

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

**Raul Gonzalez-Suarez, Raul Gonzalez, Son, on Behalf of the
Petitioner v. ICE / U.S. Immigration and Customs Enforcement,
Warden, Florida Soft Side South Detention Center, Pam Bondi,
Attorney General of the United States**

Case No. 2:26-cv-87-KCD-DNF (M.D. Fla. Feb. 23, 2026) · No. 2:26-cv-87-KCD-DNF · Decided February 23,
2026

SUMMARY

The court denied Raul Gonzalez-Suarez’s 28 U.S.C. § 2241 petition as moot after he was removed from the United States to Mexico. The court held that his detention-related habeas claims were no longer justiciable, that no collateral-consequences or capable-of-repetition exception applied, and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	Kyle C. Dudek
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 23, 2026
DOCKET	2:26-cv-87-KCD-DNF
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, requesting release from immigration custody or a bond hearing. After petitioner was removed to Mexico, the district court denied the petition as moot and closed the case.
STANDARD OF REVIEW	The court reviewed whether the habeas petition remained justiciable in light of petitioner's removal and applied federal mootness principles.
PRECEDENTIAL VALUE	unpublished

TOPICS

immigration detention

immigration

civil procedure

remedies

PRACTICE AREAS

immigration law

federal habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether petitioner's removal from the United States mooted his § 2241 claims challenging immigration detention and seeking release or a bond hearing.
2. Whether the collateral-consequences or capable-of-repetition-yet-evading-review exceptions to mootness preserved jurisdiction.

HOLDINGS

1. A habeas petition challenging immigration detention and seeking release or a bond hearing becomes moot when the petitioner is removed from custody, absent a continuing collateral consequence that the court can remedy.
2. The collateral-consequences exception did not preserve the case because petitioner neither challenged his removal order nor showed a concrete continuing injury from his prior detention that the court could remedy.
3. The capable-of-repetition-yet-evading-review exception did not apply because there was no demonstrated probability that petitioner would return to the United States and again be detained.

KEY QUOTATIONS

“Since [Plaintiff] already has been released from custody, his prayer for relief has been satisfied.”

“So where a habeas petitioner has been released from detention—when, for example, he is removed from the country—and he has not raised a challenge to a collateral consequence, we’ve held that his appeal of the denial of his habeas petition has become moot.”

FACTUAL BACKGROUND

Raul Gonzalez-Suarez, a noncitizen, was arrested and turned over to immigration authorities. He filed a § 2241 petition seeking release from ICE custody or a bond hearing. After the petition was filed, he was removed from the United States to Mexico, and he identified no continuing injury resulting from his prior detention that the court could remedy.

PROCEDURAL HISTORY

Gonzalez-Suarez filed a § 2241 habeas petition challenging his detention by immigration authorities and seeking release or a bond hearing. He was removed from the United States to Mexico after filing the case. The court concluded that removal mooted the detention claims, found no applicable exception to mootness, denied the petition as moot, terminated deadlines and pending motions, and closed the case.

DISPOSITION

other

CASES CITED

- Zapeta v. Exec. Dir. of the Fla. Div. of Emergency Mgmt., No. 2:25-CV-00697-JLB-KCD, 2025 WL 2432501, at *3 (M.D. Fla. Aug. 22, 2025)
- Djadju v. Vega, 32 F.4th 1102, 1107 (11th Cir. 2022)
- Al Najjar v. Ashcroft, 273 F.3d 1330, 1339 (11th Cir. 2001)
- Mehmood v. United States Att’y Gen., 808 F. App’x 911, 913 (11th Cir. 2020)
- Kerbay v. Sessions, No. 17-21055-CIV, 2017 WL 11697007, at *1 (S.D. Fla. May 2, 2017)

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION RAUL GONZALEZ-SUAREZ, RAUL GONZALEZ, SON, ON BEHALF OF Case No. 2:26-cv-87-KCD-DNF THE PETITIONER, Plaintiff, v. ICE / U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, WARDEN, FLORIDA SOFT SIDE SOUTH DETENTION CENTER, PAM BONDI, ATTORNEY GENERAL OF THE UNITED STATES, Defendants. / ORDER Plaintiff Raul Gonzalez-Suarez is a noncitizen who was arrested and turned over to immigration authorities.

(See Doc. 1.) He has filed an “Petition for Writ of Habeas Corpus” under 28 U.S.C. § 2241. (Id. at 2.) As for relief, he seeks release from ICE custody or a bond hearing. (Id. at 6.) Gonzalez-Suarez was removed from the United States to Mexico after filing this case. (See Doc. 3.) That moots his habeas claims attacking his detention. See, e.g., Zapeta v. Exec.

Dir. of the Fla. Div. of Emergency Mgmt., No. 2:25-CV-00697-JLB-KCD, 2025 WL 2432501, at *3 (M.D. Fla. Aug. 22, 2025). Put another way, “[s]ince [Plaintiff] already has been released from custody, his prayer for relief has been satisfied.” Djadju v. Vega, 32 F.4th 1102, 1107 (11th Cir. 2022).

To be sure, there are exceptions to the mootness doctrine. A case may survive if a petitioner suffers from collateral consequences of the detention— some concrete injury that persists even after release. But Gonzalez-Suarez’s habeas petition challenged only his detention, not the validity of his removal order or anything else. Gonzalez-Suarez has not shown (or even argued) any continuing injury from his prior detention that this Court can now remedy.

See id. at 1107 (“So where a habeas petitioner has been released from detention—when, for example, he is removed from the country—and he has not raised a challenge to a collateral consequence, we’ve held that his appeal of the denial of his habeas petition has become moot.”).

There is also an exception for cases that are “capable of repetition, yet evading review.” *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1339 (11th Cir.

2001). This applies only in “exceptional situations” where there is a “demonstrated probability” that the same controversy will happen again to the same person. *Id.* That is not the case here. To find otherwise, the Court would have to assume that Gonzalez-Suarez will return to the United States and again be detained. That is simply too remote a possibility to sustain federal jurisdiction.

See, e.g., *Mehmood v. United States Att’y Gen.*, 808 F. App’x 911, 913 (11th Cir. 2020), *Kerbay v. Sessions*, No. 17-21055-CIV, 2017 WL 11697007, at *1 (S.D. Fla. May 2, 2017). For the reasons above, Gonzalez-Suarez’s habeas petition (Doc. 1) is DENIED as moot.

The Clerk of Court is DIRECTED to terminate all deadlines, deny any pending motions as moot, and close the case. ORDERED in Fort Myers, Florida on February 23, 2026. Kyle C. Dudek
United States District Judge