JUDGE KATHLEEN CARDONE

FILED

AUG 27 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

UNITED STATES DISTRICT COURT

for the

Western District of Texas

Alexis Pantoja Martiato

Petitioner

v.

Warden, ERO El Paso Camp East Montana

Respondent
(name of warden or authorized person having custody of petitioner)

Case EP26CV2225
(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: Alexis Pantoja Martiato
   (b) Other names you have used: N/A
2. Place of confinement:
   (a) Name of institution: ERO EL PASO CAMP EAST MONTANA
   (b) Address: 6920 DIGITAL ROAD EL PASO, TX 79936
   (c) Your identification number: [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)*:

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)

☐ 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: U.S. Immigration and Customs Enforcement (ICE) ERO EL PASO CAMP EAST MONTANA, EL PASO, TEXAS

(b) Docket number, case number, or opinion number: [redacted]

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*:
Continued ICE detention since February 11, 2026, now exceeding six months. Petitioner challenges detention only, not the removal order.

(d) Date of the decision or action: 02/11/2026

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:
Petitioner was not represented by counsel and did not understand the appeal process.

8. **Second appeal**

After the first appeal, did you file a second 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 second appeal:

Petitioner did not file a second appeal because he was not represented by counsel and did not understand the appeal process.

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:

(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:

Petitioner did not file a third appeal because he was not represented by counsel and did not understand the appeal process.

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

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:

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☑ Yes ☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 02/11/2026

(b) Date of the removal or reinstatement order: 12/21/2023

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☑ No

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: Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241
(b) Name of the authority, agency, or court: U.S District Court for the Middle District of Florida, Fort Myers
(c) Date of filing: 06/08/2026
(d) Docket number, case number, or opinion number: 2:26-cv-01902-KCD-KRH
(e) Result: Denied without prejudice.
(f) Date of result: 07/02/2026
(g) Issues raised: Challenge to continued post-removal-order ICE detention under 28 U.S.C. § 2241.

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: SEE ATTACHMENT A

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

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

☐ Yes ☑ No

GROUND TWO: SEE ATTACHMENT A

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

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

☐ Yes ☑ No

GROUND THREE: SEE ATTACHMENT A

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

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

☐ Yes ☑ No

GROUND FOUR: SEE ATTACHMENT A

(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: Petitioner did not present these detention-related grounds in prior appeals because he was not represented by counsel and did not understand the appeal process. This petition challenges his current ICE detention, not the removal order.

Request for Relief

15. State exactly what you want the court to do: SEE ATTACHMENT A

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

8-14-24

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: 8-14-24

Signature of Petitioner

Signature of Attorney or other authorized person, if any

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

Petitioner: Alexis Pantoja Martiato **A#:** [redacted]

GROUND ONE

Petitioner's continued post-removal-order detention has exceeded six months, and there is no significant likelihood of removal in the reasonably foreseeable future.

Petitioner Alexis Pantoja Martiato is a native and citizen of Cuba and is subject to a final order of removal dated December 21, 2023. Petitioner does not challenge the validity of that removal order. He challenges only his continued detention by U.S. Immigration and Customs Enforcement ("ICE").

ICE took Petitioner into immigration custody on February 11, 2026. Petitioner has remained continuously in ICE custody since that date and has now been detained for more than six months.

Petitioner remains detained and has not been removed. The documents presently available to Petitioner do not identify a confirmed removal date, a scheduled removal flight, or other concrete information establishing that his removal will occur in the reasonably foreseeable future.

Because Petitioner's detention has now exceeded the six-month period recognized in *Zadvydas v. Davis*, 533 U.S. 678 (2001), and because the available records do not establish a concrete or imminent removal, Petitioner has good reason to believe that there is no significant likelihood of his removal in the reasonably foreseeable future. Continued detention under these circumstances is no longer reasonably necessary to effectuate removal.

GROUND TWO

The factual basis that caused Petitioner's prior habeas petition to be denied as premature has materially changed.

Petitioner previously filed a petition for writ of habeas corpus under 28 U.S.C. § 2241 in the United States District Court for the Middle District of Florida, Case No. 2:26-cv-01902-KCD-KRH.

On July 2, 2026, the Court denied that petition without prejudice. The Court specifically relied on the fact that Petitioner had been detained since February 11, 2026 and, at that time, had not yet reached the six-month period recognized in *Zadvydas*.

That material circumstance has now changed. Petitioner has remained continuously detained beyond six months. The reason the prior petition was considered premature therefore no longer exists, and the legality of Petitioner's continued detention must be evaluated under the circumstances that exist now.

GROUND THREE

Petitioner's continued detention no longer bears a reasonable relationship to the civil purpose of effectuating removal and violates due process.

Petitioner recognizes that ICE initially detained him pursuant to a final order of removal. Immigration detention, however, is civil in nature and must remain reasonably related to the purpose of effectuating removal rather than becoming potentially indefinite confinement.

Petitioner has remained in continuous ICE custody since February 11, 2026. More than six months have elapsed, yet Petitioner has not been removed. The documents presently available to him do not establish a definite removal date or demonstrate that removal is imminent.

As the period of detention continues without concrete information establishing a significantly likely removal in the reasonably foreseeable future, Petitioner's continued physical confinement has become unreasonable and no longer bears a sufficient relationship to the purpose for which he was detained. Petitioner therefore seeks habeas review of the legality of his continued detention under the Due Process Clause of the Fifth Amendment and 8 U.S.C. § 1231 as construed in *Zadvydas*.

GROUND FOUR

The record supports release under reasonable conditions of supervision if continued detention is no longer authorized.

Petitioner has substantial family and community ties in the United States. He is the father of three daughters, has close family support, and has a stable residence available to him. The materials previously submitted also document support from family, friends, and his employer, as well as a work history in the community.

These circumstances demonstrate that Petitioner has a stable support structure available upon release. Petitioner is willing to comply with reasonable conditions of supervision imposed by ICE, including regular reporting, maintaining a current residential address, telephone reporting, electronic monitoring if required, and compliance with lawful immigration requirements.

Petitioner therefore respectfully requests release from physical custody under appropriate conditions of supervision if the Court determines that his continued detention is no longer authorized.

REQUEST FOR RELIEF

WHEREFORE, Petitioner Alexis Pantoja Martiato respectfully requests that this Court:

1 Assume jurisdiction over this Petition pursuant to 28 U.S.C. § 2241;

2 Order Respondent to show cause why Petitioner's continued detention remains lawful;

3 Determine whether there is a significant likelihood that Petitioner's removal will occur in the reasonably foreseeable future;

4 Grant the Petition for Writ of Habeas Corpus if the Government cannot establish that continued detention remains authorized;

5 Order Petitioner's release from physical custody under appropriate conditions of supervision;

6 In the alternative, order a prompt and meaningful individualized custody review consistent with applicable law; and

7 Grant such other and further relief as the Court deems just and proper.

Petitioner is not challenging the validity of the December 21, 2023 final order of removal. He challenges only his continued physical detention by ICE.

ALEXIS PANTOJA MARTIATO

A-Number: [redacted]

EXHIBIT INDEX

In Support of Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241

Exhibit	Description	Packet Pages
A	Current ICE Detainee Locator Record - ERO El Paso Camp East Montana	2-3
B	Current EOIR Automated Case Information - Removal Order dated December 21, 2023	4-5
C	Order dated July 2, 2026 in Case No. 2:26-cv-01902-KCD-KRH (prior habeas denied without prejudice)	6-12
D	Personal Declaration of Alexis Pantoja Martiato and Identification	13-16
E	Drawing/Letter from Alexis Pantoja's Child Showing Emotional Hardship	17-18
F	Support Letters and Identifications from Family, Friends, and Employer	19-30

EXHIBIT A

Current ICE Detainee Locator Record - ERO El Paso Camp East Montana

<VOLVER A RESULTADOS

Página del Centro

Detention Information For:

ALEXIS PANTOJA MARTIATO
País de Nacimiento: Cuba
Número A: [redacted]

Centro de Detención Actual:

ERO EL PASO CAMP EAST MONTANA
6920 Digital Road
NA
El Paso, TX 79936
Información para Visitantes (915) 208-0980

MÁS INFORMACIÓN>

Información de la Oficina ERO

Los familiares y representantes legales pueden obtener información adicional sobre el caso de esta persona poniéndose en contacto con esta oficina de ERO:

ERO - El Paso, TX SPC Sub-Office
Número de Teléfono (915) 225-0700

EXHIBIT B

Current EOIR Automated Case Information - Removal Order dated December 21, 2023

Automated Case Information

Name: PANTOJA MARTIATO, ALEXIS | A-Number [redacted] | Docket Date: 11/29/2023

Next Hearing Information

There are no future hearings for this case.

Court Decision and Motion Information

The immigration judge ordered REMOVAL.

DECISION DATE
December 21, 2023

COURT ADDRESS
18201 SW 12TH ST, BLDG 1 STE C
MIAMI, FL 33194

BIA Case Information

No appeal was received for this case.

Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

COURT ADDRESS
18201 S.W. 12TH ST
MIAMI, FL 33194

PHONE NUMBER
(786) 422-8700

EXHIBIT C

Order dated July 2, 2026 in Case No. 2:26-cv-01902-KCD-KRH (prior habeas denied without prejudice)

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ALEXIS PANTOJA MARTIATO,

Petitioner,

v.

Case No. 2:26-cv-1902-KCD-KRH

WARDEN, FLORIDA SOFT SIDE SOUTH DETENTION FACILITY, US ATTORNEY GENERAL,

Respondents,

/

ORDER

Petitioner Alexis Pantoja Martiato is Cuban citizen with a final removal order. He was recently detained by U.S. Immigration and Customs Enforcement ("ICE"). He now seeks a writ of habeas corpus under 28 U.S.C. § 2241. As best the Court can tell from the pro se petition, he argues that his continued detention violates the Fifth Amendment. (Doc. 1.) The Government opposes the petition. (Doc. 7.) For the reasons below, the petition is **DENIED WITHOUT PREJUDICE.**

I. Legal Framework

The federal habeas statute, 28 U.S.C. § 2241, provides authority to issue writs of habeas corpus when an individual is "[i]n custody in violation of the Constitution or law or treaties of the United States." *Id.* § 2241(c)(3). "At its historical core, the writ of habeas corpus has served as a means of reviewing

the legality of Executive detention, and it is in that context that its protections have been strongest." *I.N.S. v. St. Cyr*, 533 U.S. 289, 301 (2001). "Section 2241 authorizes federal courts to hear challenges to immigration detention." *Grigorian v. Bondi*, No. 25-CV-22914-RAR, 2025 WL 2604573, at *2 (S.D. Fla. Sept. 9, 2025).

II. Discussion

A noncitizen subject to a final order of removal, like Martiato, has no inherent right to walk free while awaiting deportation. *See* 8 U.S.C. § 1231. "Detention during deportation proceedings" is simply "a constitutionally valid aspect of the deportation process." *Demore v. Kim*, 538 U.S. 510, 523 (2003). But there is a catch. Holding a removable alien indefinitely is also a constitutional non-starter since "the Due Process Clause applies to all persons within the United States." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

To reconcile these points, the Supreme Court in *Zadvydas* capped "an alien's post-removal-period detention to a period reasonably necessary to bring about that alien's removal from the United States." *Id.* at 689. And to give lower courts a workable yardstick, the Court drew a line at six months: any post-removal detention lasting six months or less is "presumptively reasonable." *Id.* To have a substantive due process claim in this context, then, "the alien not only must show post-removal order detention in excess of six months but also must provide evidence of a good reason to believe that there

is no significant likelihood of removal in the reasonably foreseeable future." *Akinwale v. Ashcroft*, 287 F.3d 1050, 1052 (11th Cir. 2002).

Apply that framework here, and Martiato's due process claim immediately runs into a math problem: he has not been detained long enough. ICE grabbed him on February 11, 2026. Because his confinement remains short of the six-month mark, he sits squarely within the presumptively reasonable window. *See Guerra-Castro v. Parra*, No. 1:25-CV- 22487, 2025 WL 1984300, at *4 (S.D. Fla. July 17, 2025) (finding habeas petition "premature" because "Petitioner has not been detained for more than six months"); *see also Jiang v. Mukasey*, No. 208-CV-773-FTM-29DNF, 2009 WL 260378, at *2 (M.D. Fla. Feb. 3, 2009); *Noel v. Glades Cnty. Sheriff*, No. 2:11-CV-698-FTM-29, 2011 WL 6412425, at *2 (M.D. Fla. Dec. 21, 2011).

Because immigration detention is a civil tool rather than a criminal penalty, the constitutional line is generally drawn at punishment. *See Rodriguez-Fernandez v. Wilkinson*, 654 F.2d 1382, 1387 (10th Cir. 1981). By contrast, the Government can lawfully hold a noncitizen to ensure they are present for removal or to keep the public safe. That is simply the machinery of the immigration system doing its job. A substantive due process violation happens only when that machinery breaks down—when the detention loses its reasonable connection to effectuating a removal order and morphs into a penalty. *Cf. Lee v. Stone*, No. 2:11-CV-00014-RWS, 2011 WL 4553147, at *7

(N.D. Ga. Aug. 25, 2011). So long as the custody serves a legitimate immigration purpose rather than acting as a punitive measure, it stays on the right side of the Constitution. *See, e.g.*, *United States v. Salerno*, 481 U.S. 739, 747 (1987); *Rodriguez v. Perry*, 747 F. Supp. 3d 911, 917 (E.D. Va. 2024) ("[A]liens . . . have a substantive due process right to be free of arbitrary confinement pending deportation proceedings.").

Although he claims otherwise, Martiato has not shown that his current stint in custody is a punishment masquerading as immigration processing or is otherwise arbitrary. He is subject to a final removal order that stands uncontested. The INA explicitly authorizes a return to detention to effectuate such orders. Under the rules, ICE may revoke a noncitizen's release to effectuate removal. 8 C.F.R. § 241.13(i)(2). And the Government no doubt has a legitimate interest in doing exactly that—enforcing its laws, ensuring individuals do not flee, and protecting the public. *See Malam v. Adducci*, 469 F. Supp. 3d 767, 790 (E.D. Mich. 2020). Here, ICE revoked Martiato's release specifically to enforce his outstanding removal order. Returning him to custody thus serves a recognized, legitimate government objective.

As best the Court can tell, Martiato also presses a procedural due process claim. But it's not entirely clear which process he failed to receive. When the Supreme Court confronted the constitutional perils of indefinite immigration detention in *Zadvydas*, it did not instruct lower courts to start weighing the

process afforded to the detainee. It set a timer. For the first six months, detention is presumptively reasonable. 533 U.S. 678, 701 (2001). So until that timer goes off, *Zadvydas* itself seemingly supplies the constitutional metric. *Martinez v. Larose*, 968 F.3d 555, 566 (6th Cir. 2020). "In other words, the *Zadvydas* standard is due process: a § 1231 detainee who fails the Zadvydas test fails to prove a due process violation." *Castaneda v. Perry*, 95 F.4th 750, 760 (4th Cir. 2024). Because Martiato's detention is barely out of the starting gate, he is not yet entitled to anything more.

Finally, Martiato stresses that "ICE can use less restrictive alternatives to detention." But the governing statute does not require that kind of interest balancing. 8 U.S.C. § 1231. The Government can legally detain Martiato while it attempts to effectuate his removal.

III. Conclusion

Martiato has not been detained long enough to transform his authorized custody into a due process violation under *Zadvydas*. And his remaining arguments—to the extent they are viable—do not warrant habeas relief. The Government is actively working to execute his removal, and it has cleared the necessary regulatory hurdles to keep him in custody while it does so. Because Martiato has not shown his detention is unlawful, his petition (Doc. 1) must be **DENIED WITHOUT PREJUDICE**. The Clerk is **DIRECTED** to enter judgment accordingly, terminate any pending motions, and close the case.

ORDERED in Fort Myers, Florida on July 2, 2026.

Kyle C. Dudek
United States District Judge

EXHIBIT D

Personal Declaration of Alexis Pantoja Martiato and Identification

To Whom It May Concern:

My name is Alexis Pantoja, and I am writing this letter with great respect to explain my situation and to ask that I be allowed to remain in the United States.

I am the son of Madelin Martiato, whom I love deeply. My mother raised my brother and me by herself, making sure that we never lacked anything. Because of her effort and dedication, we grew up united, strong, and with solid values. My brother and I were like one person: we cared for each other, supported each other, and loved each other deeply. That bond taught me the true meaning of family and responsibility.

I lost my brother in a motorcycle accident when he was 21 years old. That day changed my life forever. I remember seeing my mother at the funeral home and feeling that nothing would ever be the same again. From that moment on, I dedicated myself even more to taking care of her because I understood that she needed my support more than ever. Everything I do in my life is guided by my love for my family and my desire to protect them.

I know that I have made mistakes in my life, but I want you to know that I am sincerely remorseful for them. I have learned from my mistakes, and I am committed to living responsibly, working for my family, and doing what is right.

I am the father of three daughters who were born in this country: [redacted] age 11; [redacted] age 10; and [redacted] age 6. I live for them and to make sure they have a stable home, education, love, and guidance. Every day, I take them to school, participate in their lives, and work hard to give them a safe future. They need me, and I cannot imagine my life being separated from them.

I have lived in the United States for 18 years, and I currently live in [redacted] a place I love deeply, after having lived in Miami for 16 years. I have worked hard to be a good son, a good father, and a responsible man. Everything I do is to care for my family and to build a safe future for my daughters and my mother.

With all due respect, I ask that you please consider my story, my dedication to my family, my mother's sacrifice, the love and daily care I provide to my daughters, and my sincere remorse for my past mistakes. I respectfully beg that I be allowed to remain in this country so I can continue fulfilling my role as a son, father, and provider.

Thank you for your time and for considering my situation.

Respectfully,

Alexis Pantoja

EXHIBIT E

Drawing/Letter from Alexis Pantoja's Child Showing Emotional Hardship

EXHIBIT F

Support Letters and Identifications from Family, Friends, and Employer

To Whom It May Concern:

My name is Madelin Martiato, and I reside in Miami, Florida. I am writing this letter with great respect to humbly ask that you consider the situation of my son, Alexis Pantoja, and please give him the opportunity to remain in the United States.

My son has lived in this country for approximately 18 years. During all that time, he has worked with effort and dedication to build a stable life for his family. Alexis is a responsible, hardworking man and a father who is deeply committed to the well-being of his daughters.

Our family has suffered a very painful loss. I lost my other son, who was Alexis's only brother. That tragedy left a very large emptiness in our lives. As a mother, that pain never goes away. Since that time, Alexis has been my greatest emotional and family support. The thought of also losing my son because of deportation would be too much pain for me to bear.

Alexis is the father of three girls who were born in this country: [redacted] age 11; [redacted] age 10; and [redacted], age 6. They live with him and their mother, Yanielis Hernandez. My son is the main provider for his three daughters. He works to provide them with a home, food, education, and stability. Beyond financial support, Alexis is a present father who deeply loves his girls and actively participates in their lives.

If Alexis were deported, his daughters would suffer an enormous loss. They need their father's love, guidance, and protection as they grow. Separating a father from his young daughters would have a very strong emotional impact on them and on our entire family.

Alexis is a kind-hearted man who has dedicated his life to working and caring for his family. He wishes to continue being a good father to his daughters and to continue contributing positively to his family and to the community.

For all of the above reasons, I ask you with all my heart to consider my son's story, his character, his responsibility as a father, the 18 years he has lived in this country, and the great impact that his deportation would have on his three daughters and on me as his mother.

With humility and hope, I beg you to give him the opportunity to remain in the United States and to continue being the father, son, and provider he has always been.

Thank you for your time, your consideration, and for listening to the voice of a mother.

Respectfully,

Madelin Martiato

To Whom It May Concern:

My name is Yanielis Hernandez. I am a resident of the United States and the wife of Alexis Pantoja. I am writing this letter with great respect to ask that you please consider allowing my husband to remain in this country with his family.

My husband and I have been in a relationship for 14 years, and together we have built a family full of love and sacrifice. We have three daughters together: [redacted] age 11; [redacted] age 10; and [redacted] age 6.

My husband is a very dedicated father. Every day, he takes our daughters to school and is always present for them. He is a responsible, hardworking man and is very loving toward his family. Our daughters depend on him greatly for emotional support.

Our daughter [redacted] had heart surgery when she was only 1 year old. Because of this situation, our family has gone through very difficult times, and my husband has always been by our side, supporting us and caring for our daughter and our entire family.

The possibility that my husband could be deported would be devastating for our daughters and for me. They need their father in their lives, especially after everything we have gone through as a family. He is a fundamental part of our home and of our daughters' emotional and financial stability.

With all due respect, I ask that you please consider the impact that his deportation would have on our family, especially on our three young daughters, who need their father present in their lives.

I deeply appreciate your time and consideration.

Respectfully,

Yanielis Hernandez

To Whom It May Concern:

My name is Basilia Vazquez, and I am a United States citizen. I am writing this letter with great respect to express my support for Alexis Pantoja and to humbly request that he be considered for permission to remain in this country with his family.

I have known Alexis's mother since before he was born in Cuba. I have watched Alexis grow and become the man he is today. He has always been a respectful, loving son and a person with a very kind heart.

Alexis is an excellent father and husband. I know that he dedicates his life to his family and does everything possible to care for his daughters and to be present in their lives. He is a hardworking and responsible man who deeply loves his family.

I would also like to mention that his mother has already suffered a great loss when she lost her other son, Alexis's only brother. The thought that she could now also lose Alexis because of deportation would be an enormous pain for her and for the entire family.

For all these reasons, I respectfully ask that you please consider Alexis's good moral character, the love he has for his family, and the impact that his deportation would have on so many people who love him and need him.

Thank you very much for your time and consideration.

Respectfully,

Basilia Vazquez
United States Citizen

To Whom It May Concern:

My name is Reynaldo Castellanos. I am writing this letter to express my support for my worker, Alexis Pantoja, and to respectfully request that his situation be considered and that he be allowed to remain in the United States.

Alexis Pantoja has worked with me since January 2024 in the construction field in Lehigh Acres, Florida, where we build new homes. During the time he has worked with us, Alexis has shown himself to be a responsible, hardworking, and reliable person.

At work, he always fulfills his responsibilities and demonstrates a strong work ethic. He is punctual, respectful, and always willing to help his coworkers. Alexis is a worker who makes an effort every day to do his job well and to contribute positively to the team.

In addition to being a good worker, Alexis is a man who is dedicated to his family. He works hard to support his three daughters and provide them with a stable life. He always speaks proudly of his daughters and his family, and it is clear that they are his greatest motivation to work and move forward.

Losing Alexis as a worker would be very difficult for our team because he is a reliable person who is committed to his work. More importantly, I know that he is a dedicated father who only wants to continue working honestly in order to care for his family.

For these reasons, I recommend Alexis Pantoja as a person of good moral character, a responsible worker, and a committed father. With great respect, I ask that his situation be considered and that he be given the opportunity to remain in this country so that he can continue working and caring for his family.

Thank you for your time and consideration.

Respectfully,

Reynaldo Castellanos

To whom it might concern,

I am writing this letter on behalf of Alexis Pantoja Martiato. I have known him for many years as my fiancee's cousin, and I would like to share my observations of his character.

Throughout the time I have known Alexis Pantoja Martiato, he has shown that he is a caring and devoted father, husband, and son. He is deeply involved in his family's life and works hard to provide emotional and financial support for those who depend on him. His children look up to him, and he takes his responsibilities as a parent seriously. He is patient, loving, and actively present in their upbringing.

As a husband, he has shown commitment and support to his family. He values his home and family relationships and always strives to be dependable during difficult times. He is also a respectful and caring son who maintains close relationships with his family and offers help whenever needed.

Sincerely,

Karen Fernandez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS EL PASO DIVISION

Alexis Pantoja Martiato,
Petitioner,

v.

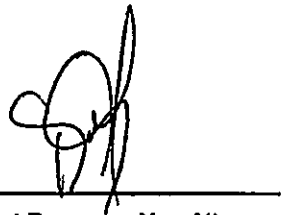
Warden, ERO EL PASO CAMP EAST MONTANA, et, al,
Respondents.

CERTIFICATE OF SERVICE

I hereby certify that on this 21th day of August, 2026, I served a true and correct copy of the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, together with all attachments and exhibits, by placing the same in the United States Mail, postage prepaid, addressed to the following:

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Office of the United States Attorney
Western District of Texas
601 Northwest Loop 410
Suite 600
San Antonio, TX 78216



Document Preparer - Non-Attorney
Dileymis Martinez