

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

Augusto Laza Cuesta, By Next Friend Zunilda Perez v. Warden,
Alligator Alcatraz Detention Facility, et al.

Laza Cuesta · No. 2:26-cv-284-JES-DNF · Decided February 12, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed without prejudice a § 2241 habeas petition filed by Zunilda Perez on behalf of her detained husband, Augusto Laza Cuesta. The court held that Perez had not established next-friend standing and could not represent Cuesta as a nonlawyer under 28 U.S.C. § 1654.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	John E. Steele
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 12, 2026
DOCKET	2:26-cv-284-JES-DNF
DISPOSITION	dismissed
PROCEDURAL POSTURE	A habeas petition under 28 U.S.C. § 2241 was filed by Zunilda Perez on behalf of her detained husband. The district court dismissed the petition without prejudice because Perez lacked next-friend standing and could not represent Cuesta as legal counsel.
PRECEDENTIAL VALUE	Unknown
PARTIES	Augusto Laza Cuesta, by Next Friend Zunilda Perez v. Warden, Alligator Alcatraz Detention Facility, et al.

TOPICS

- [standing](#) [federal habeas corpus](#) [immigration detention](#) [civil procedure](#)

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Zunilda Perez established next-friend standing to file a habeas petition on behalf of Augusto Laza Cuesta.
2. Whether Zunilda Perez could represent Cuesta as legal counsel in the habeas action.

HOLDINGS

1. A would-be next friend must adequately explain why next-friend designation is necessary and demonstrate dedication to the real party's interests; because Perez alleged neither Cuesta's mental incompetence nor his lack of access to the courts, she did not establish next-friend status and lacked standing to initiate the petition.
2. A nonlawyer may not represent another person as legal counsel in federal court; Rule 17(c) does not confer a right to act as legal counsel for another person, and 28 U.S.C. § 1654's right of self-representation does not extend to representing the interests of others.

KEY QUOTATIONS

“To demonstrate that “next friend” status is warranted, the would-be next friend must (1) provide an adequate explanation for the necessity of the designation, such as the real party’s mental incompetence or lack of access to the courts and (2) show she is “truly dedicated to the interests” of the real party.”

“Absent ‘next friend’ status, an individual lacks Article III standing to file a petition on another’s behalf, thus stripping the district court of jurisdiction to consider the petition.”

“although 28 U.S.C. § 1654 allows parties to conduct their own cases personally, that right “does not extend to the representation of the interests of others””

FACTUAL BACKGROUND

Augusto Laza Cuesta was detained by Immigration and Customs Enforcement at Alligator Alcatraz. His spouse, Zunilda Perez, filed a § 2241 habeas petition on his behalf, but the petition did not allege that Cuesta was mentally incompetent or lacked access to the courts. Perez also did not claim to be a lawyer.

PROCEDURAL HISTORY

Zunilda Perez filed a § 2241 petition on behalf of Augusto Laza Cuesta, who was detained by Immigration and Customs Enforcement at Alligator Alcatraz. The district court determined that Perez had not established the requirements for next-friend status and was not authorized to represent Cuesta, then dismissed the petition without prejudice, terminated pending motions as moot, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Whitmore v. Arkansas, 495 U.S. 149, 162-63 (1990)
- Francis v. Warden, FCC Coleman-USP, 246 F. App'x 621, 622 (11th Cir. 2007)
- Timson v. Sampson, 518 F.3d 870, 873 (11th Cir. 2008)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-middle-district-of-flor/2026/augusto-laza-cuesta-by-next-friend-zunilda-perez-v-warden-th8endw0>