

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, FORT MYERS DIVISION

Luis Cardoze Santana v. Immigration and Customs Enforcement et
al.

Cardoze Santana · No. 2:26-cv-00191-SPC-NPM · Decided February 6, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed without prejudice Luis Cardoze Santana’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court found that the petition lacked sufficient factual detail to determine whether his immigration detention violated his rights and allowed him 21 days to file an amended petition.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 6, 2026
DOCKET	2:26-cv-00191-SPC-NPM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se petitioner sought habeas relief under 28 U.S.C. § 2241 from his immigration detention. The court dismissed the petition without prejudice for failure to provide sufficient factual allegations and granted leave to amend within 21 days.
STANDARD OF REVIEW	The court conducted an initial review under Rule 4 of the Rules Governing Section 2254 Cases, as applied to a § 2241 habeas petition under Rule 1(b).
PRECEDENTIAL VALUE	Unreported district court opinion; precedential status unknown.
PARTIES	Luis Cardoze Santana v. Immigration and Customs Enforcement et al.

TOPICS

- immigration detention
- federal habeas corpus
- pleadings
- civil procedure

PRACTICE AREAS

immigration law

federal habeas corpus

immigration detention

civil procedure

QUESTIONS PRESENTED

1. Whether a § 2241 habeas petition challenging immigration detention may proceed when it contains only a conclusory allegation that the detention is illegal and omits material factual details.
2. Whether the petition should be dismissed without prejudice with leave to amend.

HOLDINGS

1. A § 2241 petition challenging immigration detention does not warrant habeas relief when it provides only conclusory allegations and lacks sufficient factual detail to permit the court to determine whether the detention violated the petitioner's rights.
2. The petition was dismissed without prejudice, and Santana was permitted to file an amended petition within 21 days.

KEY QUOTATIONS

“Conclusory allegations are not enough to warrant habeas relief.”

FACTUAL BACKGROUND

ICE arrested Luis Cardoze Santana on January 21, 2026, and detained him at the detention center known as Alligator Alcatraz. Santana alleged that his detention was illegal but supplied no explanation or supporting factual detail. The petition omitted potentially material information concerning his entry into the country, the status of any removal proceedings, the circumstances of his arrest, and efforts to obtain administrative relief.

PROCEDURAL HISTORY

Immigration and Customs Enforcement arrested Cardoze Santana on January 21, 2026, and detained him. He filed a pro se § 2241 petition alleging that his detention was illegal but did not explain the basis for that claim. The district court reviewed the petition under Rule 4 of the Rules Governing Section 2254 Cases, dismissed it without prejudice, and allowed amendment within 21 days.

DISPOSITION

dismissed

CASES CITED

- *Bautista v. Santacruz*, --- F. Supp. 3d ---, 2025 WL 3713982 (C.D. Cal. Dec. 18, 2025)
- *Chavez v. Sec’y, Fla. Dep’t of Corr.*, 647 F.3d 1057, 1061 (11th Cir. 2011)

OPINION

LUIS CARDOZE SANTANA v. IMMIGRATION AND CUSTOMS ENFORCEMENT et al.
PER CURIAM.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LUIS CARDOZE SANTANA,
Petitioner, v. Case No.: 2:26-cv-00191-SPC-NPM
IMMIGRATION AND CUSTOMS
ENFORCEMENT et al., Respondents, /

OPINION AND ORDER

Before the Court is Luis Cardoze Santana's pro se Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Doc. 1). Immigration and Customs Enforcement (ICE) arrested Cardoze Santana on January 21, 2026, and he is currently detained at the detention center known as Alligator Alcatraz. Cardoze Santana claims his detention is illegal, but he does not say why. The Court reviews the petition under Rule 4 of the Rules Governing Section 2254 cases.¹ Courts in this district and around the country have found recent changes to ICE detention policies unlawful as applied in certain situations. See, e.g., *Bautista v. Santacruz*, --- F. Supp. 3d ---, 2025 WL 3713982 (C.D. Cal. Dec. 18, 2025). But Cardoze Santana does not provide enough detail for the Court to 1 Courts may apply the rules to habeas actions brought under § 2241. See Section 2254 Rule 1(b). determine whether ICE violated his rights. The petition does not include potentially important facts, like when he entered the country, the status of any removal proceedings, the circumstances of his arrest, and any efforts to gain relief through administrative procedures. Conclusory allegations are not enough to warrant habeas relief. See *Chavez v. Sec'y, Fla. Dep't of Corr.*, 647 F.3d 1057, 1061 (11th Cir. 2011). Cardoze Santana is not entitled to habeas relief on any ground in his petition. Accordingly, the petition (Doc. 1) is DISMISSED without prejudice. Cardoze Santana may file an amended petition within 21 days of this order. Otherwise, the Court will enter judgment and close this case without further notice. DONE AND ORDERED in Fort Myers, Florida on February 38, 2026.

UNITED STATES DISTRICT JUDGE
SA: FTMP-1