4:26cv254 MW MAF

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA

Tallahassee DIVISION

§ 2241 HABEAS CORPUS PETITION FORM

TO BE USED BY PRISONERS IN ACTIONS UNDER 28 U.S.C. § 2241
OR IN ACTIONS CHALLENGING REMOVAL PROCEEDINGS

Daysi Noemy Hernandez-Jordan,
Inmate/Alien # [redacted].

1530 Commonwealth Business Dr.
Tallahassee, FL 32303.

(Enter full name of Petitioner, prison number or alien [A] number, if applicable, AND address of place of confinement.)

vs.

CASE NO: 4:26-cv-254 MW MAF
(To be assigned by Clerk)

U.S. Immigration and Customs Enforcement,

(Enter name and title of each Respondent. If additional space is required, use the blank area below and directly to the right.)

ALL APPLICANTS MUST COMPLETE THIS ENTIRE FORM

ANSWER ALL OF THE FOLLOWING:

1. This petition concerns (check where applicable):

   (a). ☐ a conviction
   (b). ☐ a sentence
   (c). ☐ prison disciplinary action or other action resulting in lost gain time credits
   (d). ☐ parole
   (e). ■ immigration/removal
   (f). ☐ other (explain): _____

2. Provide the following information regarding the conviction(s) and sentence(s) for which you are presently incarcerated:

   (a). Name(s) and location(s) of court: Immigration Court, 3535 Lawton Rd, Ste 200 Orlando, FL 32803
   (b). Case Number(s): [redacted]
   (c). Charge(s) for which you were convicted: inadmissible/ordered removed 235(b)(1)
   (d). What was your plea? (Check one)
      (1) Not Guilty ☐
      (2) Guilty ■
      (3) Nolo contendere ☐

   (e). Did you appeal from the judgment of conviction? Yes ☐ No ■

3. If you did appeal, answer the following:

   (a) Name of Court: _____ Case #: _____

   (b) Result: _____

   (c) Date of opinion and mandate (citation, if known): _____

4. Claims that challenge your conviction or imposition of sentence can only be raised by motion under 28 U.S.C. § 2255 unless the § 2255 motion is inadequate or ineffective to test the legality of your detention. If any of the grounds raised above challenge your conviction or sentencing:

   (a) Have you filed a motion under 28 U.S.C. § 2255?
   Yes ☐ No ■

   If yes, please provide the case #, where filed, relevant date(s), and the results: _____

   (b). Explain why the remedy under § 2255 was or is inadequate or ineffective: _____

5. Are you currently represented by counsel in this case or in any other court case?

Yes ☐ No ■

If yes, please explain: _____

6. If this case concerns removal proceedings:
(a) Date of final order of removal: 11/6/2017
(b) Did you file an appeal with the Board of Immigration Appeals? Yes ☐ No ■

7. In the spaces below, set forth every ground which supports your claim that you are incarcerated unlawfully. Briefly summarize the specific facts in support of each ground raised. Conclusions that are not supported by specific facts are insufficient. You may attach additional pages if necessary to raise additional grounds or provide additional facts. Do not cite any law in your statement of facts.

(a). Ground one: Family Extraordinary Hardship

Supporting FACTS (state *briefly* without citing cases or law): I have been continuously present in the U.S since 2015, I possess good moral character, and my deportation would result in exceptional and extremely unusual hardship to my two minor U.S citizen children (6 and 9).

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ■

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes ☐ No ■

If yes, please provide the results of the proceeding(s) and the relevant date(s).

_____

(b). Ground two: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

_____

_____

_____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s).

_____

(c). Ground three: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

_____

_____

_____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s).

_____

(d). Ground four: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

_____

_____

_____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s).

_____

(e). Ground five: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

_____

_____

_____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s).

_____

(f). Ground six: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

_____

_____

_____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes ☐ No ☐

If yes, please provide the results of the proceeding(s) and the relevant date(s).

_____

8. WHEREFORE, based upon the grounds raised above, Petitioner prays that the court will grant the following relief:

DECLARATION

I declare under penalty of perjury that I have read the above and the information contained herein is true and correct.

5/23/2026
(Date)

Daysi Jordan
Signature of Petitioner

IF MAILED BY PRISONER:

I declare or state under penalty of perjury that this petition was (check one):

☐ delivered to prison officials for mailing, or ☐ deposited in the prison's internal mail system on: _____(date).

_____
Signature of Petitioner

U. S. Department of Homeland Security

Notice of Referral to Immigration Judge

Name: JORDAN-HERNANDEZ, DAYSI NOEMY SOUTH TEXAS FAMILY RESIDENTIAL CENTER [redacted]	Date: 12/5/2015 A-File: [redacted] Country of Citizenship: EL SALVADOR
Place and Manner of Arrival: AT OR NEAR HIDALGO, TX - EWI	Date of Arrival: 11/25/15

To immigration judge:

☒ 1. The above-named alien has been found inadmissible to the United States and ordered removed pursuant to section 235(b)(1) of the Immigration and Nationality Act (Act). A copy of the removal order is attached. The alien has requested asylum and/or protection under the Convention against Torture and the matter has been reviewed by an asylum officer who has concluded the alien does not have a credible fear of persecution or torture. The alien has requested a review of that determination in accordance with section 235(b)(1)(B)(iii)(III) of the Act and 8 CFR § 208.30(g).

☐ 2. The above-named alien arrived in the United States as a stowaway and has been ordered removed pursuant to section 235(a)(2) of the Act. The alien has requested asylum and/or withholding of removal under the Convention against Torture and the matter has been reviewed by an asylum officer who has concluded the alien does not have a credible fear of persecution or torture. The alien has requested a review of that determination in accordance with section 235(b)(1)(B)(iii)(III) of the Act.

☐ 3. The above-named alien arrived in the United States in the manner described below and has requested asylum and/or withholding of removal under the Convention against Torture. The matter is referred for a determination in accordance with 8 CFR § 208.2(c).
Arrival category (check one):

☐ Crewmember/applicant ☐ Crewmember/refused ☐ Crewmember/landed
☐ Crewmember/violator ☐ VWP/applicant ☐ VWP/violator
☐ 235(c) order ☐ S-visa nonimmigrant ☐ Stowaway: credible fear determination attached

☐ 4. The above-named alien has been ordered removed by an immigration officer pursuant to section 235(b)(1) of the Act. A copy of the removal order is attached. In accordance with section 235(b)(1)(C) of the Act, the matter is referred for review of that order. The above-named alien claims to be (check one):

☐ a United States citizen ☐ a lawful permanent resident alien
☐ an alien granted refugee status under section 207 of the Act ☐ an alien granted asylum under section 208 of the Act.

☐ 5. The above-named alien has been ordered removed pursuant to section 238(b) of the Act, or the Department of Homeland Security (DHS) has reinstated a prior exclusion, deportation, or removal order of the above-named alien pursuant to section 241(a)(5) of the Act. A copy of the removal order and, if applicable, the notice of reinstatement, are attached. The alien has expressed fear of persecution or torture and the claim has been reviewed by an asylum officer who has concluded the alien does not have a reasonable fear of persecution or torture. The alien has requested a review of that determination in accordance with 8 CFR §§ 208.31(f) and (g).

☐ 6. The above-named alien has been ordered removed pursuant to section 238(b) of the Act, or the DHS has reinstated a prior exclusion, deportation, or removal order of the above-named alien pursuant to section 241(a)(5) of the Act. A copy of the removal order and, if applicable, the notice of reinstatement, are attached. The alien has expressed fear of persecution or torture and the claim has been reviewed by an asylum officer who has concluded the alien has a reasonable fear of persecution or torture. The matter has been referred for a determination in accordance with 8 CFR § 208.31(e).

☐ 7. The Secretary of Homeland Security has determined that the release from custody of the above-named alien who is under a final order of removal would pose a special danger to the public according to the standards set in 8 CFR § 241.14(f)(1). The DHS has therefore invoked procedures to continue the alien's detention even though there is no significant likelihood that the alien will be removed from the United States in the reasonably foreseeable future. The matter is referred to the immigration judge for a review of this determination in accordance with 8 CFR § 241.14(g).

IMMIGRATION COURT
3535 LAWTON ROAD, SUITE 200
ORLANDO, FL 32803

In the Matter of

HERNANDEZ JORDAN, DAYSI NOEMY
Respondent

Case No.: [redacted]

IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on Nov. 6, 2017
This memorandum is solely for the convenience of the parties. If the proceedings should be appealed or reopened, the oral decision will become the official opinion in the case.

[X] The respondent was ordered removed from the United States to El Salvador or in the alternative to .

[ ] Respondent's application for voluntary departure was denied and respondent was ordered removed to or in the alternative to .

[ ] Respondent's application for voluntary departure was granted until upon posting a bond in the amount of $ _____ with an alternate order of removal to .

Respondent's application for:

[X] Asylum was ( )granted (X)denied( )withdrawn.

[X] Withholding of removal was ( )granted (X)denied ( )withdrawn.

[ ] A Waiver under Section _____ was ( )granted ( )denied ( )withdrawn.

[ ] Cancellation of removal under section 240A(a) was ( )granted ( )denied ( )withdrawn.

Respondent's application for:

[ ] Cancellation under section 240A(b)(1) was ( ) granted ( ) denied ( ) withdrawn. If granted, it is ordered that the respondent be issued all appropriate documents necessary to give effect to this order.

[ ] Cancellation under section 240A(b) (2) was ( )granted ( )denied ( )withdrawn. If granted it is ordered that the respondent be issued all appropriated documents necessary to give effect to this order.

[ ] Adjustment of Status under Section ____ was ( )granted ( )denied ( )withdrawn. If granted it is ordered that the respondent be issued all appropriated documents necessary to give effect to this order.

[X] Respondent's application of (X) withholding of removal (X) deferral of removal under Article III of the Convention Against Torture was ( ) granted (X) denied ( ) withdrawn.

[ ] Respondent's status was rescinded under section 246.

[ ] Respondent is admitted to the United States as a _____ until _____.

[ ] As a condition of admission, respondent is to post a $ _____ bond.

[ ] Respondent knowingly filed a frivolous asylum application after proper notice.

[ ] Respondent was advised of the limitation on discretionary relief for failure to appear as ordered in the Immigration Judge's oral decision.

[ ] Proceedings were terminated.

[ ] Other: _____

Date: 11-6-17

JAMES K. GRIM
Immigration Judge

Appeal: Waived/Reserved Appeal Due By: 12-6-17

By Respondent

ALIEN NUMBER: 088-928-175 NAME: HERNANDEZ JORDAN, DAYSI NOEMY

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)

TO: [ ] ALIEN [ ] ALIEN c/o Custodial Officer [ ] ALIEN's ATT/REP [P] DHS

DATE: 11-6-24 BY: COURT STAFF

Attachments: [ ] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other

Q6

Department of Homeland Security
Immigration and Customs Enforcement

Continuation Page for Form : Release on Recognizance I-220A

Alien's Name: **DAYSI JORDAN-HERNANDEZ**

File Number: [redacted]

Date: **12/14/15**

Rider: [redacted]

X Daysi Noami Jordan
Alien's Signature



RIGHT INDEX PRINT

Alien's Address: [redacted]

Alien's Telephone Number (if any): [redacted]

DATE	OFFICER	COMMENT/CHANGES
1/5/2016	PIERESCA	REPORTED TO JAC/ERO. NEEDS TO REPORT TO TAL/ERO. WILL GO THERE TODAY (AD)
1/5/2016	[illegible]	RTP TALERO NEXT Report DATE 01/10/2017
1/10/17	CLARK	Next Report Date JANUARY 11, 2018 @ 9:00AM 1000 am
1-11-18	E-8877	Next Report Date 4-26-18 @ 8:30am
4-26-18	2196	Report on 6-18-18 @ 9Am
6-18-18	7790	REPORT ON NOVEMBER 13, 2018 @ 0900 HRS.
11/13/18	8630	Report on MAY 23, 2019 @ 8:00 am
5-23-19	8877	Report on January 16, 2020, @ 9:00 AM
1/16/20	8630	Report on February 2, 2021 @ 8:30 AM
11-1-21	DMV	
11/15/22	2346	NEXT REPORT DATE: NOVEMBER 15, 2022 @ 10:00 AM ~~TRAVEL DOCS IS DE TENDERED 2023~~
2/16/23	2346	PROCESS CDTS IS DE NOVO 2023
5/15/23	4319	NRD: August 17, 2023 @ 8:30AM
8/17/23	8604	NRD NOV 15, 223 @ 930
11/15/23	4319	NRD: NOV 13, 2024 @ 9am

Signature: [signature]

Title: Deportation Officer

Please note that all references in this order/addendum to "INS" or "Service" should now be considered to refer to U.S. Immigration and Customs Enforcement (ICE).

U.S Department of Homeland Security
Immigration and Customs Enforcement

Continuation Page for Form: I-220B

Alien's Name	File Number	Date
Hernandez-Jordan, Daysi	[redacted]	**11/13/2024**



Alien's Signature

Alien's Address

[redacted]

Alien's Telephone Number

RIGHT INDEX PRINT

PERSONAL REPORT RECORD

DATE	OFFICER	COMMENT/CHANGES
You must report to the ICE office listed on the first page of this document on:		
11/13/24	6005	Report: Dec. 18, 2024
12/18/24	7790	NRD: March 21, 2025 @ 9:00AM
3/19/26	6005	Report: June 1, 26 @ 9AM

Signature	Title
	DO

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

VOLUNTARY DEPARTURE AND VERIFICATION OF DEPARTURE

To: (Alien's Last Name, First Name, Address)	Alien's Phone Number	A: Number [redacted]
Daysi Noemy Hernandez-Jordan [redacted]		FIN Number [redacted]

☐ You have violated the terms of your admission as a nonimmigrant. Consequently, the permission previously granted you to remain in the United States is rescinded. You are required to depart from the United States at your own expense on or before _____.

☒ On 06/24/2009 you were granted voluntary departure by the ☒ IJ ☐ BIA ☐ DHS. You are required to depart from the United States on or before 10/22/2009 ☒ at your expense. ☐ at government expense. ☐ under safeguard.

☐ Your request for an extension of time to depart from the United States has been _____ (Granted/Denied). You are required to depart on or before _____.

☐ You state that you will be departing the United States on _____ through _____ (Port of Departure)

on _____ (Give Airlines, Flight Number and Time or Other Manner of Departure)

NOTICE: The Immigration Judge's Alternate Order of Removal will take effect if the alien does not depart within the time specified. Failure to depart on or before the specified date may result in the withdrawal of voluntary departure and action being taken to effect your removal. A warrant for your arrest will be issued if this office has not received verification of your departure by the specified date. Failure to depart on or before the specified date may also subject you to a possible civil penalty of not less than $1,000 and not more than $5,000, and render you ineligible for a period of 10 years for any further authorization for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Immigration and Nationality Act.

Additionally, if an Immigration Bond has been posted on the alien, the DHS will initiate the appropriate action in accordance with the terms of the executed bond and any attached rider or riders specified.

To any U.S. official: This document can be completed and transmitted to DHS/ICE Headquarters Office of Detention and Removal via VD-Bond-Verifications@dhs.gov .

Alien's Acknowledgement of Conditions and Receipt of Form — Date

Signature of Authorized DHS Official — Date 6/30/2009

For Kenneth L. Landgrebe FOD — Houston Field Office

DHS Official Serving Form (Name and Title) — Office

(Photo of Alien) — If Available — (Right Index Fingerprint)

Verification of Departure
(Completion by an official of the Department of Homeland Security or the U.S. Department of State)

Printed Name	Signature of Official Verifying Identity	Office	Date	Phone Number

U.S. Departure Place		Date
Method of Departure	☐ Air ☐ Train ☐ Boat ☐ Other:	

Comments
Tony E. Parada, ESQ. 3401 Louisiana Ste 280 HOUSTON, TX 77002

CLERICAL BY _____
RECOMMENDED BY _____
REVIEWED BY _____
APPROVED BY _____

A-File Copy