

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

DREXEL VENERO,

Petitioner,

v.

Case No: 5:26-cv-17-JLB-PRL

WARDEN, FCC COLEMAN - LOW,

Respondent.

ORDER TO SHOW CAUSE

On January 8, 2026, the Clerk received an “emergency” petition for a writ of habeas corpus under 28 U.S.C. § 2241 (Doc. 1) and an “emergency” motion for immediate release (Doc. 2), purportedly from inmate Drexel Venero at FCC Coleman Low. A review of the documents and the return address and tracking information from the mailing envelope give the Court pause in believing that this action was initiated by inmate Venero. The petition and motion are signed and dated January 7, 2026; the petition includes a certificate of service that states the petition and motion “were placed in the institutional legal mail system” that same day. (Doc. 1 at 2). However, the return address lists a UPS store in Lithia, Florida. (Docs. 1-1, 2-2). If inmate Venero is incarcerated at FCC Coleman, it would not be possible for his petition and motion to be mailed from a UPS store in Lithia, Florida.

Based on these discrepancies, the Court questions the validity of the signature on the papers and the Court cannot be certain whether the original petition or motion were signed by inmate Venero personally. “Every pleading, written motion, and other paper must be signed by . . . a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a) (emphasis

added). “The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention.” *Id.*

Within **14 DAYS**, inmate Venero shall show cause to this Court why the petition (Doc. 1) and emergency motion (Doc. 2) should not be stricken from the record for the reasons stated above. Should inmate Venero fail to satisfactorily respond to this Order within this time period, the instant case will be dismissed without prejudice, and inmate Venero will have to re-file a completely new petition should he wish to proceed. No further notice will be provided.

Additionally, and independently, the construed emergency motion for release (Doc. 2) is **DENIED without prejudice**. The Court notes that the two-sentence “emergency” motion is non-compliant with Local Rule 3.01(f), as it does not include an introductory paragraph “that explains the nature of the exigency and states the day by which a ruling is requested.” M.D. Fla. R. 3.01(f). And although the petition claims inmate Venero is entitled to release to community placement or home confinement, the Court determines this does not constitute an emergency. *See In re Yormak*, No. 2:20-cv-385-FtM-38, 2020 WL 3574516, at *1 (M.D. Fla. July 1, 2020) (noting that emergency motions are appropriate in circumstances like these: “a person’s life is in danger, a family is about to be thrown out of its home, or a ruinous calamity is about to descend upon the community at large.”); *see also Balsam v. Warden, Coleman - Low*, No. 5:24-cv-360-SPC-PRL, 2025 WL 2687234, at *4 (M.D. Fla. Sept. 19, 2025) (determining that the court was without jurisdiction to order an inmate be transferred to prerelease custody because prerelease custody is still a form of custody and would not shorten the inmate’s term of imprisonment).

IT IS SO ORDERED.

DONE AND ORDERED at Ocala, Florida, this 9th day of January 2026.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies to: Pro Se Parties