

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA

**Deivi Samuel Lozano-Anaya v. Field Office Director, Garret J. Ripa;
U.S. Immigration and Customs Enforcement, Director Miami Field
Office, Immigration and Customs Enforcement**

Lozano-Anaya · No. 2:25-cv-1119-KCD-DNF · Decided December 16, 2025

SUMMARY

The court denied Deivi Samuel Lozano-Anaya’s petition for a writ of habeas corpus under 28 U.S.C. § 2241, seeking release from Immigration and Customs Enforcement custody or a custody hearing. Because Lozano-Anaya had been released to voluntarily leave the United States, the court held that his habeas claims challenging detention were moot. The court further explained that any civil rights claims concerning his arrest must be brought in a civil rights complaint rather than a habeas petition, and it closed the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	December 16, 2025
DOCKET	2:25-cv-1119-KCD-DNF
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 seeking release from immigration custody or a prompt custody hearing; the petitioner was released after filing.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Field Office Director, Garret J. Ripa, U.S. Immigration and Customs Enforcement, Director Miami Field Office, Immigration and Customs Enforcement

TOPICS

immigration detention

immigration

civil rights

remedies

civil procedure

PRACTICE AREAS

immigration law

habeas corpus

civil rights

QUESTIONS PRESENTED

1. Whether the petitioner's release after filing mooted his habeas claims challenging immigration detention.
2. Whether alleged civil-rights claims concerning the constitutionality of the arrest could be pursued through a § 2241 habeas petition.

HOLDINGS

1. The petitioner's release mooted his habeas claims attacking his detention because the requested custody-related relief had already been satisfied.
2. A habeas petition is not the proper vehicle for asserting civil-rights claims challenging the constitutionality of an arrest; such claims must be brought in a civil-rights complaint.

KEY QUOTATIONS

"Since [Plaintiff] already has been released from custody, his prayer for relief has been satisfied." (at 1)

"But a habeas petition is not the proper vehicle to raise such claims." (at 1)

FACTUAL BACKGROUND

Plaintiff, a noncitizen, was arrested and turned over to immigration authorities. He filed an emergency petition under 28 U.S.C. § 2241 seeking release from ICE custody or a custody hearing within 48 hours. After the petition was filed, immigration authorities released him to voluntarily leave the United States. The petition also appeared to assert civil-rights claims concerning the constitutionality of his arrest.

PROCEDURAL HISTORY

Lozano-Anaya filed an emergency § 2241 habeas petition challenging his immigration detention and requesting immediate release or a custody hearing within 48 hours. After filing, he was released to voluntarily leave the United States. The district court denied the habeas petition, 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)

- Keys v. Warden, FCC Coleman-Low, No. 5:20-CV-319-OC-02PRL, 2020 WL 39622338, at *1 (M.D. Fla. July 13, 2020)

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