. v. Santacruz*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal. 2025). Said ruling mandates that his custody be processed under 8 U.S.C. § 1226(a), granting him an inalienable right to an individualized bond hearing.

2. The Government falsely alleges that the detention pursues a legitimate administrative purpose, when the procedural reality demonstrates that Immigration and Customs Enforcement (ICE) has violated its own internal regulations described in 8 C.F.R. §§ 241.4 and 241.13 by failing to conduct any mandatory Post-Order Custody Review (POCR) despite the expiration of the regulatory timeframes since his detention on March 5, 2026.

3. The Government minimizes or conceals the inhumane conditions and severe medical negligence to which it has subjected the Petitioner, who suffers from chronic diabetes and has experienced physical collapses due to the unauthorized alteration of his medications and the lack of an appropriate medical diet within the detention center.

For these reasons, this reply demonstrates that the Petitioner's detention has ceased to serve a civil-administrative purpose and has transformed into an arbitrary, excessive, and unconstitutional punishment. Mr. Alfaro Gonzalez does not pose a flight risk, is not a danger to the community,

and possesses extraordinary family and employment ties in the United States, accumulated over more than two decades of honest residence.

****II. REBUTTAL OF THE GOVERNMENT'S LEGAL CLASSIFICATION:
MANDATORY APPLICATION OF THE CLASS-WIDE RULING IN
*MALDONADO BAUTISTA V. SANTACRUZ*****

****A. The Error of Law Committed by the Government in Applying 8
U.S.C. § 1225(b)(2)****

In its opposition, the Government argues that Mr. Alfaro Gonzalez must remain detained on a mandatory basis due to his original entry status. However, this argument is an absolute legal fallacy.

On December 18, 2025, the United States District Court for the Central District of California issued a federal class-wide ruling in the case

Lazaro Maldonado Bautista et al. v. Santacruz, No.

5:25-cv-01873-SSS-BFM. In that resolution, the court determined with absolute clarity that non-citizens who entered the country without prior inspection and were automatically classified under section § 1225(b)(2)

****are not subject to mandatory detention**.**

The Court determined that this group of individuals is an integral part of the so-called **Bond-Eligible Class**. Consequently, federal law imperatively requires that their confinement situation be evaluated and implemented, if at all applicable, under the standards of 8 U.S.C. § 1226(a) and not under the draconian mandatory detention clauses of the border regime.

****B. The Right to an Individualized Custody Determination****

By falling within the doctrine established in **Maldonado Bautista**, ICE has an immediate legal obligation to reconfigure and reclassify the custody status of Mr. Alfaro Gonzalez. By failing to do so, the

Government acts outside the scope of federal legality. Under the protection of the statute of section § 1226(a), the Petitioner has a substantive right to be granted an individualized custody redetermination hearing before a neutral immigration judge. In said hearing, his eligibility to be released upon a reasonable bond, conditional parole, or non-custodial supervisory measures must be analyzed.

The Government's argument, intended to deliberately ignore the ruling of the **Maldonado Bautista** class-action lawsuit, constitutes a direct

defiance of federal judicial authority and an unlawful deprivation of the Petitioner's liberty, fully justifying this Court's intervention through the granting of the writ of *Habeas Corpus*.

**III. REGULATORY VIOLATION AND THE GOVERNMENT'S FLAGRANT DISREGARD FOR CUSTODY REVIEW PROCEDURES (8 C.F.R. §§ 241.4 AND 241.13)**

****A. Chronological Non-Compliance with Mandatory Reviews by ICE****

Mr. Alfaro Gonzalez was arrested and placed under the custody of immigration authorities on March 5, 2026. Based on the current date of analysis, the Petitioner has remained continuously deprived of his liberty. The Government alleges that the periods of confinement are justified by the ongoing removal proceedings. Nevertheless, the Government itself has failed to comply with the mandatory procedural deadlines and terms imposed by its own immigration regulations.

In accordance with federal regulations enshrined in 8 C.F.R. §§ 241.4 and 241.13, the immigration agency (ICE) is strictly bound to execute periodic and formal reviews of the custody of detainees upon reaching the critical intervals of 90 and 180 days. These Post-Order Custody Reviews (POCR) or reviews of continued detention are not optional or discretionary; they constitute a binding legal mandate designed to issue a formal written resolution on whether the alien's removal is significantly likely in the reasonably foreseeable future.

* The Petitioner entered immigration custody on March 5, 2026.

* The Government has not conducted any formal custody evaluation nor has it provided written notice of any determination regarding the actual feasibility or proximity of his removal to Mexican territory.

**B. Application of the Constitutional Doctrine of *Zadvydas v. Davis***

This administrative inaction translates into a flagrant regulatory violation that vitiates the legality of the continued detention. The Supreme Court of the United States ruled decisively in the landmark case *Zadvydas v. Davis*, 533 U.S. 678 (2001), that extended immigration detention by the Government becomes presumptively invalid and unlawful if the individual's final deportation is not viable in the short or medium term.

Mr. Alfaro Gonzalez has cooperated fully and unrestrictedly with administrative authorities. The fact that the Department of Homeland Security (DHS) has been unable to coordinate his removal is not attributable to the Petitioner. As originally stipulated, the barriers to his repatriation stem from structural, bureaucratic, and geopolitical dynamics within the government agencies themselves, and not from a lack of collaboration by the detainee. In the absence of a clear and verifiable horizon for his removal, and having ignored the reviews to which he is legally entitled, the Government is applying a detention of a punitive and indefinite nature, which is prohibited by the Constitution.

****IV. THE DETENTION CONDITIONS OF ABEL ALFARO GONZALEZ:
SEVERE MEDICAL NEGLIGENCE AND THE NULLIFICATION OF
PROCEDURAL GUARANTEES****

The Government routinely asserts that immigration confinement facilities comply with humanitarian care standards. However, in the specific case of Mr. Alfaro Gonzalez at the Baker Correctional Institution, the factual reality reveals an alarming pattern of institutional abuse, life-threatening medical negligence, and deliberate obstruction of access to justice.

***A. Institutionalized Medical Negligence Facing a Critical Health
Condition****

The Petitioner suffers from chronic diabetes. His health condition demands rigorous control, precise administration of pharmaceutical doses, and a specialized nutritional regimen. The Government, through the personnel assigned to the Baker correctional facility, has incurred severe violations of the inmate's physical integrity:

| Incident / Medical Violation | Direct Impact on the Petitioner | Factual
Documentary Support

Unilateral alteration of medical prescriptions** | Prison medical staff modified the insulin treatment prescribed by the Petitioner's primary care physician without prior authorization from said specialist. | History of emergency medical transfers at Baker. |

****Omission in supplying doses****	Jail facility staff has consistently forgotten or suspended the delivery of the insulin doses required by the patient's body.	Internal medical reports and custody grievances.
****Absence of an appropriate dietary meal plan****	The institution provides food loaded with components incompatible with diabetes, forcing the Petitioner to ingest meals hazardous to his condition.	Recurrent patterns of drastic glucose and insulin spikes.
****Recurrent physical collapses****	The combination of missed doses and poor nutrition has caused fainting, loss of consciousness, and severe blackouts inside the cell.	Emergency transfers to the hospital outside the prison due to critical insulin levels.

This state conduct does not represent a mere administrative error by the prison; it configures a scenario of "deliberate indifference to serious medical needs," which directly violates the detainee's fundamental rights under the Due Process Clause of the Fifth Amendment. Subjecting a human being under civil custody to recurrent medical crises that endanger his life invalidates the legitimacy of his confinement and fully grounds his immediate release for humanitarian and justice reasons.

****B. Destruction of the Attorney-Client Privilege and Due Process of Law****

Furthermore, the Government claims that the Petitioner has the capacity to defend himself in his ongoing judicial immigration process. However, Mr. Alfaro Gonzalez has a highly critical merits hearing scheduled for

September 8, 2026**. To face this trial, the Petitioner requires continuous, fluid, and confidential communication with his legal team. The Baker Correctional Institution ****lacks private or secure telephone lines that safeguard attorney-client confidentiality****. Every call placed is subject to monitoring and interception, destroying the constitutional privilege of legal confidentiality. This limitation prevents Mr. Alfaro Gonzalez from adequately preparing his application for Cancellation of

Removal (Form EOIR-42B) and reviewing evidentiary elements for his pending applications. The State cannot hold an individual locked up

while claiming he has a pending trial and, simultaneously, block the material tools required to prepare his defense for that trial.

V. DISMANTLING RISK FACTORS: THE PETITIONER'S EXTRAORDINARY FAMILY, EMPLOYMENT, FISCAL, AND COMMUNITY TIES**

If the Government intends to justify detention by asserting that Mr. Alfaro Gonzalez constitutes a "flight risk" or a "danger to public order," the overwhelming documentary evidence completely obliterates such assertions. The Petitioner possesses equity factors far superior to the standard threshold, ruling out any probability that he would attempt to evade justice.

****A. Immediate Family Nucleus of Dependent U.S. Citizens****

Mr. Alfaro Gonzalez has resided continuously in the United States since approximately ****2005****. He has established a solid household following his lawful marriage to Ms. Violeta Martinez Morales, a union legally formalized in Pasco County, Florida, in the year 2013. Two children have been born of this marriage, both U.S. citizens by birth:

*** **A. [REDACTED] **** Born on **[REDACTED]** 2010, in New Port Richey, Pasco County, Florida (currently 16 years old).

*** **E. [REDACTED] **** Born on **[REDACTED]** 2021, in Trinity, Pasco County, Florida (currently 5 years old).

The confinement of Mr. Alfaro Gonzalez is destroying the psychological, emotional, and material well-being of these U.S. citizen minors. As set forth in the emotional support declarations added to the record, the 5-year-old child exhibits severe psychological regression, night terrors, resistance to attending school, and symptoms of trauma due to the absence of her father. The oldest son, aged 16, has seen his excellent academic performance and athletic aspirations collapse due to the depressive impact of seeing his father behind bars. Mr. Alfaro Gonzalez is the financial provider and moral pillar of his wife and children; his prolonged absence condemns American citizens to absolute destitution. **### **B. Impeccable 18-Year Employment History and Fiscal Stability****

The Petitioner is not a transient or detached individual. The certifications provided to the court demonstrate uninterrupted employment for ****eighteen (18) years**** with * [REDACTED] *, located in Port Richey, Florida. The affidavits executed by the business owners, Ms. Tina Farrell and Mr. Stephen Farrell, characterize the Petitioner as an exceptional employee of high trust, promoted to the rank of foreman due to his integrity, punctuality, and positive leadership. The company has formally expressed its written commitment to reinstate him to his duties immediately upon regaining his liberty.

Tax-wise, Mr. Alfaro Gonzalez has strictly complied with U.S. tax laws for approximately ****fifteen (15) years****, filing his tax returns through his formally assigned ITIN number issued by the Internal Revenue Service (IRS) since January 2012. An individual with a work history of nearly two decades at the same company and an unblemished record of paying federal taxes does not, under any rational analysis, pose a flight risk. The Petitioner owns a stable residence located at [REDACTED] Port Richey, Florida 34668, where he will establish his immediate residence under this Court's supervision.

**C. Social Altruism and Verified Community Service**

The moral character of Mr. Alfaro Gonzalez is firmly established by the accumulation of multiple ****Certificates of Recognition and Appreciation**** issued by the community organization * [REDACTED] *:

* ****January 2020:**** Recognition for home rebuilding efforts for the benefit of U.S. Army veteran Gerald Rice.

* ****January 2023:**** Active participation in rebuilding the home of the Hartford and Katherine Lennox family.

* ****June 2025:**** Physical volunteering for the construction of community housing under the ***Blurta Home Rebuild*** program.

* ****October 2018:**** Relief and reconstruction efforts following the natural disaster caused by Hurricane Michael in the Florida Panhandle region.

This history of selfless volunteer service demonstrates that the Petitioner is a social pillar in his geographic area, a person dedicated to building his community and aiding U.S. citizens in times of catastrophe.

**VI. CLARIFICATION REGARDING THE TRIGGERING INCIDENT (DUI) AND REHABILITATION ACTIONS**

It is foreseeable that the Government will attempt to systematically appeal to the existence of an arrest for driving under the influence (DUI) as its sole argument to label the Petitioner a "danger to public safety." The Petitioner does not minimize the gravity of said event but demands that it be evaluated through the lens of procedural equity and the facts following the incident:

1. ****Isolated event and assumption of responsibility:**** The incident represented a completely isolated event in a trajectory of more than twenty years of impeccable civic conduct in this country. Mr. Alfaro Gonzalez assumed full and absolute legal and moral responsibility for his actions immediately.
2. ****Compliance and graduation from DUI School:**** The Petitioner successfully completed the educational and evaluation program of the ***Pasco County DUI School*** (Pasco County Substance Abuse Program), obtaining his ****Certificate of Successful Completion on February 2, 2026****. He fully complied with the 12 hours of instruction required under Florida State Statute 316.193.
3. ****Voluntary therapeutic treatment:**** Demonstrating a steadfast will for correction and rehabilitation, the Petitioner voluntarily enrolled in specialized substance control therapies under the direction of Licensed Mental Health Counselor (LMHC) Cristina Mantilla. He dutifully attended assessment and planning sessions on February 9, 18, and 23, 2026. As formally certified by the specialist in her report dated March 27, 2026, the therapeutic process was abruptly interrupted through no fault of the patient solely because ****ICE intervened to detain him on March 5, 2026****.

The therapist herself noted in writing that Mr. Alfaro Gonzalez demonstrated a cooperative, receptive, and highly participatory attitude, keeping the doors of her clinic open to immediately resume clinical treatment the moment he is released. Therefore, the dangerousness

argument is nullified: the Petitioner is rehabilitated, educated under state standards, and has no record of recidivism.

****VII. EXISTENCE OF STRONG AND VIABLE IMMIGRATION REMEDIES BEFORE THE GOVERNMENT ITSELF****

Prolonged detention lacks logical and procedural sense when it is verified that Mr. Alfaro Gonzalez possesses multiple legitimate and active legal avenues to regularize his status in the country. The Petitioner has filed the following substantive applications with the United States Citizenship and Immigration Services (USCIS), properly supported by their respective Form I-797C Receipts of Action, processed in ****March 2026****:

* ****Form EOIR-42B (Application for Cancellation of Removal for Certain Nonpermanent Residents):**** Based on the exceptional and extremely unusual hardship that his U.S. citizen children and wife would suffer if he were removed. The final trial to evaluate this remedy is set for next ****September 8, 2026****.

* ****Form I-914 (Application for T Nonimmigrant Status):**** Application intended to provide legal protection to victims of severe forms of trafficking in persons. Formally filed with the USCIS processing center under case number ****[REDACTED]****, with a receipt date of March 18, 2026, and fee waiver approved.

* ****Form I-192 (Application for Advance Permission to Enter as a Nonimmigrant):**** Filed under case number ****[REDACTED]**** on March 18, 2026, as a complementary legal protection procedure.

* ****Form I-765 (Application for Employment Authorization):**** Linked to his immigration remedies, under category C40, filed under case number ****[REDACTED]****.

The existence of these judicial and administrative processes provides the Petitioner with an absolute incentive to appear at every judicial summons. His purpose is not to evade authorities, but to submit to the legal ruling of the immigration courts on September 8, 2026. Keeping him behind bars destroys his capacity for defense and turns detention into an unlawful tool of coercion.

****VIII. FACTUAL AND LEGAL DECONSTRUCTION OF THE GOVERNMENT'S ARGUMENTS (POINT BY POINT)****

Below is a breakdown of the arguments typically raised by attorneys from the Department of Justice and ICE in cases of this nature, confronted and dismantled by the reality of the facts in this record:

1. ****Government's Allegation:**** **""The detainee is subject to mandatory detention under section 1225(b)(2) due to the terms of his original entry into the country.""**

*** **Strong Rebuttal:**** Absolutely false under the law. The Government ignores the verdict of the federal class-action lawsuit **Maldonado Bautista v. Santacruz** dated December 18, 2025. As an indisputable member of said class, Mr. Alfaro Gonzalez must be processed in accordance with the parameters of section 8 U.S.C. § 1226(a), which eliminates any automated mandatory confinement and requires an evaluation with the right to bond.

2. ****Government's Allegation:**** **""Detention is necessary to ensure the alien's appearance at his hearings and to prevent flight risk.""**

****Strong Rebuttal:**** The Petitioner owns a consolidated home in Florida, a 13-year marriage, two U.S. citizen children who depend entirely on him, stable employment of 18 years with Farrell Roofing, and multiple active immigration adjustment applications with scheduled hearings. Fleeing would mean destroying the opportunity to legalize his situation on September 8, 2026, and abandoning his family. The flight risk is equivalent to zero.

3. ****Government's Allegation:**** **""The alien represents a safety threat due to a criminal history linked to a DUI.""**

*** **Strong Rebuttal:**** The DUI incident was an isolated event. The Petitioner formally completed his road re-education and obtained his graduation certificate from the DUI school on February 2, 2026. Additionally, he initiated rehabilitation therapies on his own initiative with mental health professionals before being arrested by ICE. There is no

pattern of criminal behavior, but rather a fully documented process of amendment.

4. ****Government's Allegation:**** ******"The detention center provides adequate medical care to control the inmate's diabetes."******

*** **Strong Rebuttal:**** The track record of Baker Correctional Institution proves exactly the opposite. Jail staff has committed severe negligence by unilaterally altering the insulin treatment ordered by the external treating physician, skipping the application of vital doses, and providing food high in sugars that has caused fainting spells and emergency hospitalizations. Confinement under these conditions becomes cruel and unusual punishment.

IX. PRAYER FOR RELIEF*

For the reasons of fact and strict operation of law detailed throughout this brief, the Petitioner, ****Abel Alfaro Gonzalez****, respectfully requests that this Honorable United States Federal Court immediately issue a resolution ordering the following remedies:

1. ****GRANT**** immediately the Writ of ***Habeas Corpus*** under 28 U.S.C. § 2241, ordering the ****IMMEDIATE RELEASE**** of Mr. Abel Alfaro Gonzalez from the facilities of the Baker Correctional Institution, under non-custodial conditions of supervision that this court deems just and reasonable.

2. ****DECLARE**** formally that the actions of the Respondents, in maintaining the Petitioner under the mandatory detention framework of 8 U.S.C. § 1225(b)(2), flagrantly violate federal law and directly contradict the mandatory class-wide judgment issued in the case ***Lazaro Maldonado Bautista et al. v. Santacruz***.

3. ****ORDER****, alternatively and as a matter of urgency in the event that direct release is not granted outright, that ICE and DHS coordinate an ****individualized custody redetermination hearing**** under the standards of 8 U.S.C. § 1226(a) within a period not to exceed forty-eight (48)

hours, placing the burden of proof upon the Government to justify with clear and convincing evidence the necessity of confinement.

4. ****DECLARE**** that the Petitioner's current conditions of confinement, characterized by the denial and alteration of his medical treatment for diabetes and the nullification of the attorney-client privilege in legal communications, constitute a flagrant violation of the Due Process Clause of the Fifth Amendment of the Constitution.

5. ****GRANT**** any other legal or equitable relief that this Court deems appropriate to safeguard the life, health, and constitutional rights of the Petitioner.

Respectfully submitted,



Abel Alfaro Gonzalez
Petitioner

Family Contact Email: [REDACTED]
Family Contact Phone: [REDACTED]
Filing Date: June 13, 2026