

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

**KAREN HELEN MARIN
HERNANDEZ**
IN REPRESENTATION OF SANDRO
GONZALEZ DOMINGUEZ
Petitioners,

Civ. No. 3:26-cv-1624 (RAM)

v.

**GARRET J. RIPA, Miami Field Office
Director for U.S. Immigration and Customs
Enforcement overseen Puerto Rico's
Immigration and Removal Operations, et als.
Respondents.**

**EMERGENCY MOTION TO RETURN PETITIONER TO THE JURISDICTION
OF THE DISTRICT OF PUERTO RICO**

TO THE HONORABLE COURT:

COMES NOW Petitioner, **SANDRO GONZALEZ DOMINGUEZ**, through undersigned counsel, and respectfully informs this Honorable Court of a material intervening event occurring after the filing of his Petition for Writ of Habeas Corpus and pending emergency motions.

Specifically, Petitioner has now been **transferred outside Puerto Rico**, notwithstanding that his habeas petition and emergency requests seeking to prevent precisely such a transfer were filed while he remained detained within this District.

Petitioner therefore respectfully requests expedited consideration of his pending emergency relief and an Order directing Respondents to return him to Puerto Rico.

In support thereof, Petitioner states as follows:

1. On September 28, 2026, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 while physically detained by U.S. Immigration and Customs Enforcement ("ICE") within the District of Puerto Rico.
2. In connection with the Petition, Petitioner filed an Emergency Motion for Temporary Restraining Order and Preliminary Injunction and an Urgent Motion specifically requesting that Respondents be prohibited from transferring him outside Puerto Rico and that he receives a prompt custody-redetermination hearing pursuant to INA § 236(a), 8 U.S.C. § 1226(a).
3. On the morning of September 29, 2026, while Petitioner remained in Puerto Rico, undersigned counsel received information indicating that ICE intended to transfer him outside the District.
4. At approximately 8:35 a.m., counsel Maria del Rosario Garcia Miranda sent written notice to ICE Enforcement and Removal Operations ("ERO") advising that Petitioner's § 2241 habeas petition and emergency motions were pending before this Court.
5. Counsel expressly informed ICE that Petitioner had requested an order prohibiting his transfer outside Puerto Rico and requested that ICE refrain from transferring him while the federal litigation remained pending. (See Exhibit 1)
6. At 9:01 am., ICE Officer Ayala forwarded attorney Maria del Rosario Garcia Miranda e-mail to SDDO Torres and AFOD Figueroa. (See Exhibit 2)
7. Service of process upon the United States Attorney's Office for the District of Puerto Rico had also commenced before Petitioner's departure from Puerto Rico. (See Exhibit 3)
8. Nevertheless, Petitioner was thereafter transported by ICE outside Puerto Rico while his emergency request remained pending before this Court.
9. At approximately 4:42 p.m. on September 29, 2026, ICE's Online Detainee Locator System no longer identified Petitioner's specific detention facility and instead stated: "Current Detention

Facility: Call ICE For Details." The same record continued to identify the San Juan, Puerto Rico Service Processing Center. (See Exhibit 4)

10. It is unknown the exact location in the United States where Petitioner has been taken.
11. Petitioner respectfully clarifies that he does not contend that Respondents violated an existing Order of this Court. The Court had not yet ruled upon the pending TRO when Petitioner was transferred. However, an Opinion and Order was issued prohibiting his transfer at Dkt. 8.
12. Rather, the transfer constitutes a material intervening event because it occurred after this Court's habeas jurisdiction had been invoked and while Petitioner's request for an order specifically prohibiting that transfer remained pending.

I. PETITIONER'S POST-FILING TRANSFER DOES NOT DEFEAT THIS COURT'S HABEAS JURISDICTION

13. Petitioner was physically detained in Puerto Rico when his § 2241 Petition was filed. The Government's subsequent transfer does not defeat habeas jurisdiction that properly attached at the commencement of the action. See *Ex parte Endo*, 323 U.S. 283, 304–07 (1944); *Rumsfeld v. Padilla*, 542 U.S. 426, 441 (2004).
14. Recent decisions from this District have applied those principles in the immigration-detention context and, where necessary to preserve meaningful habeas relief, have ordered ICE to return transferred petitioners to Puerto Rico.

A. Cambero v. Gonzalez:

14. In *Cambero v. Gonzalez*, Civ. No. 26-1422 (GMM) (D.P.R. 2026), the petitioner filed his habeas petition while detained in Puerto Rico and was subsequently transferred by ICE to Florida.
15. US District Judge Gina R. Méndez-Miró concluded that the post-filing transfer did not defeat the District Court's habeas jurisdiction and ordered Respondents to return the petitioner to the District

of Puerto Rico within five calendar days. The Court further prohibited another transfer outside Puerto Rico and directed that, upon his return, the previously ordered Immigration Court bond hearing proceed. *See Cambero v. Gonzalez*, Civ. No. 26-1422 (GMM) (D.P.R. July 2, 2026).

16. The procedural circumstances here are materially similar. Mr. Gonzalez Dominguez was detained in Puerto Rico when his habeas petition was filed and was subsequently transferred outside the District while his request for emergency relief remained pending.

B. *González-Rucci v. González-Ramos*:

17. Similarly, in *González-Rucci v. González-Ramos*, Civ. No. 26-1045 (SCC) (D.P.R. 2026), US District Judge Silvia Carreño-Coll ordered the Government to return immigration detainee Teófilo Ávila to Puerto Rico after he had been transferred outside the District following the filing of his habeas action.

18. Although *González-Rucci* involved an already-entered order prohibiting transfer—a circumstance not present here—the decision remains instructive regarding this Court's authority to order the return of a habeas petitioner who was detained in Puerto Rico when federal habeas jurisdiction attached.

19. Accordingly, *Cambero* and *González-Rucci* demonstrate that Petitioner's subsequent transfer does not render this action moot or deprive this Court of the ability to grant effective relief, including an order returning Petitioner to Puerto Rico.

**II. PETITIONER'S RETURN IS NECESSARY TO PRESERVE MEANINGFUL
RELIEF**

20. Petitioner's transfer has created the precise disruption his emergency motions sought to prevent.

21. His retained counsel, family ties, witnesses, sponsor, residence, business interests, and substantial evidence relevant to his custody determination are in Puerto Rico.

22. More importantly, Petitioner's request for custody redetermination was initiated while he remained detained in Puerto Rico and the Immigration Judge, at 11:56 am, set a Custody Redetermination Hearing in Immigration Proceedings for October 1, 2026 at 8:30 am. (See Attachment 5)
23. Returning Petitioner to Puerto Rico would therefore restore the custodial posture existing when this action commenced and permit orderly adjudication of his pending request for a custody-redetermination hearing.
24. Such relief would not adjudicate Petitioner's removability, grant him immigration status, or require this Court to determine the appropriate amount of bond.
25. Rather, it would preserve this Court's ability to afford meaningful habeas relief and allow Petitioner's custody request to proceed under the statutory framework governing his detention.
26. As set forth more fully in Petitioner's pending pleadings, Guerrero Orellana v. Moniz, Nos. 25-2152, 26-1094 (1st Cir. Aug. 13, 2026), establishes that detention of a noncitizen in Petitioner's posture is governed by 8 U.S.C. § 1226(a).
27. DHS's own Form I-286 likewise expressly placed Petitioner's custody determination under INA § 236 and 8 C.F.R. Part 236 and advised him of his right to request Immigration Judge review, which Petitioner requested. (See Exhibit 6)
28. Petitioner's physical transfer after the filing of his habeas petition and custody-redetermination request does not alter the statutory basis governing his detention.

WHEREFORE

Petitioner SANDRO GONZALEZ DOMINGUEZ respectfully requests that this Honorable Court:

A. TAKE NOTICE of Petitioner's post-filing transfer outside Puerto Rico as a material intervening fact;

B. EXPEDITE AND ADJUDICATE FORTHWITH Petitioner's pending request for emergency relief;

C. ORDER Respondents immediately to disclose Petitioner's present detention facility and physical location, if not already disclosed;

D. ORDER Respondents, their officers, agents, employees, representatives, and all persons acting in concert or participation with them **to RETURN Petitioner to the District of Puerto Rico** forthwith, consistent with the relief ordered in *Cambero v. Gonzalez* and *González-Rucci v. González-Ramos*;

E. ENJOIN Respondents from transferring Petitioner outside Puerto Rico again during the pendency of this action absent prior authorization from this Court;

F. ORDER, upon Petitioner's return, that Respondents facilitate forthwith Petitioner's custody-redetermination/bond hearing pursuant to INA § 236(a), 8 U.S.C. § 1226(a), consistent with controlling First Circuit authority;

G. RETAIN jurisdiction over this habeas action notwithstanding Petitioner's post-filing transfer; and

H. GRANT such other and further relief as this Honorable Court deems just and proper.

Dated this 29th day of September, 2026.

s/ *Fermín L. Arraiza-Navas*
#215705 (US District Court Puerto Rico)

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Dated: September 29th, 2026

CERTIFICATE OF SERVICE: I hereby certify that, on September 29th, 2026, I electronically filed the foregoing document with the United States District Court of Puerto Rico by using the CM/ECF system, which will send notifications of such filing to all CM/ECF counsel of record.

VERIFICATION OF COUNSEL

I, Fermin L. Arraiza Navas, hereby certify that I am familiar with the case of the named petitioner and that the facts as stated above are true and correct to the best of my knowledge and belief.

Dated this 29th day of September, 2026.

s/ Fermín L. Arraiza-Navas
Attorney Name