

**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

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION DEIVI SAMUEL LOZANO-ANAYA, Plaintiff, Case No. 2:25-cv-1119-KCD-DNF v. FIELD OFFICE DIRECTOR, GARRET J. RIPA; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, DIRECTOR MIAMI FIELD OFFICE, IMMIGRATION AND CUSTOMS ENFORCEMENT, Defendants, / ORDER Plaintiff Deivi Samuel Lozano-Anaya is a noncitizen who was arrested and turned over to immigration authorities.

(See Doc. 1 at 1-2.)¹ He has filed an “Emergency Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241.” (Id. at 1.) As for relief, he seeks “immediate release from ICE custody” or “a custody hearing within 48 hours.” (Id. at 5.) Plaintiff was released to voluntarily leave the United States after filing this case. (See Doc. 15 at 2-3.) 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, 1 Plaintiff’s habeas petition is not paginated, so the Court cites the page numbers generated by its electronic filing system. 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). Although difficult to decipher, Plaintiffs petition also seems to allege several civil rights violations surrounding his arrest. But a habeas petition is not the proper vehicle to raise such claims. See, e.g., *Keys v. Warden, FCC Coleman-Low*, No. 5:20-CV-319-OC-02PRL, 2020 WL 39622338, at *1 (M.D. Fla. July 13, 2020). Plaintiff must file a civil rights complaint to the extent he seeks to challenge the constitutionality of his arrest.

For the reasons above, Plaintiff’s habeas petition (Doc. 1) is DENIED. 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 December 16, 2025. United States District Judge

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