

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

ALMA BELLA BOWMAN,	:	
	:	
Petitioner,	:	
	:	Case No. 4:25-CV-251-CDL-CHW
v.	:	28 U.S.C. § 2241
	:	
WARDEN, STEWART DETENTION	:	
CENTER,¹	:	
	:	
Respondent.	:	

**RESPONDENT'S RETURN AND
MOTION FOR EXTENSION OF TIME TO RESPOND**

On August 1, 2025, the Court received Petitioner's petition for a writ of habeas corpus ("Petition"). ECF No. 1. Petitioner brings five claims for relief, some of which are cognizable in habeas and others of which are not. Pet. 23-29. On August 8, 2025, the Court ordered Respondent to file a response to the Petition within three days. ECF No. 3.

RETURN

Pursuant to 28 U.S.C. § 2243, Respondent files this Return and states as follows:

1. Petitioner Alma Bowman is presently detained at Stewart Detention Center under authority of 8 U.S.C. § 1231(a) as an alien subject to a final order of removal. Declaration of David Bush ("Bush Decl.") ¶ 15 & Ex. M, Form I-213 Record of Deportable/Inadmissible Alien, Mar. 26, 2025.

¹ In addition to the Warden of Stewart Detention Center, Petitioner also names the Attorney General, the Secretary of the Department of Homeland Security, and officials with Immigration and Customs Enforcement as Respondents in his Petition. "[T]he default rule [for claims under 28 U.S.C. § 2241] is that the proper respondent is the warden of the facility where the prisoner is being held, not the Attorney General or some other remote supervisory official." *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004) (citations omitted). Thus, Respondent has substituted the Warden of Stewart Detention Center as the sole appropriately named respondent in this action.

2. Petitioner is a native and citizen of the Philippines. *Id.* ¶ 3. Petitioner last entered the United States on or about August 4, 1977 as a resident alien through Chicago, Illinois. *Id.* Ex. A, Form FS-511 Immigrant Visa and Alien Registration, Aug. 4, 1977.

3. On September 26, 2005, Petitioner was convicted of two counts of First-Degree Forgery under O.C.G.A. § 16-9-1 in Jones County, Georgia Superior Court. *Id.* ¶ 4 & Ex. B, Criminal Record from Jones County, Georgia Superior Court, Case No. 05CR-20562. Petitioner was sentenced to five years in confinement. *Id.* ¶ 4 & Ex. B.

4. On June 15, 2006, Petitioner was convicted in the Jones County, Georgia Superior Court of eight counts of First-Degree Forgery under O.C.G.A. § 16-9-1. Bush Decl. ¶ 5 & Ex. C, Criminal Record from Jones County, Georgia Superior Court, Case No. 06CR-21218. Petitioner was sentenced to a total of fifteen years in confinement. *Id.* ¶ 5 & Ex. C.

5. On or about April 12, 2012, Petitioner first encountered Immigration and Customs Enforcement (“ICE”) Enforcement and Removal Operations (“ERO”) at the Cobb County Adult Detention Facility in Marietta, Georgia, following her arrest for Theft by Taking. *Id.* ¶ 6 & Ex. D, Form I-213, Record of Deportable/Inadmissible Alien, Apr. 22, 2009.

6. On or about April 21, 2012, ICE/ERO served Petitioner with a Form I-862, Notice to Appear, charging her with removability under Section 237(a)(2)(A)(iii) of the Immigration and Nationality Act (“INA”) (8 U.S.C. § 1227(a)(2)(A)(iii)). Bush Decl. ¶ 5 & Ex. E, Form I-862.

7. On April 3, 2014, Petitioner was convicted of Possession of Methamphetamine in Cobb County, Georgia Superior Court. *Id.* ¶ 8 & Ex. F, Criminal Record from Cobb County, Georgia Superior Court, Case No. 2014-37374-CR. Petitioner was sentenced to three years in confinement. *Id.* ¶ 8 & Ex. F.

8. On October 19, 2017, the Department of Homeland Security (“DHS”) filed form I-261, Additional Charges of Inadmissibility/Deportability, alleging Petitioner’s conviction for Possession of Methamphetamine rendered Petitioner removable under Section 237(a)(2)(B)(i) of the INA (8 U.S.C. § 1227(a)(2)(B)(i)). *Id.* ¶ 9 & Ex. G, Form I-261.

9. Petitioner initially entered ICE/ERO custody on or about August 9, 2017. *Id.* ¶ 10.

10. On April 12, 2018, Petitioner was ordered removed to the Philippines. *Id.* ¶ 11 & Ex. H, Order of Immigration Judge, Apr. 12, 2018.

11. Following appeal of the removal order, Petitioner’s proceedings were remanded to the Immigration Judge to review the charges of removability. Bush Decl. ¶ 12 & Ex. I, Board of Immigration Appeals (“BIA”) Decision, Oct. 8, 2019.

12. DHS filed another I-261, Additional Charges of Inadmissibility/Deportability, clarifying the Notice to Appear to charge Petitioner with removability under Section 237(a)(2)(A)(iii) of the INA (8 U.S.C. § 1227(a)(2)(A)(iii)) as “having been convicted of an aggravated felony as defined in [S]ection 101(a)(43)(R) of the [INA], an offense relating to commercial bribery, counterfeiting, forgery, or trafficking in vehicles the identification numbers of which have been altered for which the term of imprisonment is at least one year.” Bush Decl. ¶ 12 & Ex. J, I-261.

13. On June 4, 2020, Petitioner was again ordered removed to the Philippines. *Id.* ¶ 13 & Ex. K, Order of Immigration Judge, Jun. 4, 2020. Petitioner and DHS waived appeal and Petitioner remained in ICE/ERO custody. *Id.*

14. On December 11, 2020, Petitioner was released from ICE/ERO custody on an Order of Supervision (“OSUP”). *Id.* ¶ 14 & Ex. L, Release Documents, Dec. 11, 2020.

15. On March 26, 2025, ICE/ERO detained Petitioner under 8 U.S.C. § 1231(a). *Id.* ¶ 15 & Ex. M, I-213, Record of Deportable/Inadmissible Alien.

16. On August 7, 2025, Petitioner filed a Form N-600 Application for Certificate of Citizenship with USCIS. *Id.* ¶ 16 & Ex. N, Receipt Notice for Form N-600.

WHEREFORE, Respondent answers the Petition and states that Petitioner is in Respondent's custody under authority of 8 U.S.C. § 1231(a).

REQUEST FOR EXTENSION OF TIME FOR GOOD CAUSE

Respondent respectfully requests a twenty (20) day extension of time to submit a response to the Petition pursuant to 28 U.S.C. § 2243. This extension is not sought to delay the case. Rather, good cause exists because Respondent must collaborate with multiple agencies to fully investigate the issues presented by this Petition.

On August 7, 2025, Petitioner filed a Form N-600, Application for Certificate of Citizenship to U.S. Citizenship and Immigration Services ("USCIS"). Bush Decl. ¶ 16 & Ex. N, Receipt Notice for Form N-600. The determination of Petitioner's claim to citizenship is thoroughly intertwined with the issues presented by the Petition. To be clear, the Court cannot determine in this proceeding whether Petitioner is or is not a United States Citizen. *See Fagan v. United States*, No. 21-13524, 2023 WL 2663239, at *2 (11th Cir. Mar. 28, 2023) ("[T]he district court correctly found that it lacked jurisdiction over [petitioner's] § 2241 habeas corpus petition, which rested on his claim to U.S. citizenship."). Despite the fact that the N-600 is not substantively at issue, Respondent believes that the additional time requested to respond to the habeas claims here would allow time to coordinate the assessment and review of the N-600, which would shed light on the habeas proceedings and would clarify Respondent's response.

Since Respondent became aware of the Petition, DHS and ICE have been working to investigate the circumstances of all of Petitioner's claims and determine the official position of the United States Government. Additional time is needed, however, to further confer with the relevant

agencies concerning Petitioner's claims. Good cause exists for the extension because this inter-agency collaboration is necessary to fully develop the United States' position on issues potentially presented by the Petition and to prepare evidence to submit in support. Counsel for Respondent has been, and will continue to be, in touch with counsel for Petitioner throughout the extended period to ensure that progress is being made on the case.

For these reasons, Respondent respectfully requests an extension of twenty (20) days to file a more fulsome response to the Petition.

Respectfully submitted, this 11th day of August, 2025.

WILLIAM R. KEYES
UNITED STATES ATTORNEY

BY: /s/ Michael P. Morrill
MICHAEL P. MORRILL
Assistant United States Attorney
Georgia Bar No. 545410
United States Attorney's Office
Middle District of Georgia
P. O. Box 2568
Columbus, Georgia 31902
Phone: (706) 649-7728
michael.morrill@usdoj.gov

DECLARATION OF DAVID BUSH

I, David Bush, declare as follows:

1. I have been employed with the U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) since April 2024. I am currently employed as a Deportation Officer working at Stewart County Detention Center in Lumpkin, Georgia.
2. In my capacity as a Deportation Officer, I am the officer assigned to the case involving Alma Bowman (the petitioner), whose alien registration number is [REDACTED] I have reviewed the relevant documents from the petitioner's alien files (A-file) and other official government records related to the petitioner's removal proceedings and, unless otherwise stated, this declaration is based on that review.
3. The petitioner is a native and citizen of Philippines. She last entered the United States on or about [REDACTED] as a resident alien through Chicago, Illinois. Exhibit A, Form FS-511 Immigrant Visa and Alien Registration, dated August 4, 1977.
4. On September 26, 2005, the petitioner was convicted in the Superior Court of Jones County, Georgia, of two counts of First-Degree Forgery under O.C.G.A. 16-9-1. She was sentenced to a period of five years confinement, to run concurrently. Exhibit B, Criminal Records from the Superior Court of Jones County, Georgia, Case No. 05CR-20562.
5. On June 15, 2006, the petitioner was convicted in the Superior Court of Jones County, Georgia, of eight counts of First-Degree Forgery under O.C.G.A. 16-9-1. She was sentenced to a period of confinement of ten years on counts 1 to 7, to run concurrently and five years on count 8 to run consecutively, for a total of fifteen years. Exhibit C, Criminal Records from the Superior Court of Jones County, Georgia, Case No. 06CR-21218.
6. On or about April 12, 2012, ICE/ERO Encountered the petitioner at the Cobb County Adult Detention Facility in Marietta, Georgia following her arrest for Theft by Taking. Exhibit D, Form I-213 Record of Deportable/Inadmissible Alien, dated April 21, 2012.
7. On or about April 21, 2012, ICE/ERO served the petitioner with a Form I-862 Notice to Appear charging her with removability under Section 237(a)(2)(A)(iii) of the Immigration and Nationality Act (INA) upon her conviction of an aggravated felony under section 101(a)(43)(P) of the INA. Exhibit E, Form I-862 Notice to Appear, dated April 20, 2012.
8. On April 3, 2014, the petitioner was convicted in the Superior Court of Cobb County, Georgia, of Possession of Methamphetamine. She was sentenced to confinement for a period of three years. Exhibit F, Criminal Records from the Superior Court of Cobb County, Georgia, Case No. 2014-37374-CR.
9. On October 19, 2017, DHS filed Form I-261 Additional Charges of Inadmissibility/Deportability alleging the petitioner's April 3, 2014 conviction for

Possession of Methamphetamine rendered removable under Section 237(a)(2)(B)(i) of the INA. Exhibit G, Form I-261 Additional Charge of Inadmissibility/Deportability, dated October 19, 2017.

10. The petitioner first entered ICE/ERO custody on or about August 9, 2017. She was initially held under the authority of section 236(c) of the INA.
11. On April 12, 2018, the petitioner appeared in Immigration Court and was ordered removed to the Philippines. Exhibit H, Order of Immigration Judge, dated April 12, 2018.
12. On October 8, 2019, following remand from the United States Court of Appeals for the Eleventh Circuit, the Board of Immigration Appeals remanded the case to the Immigration Judge to review the charges of removability. Exhibit I, Decision of the Board of Immigration Appeals, dated October 8, 2019. Thereafter, DHS filed an I-261 Additional Charges of Inadmissibility/Deportability charging the petitioner as removable under Section 237(a)(2)(A)(iii) of the INA for having been convicted of an aggravated felony as defined in Section 101(a)(43)(R) of the INA. Exhibit J- Form I-261 Additional Charges of Inadmissibility/Deportability.
13. On June 4, 2020, the petitioner appeared in Immigration Court and was ordered removed to the Philippines. The petitioner and DHS waived appeal and the petitioner remained detained under the authority of section 241(a) of the INA. Exhibit K, Order of Immigration Judge, dated June 4, 2020.
14. On December 11, 2020, ICE/ERO released the petitioner on an order of supervision pursuant to the Court's order in *Fraihat v. ICE*. Exhibit L, Release Documents, dated December 11, 2020.
15. On March 26, 2025, ICE/ERO detained the petitioner. She is presently detained at the Stewart Detention Center under the authority of section 241(a) of the INA based upon her final order of removal. Exhibit M, Form I-213 Record of Deportable/Inadmissible Alien, dated March 26, 2025.
16. On or about August 7, 2025, the petitioner filed a Form N-600 Application for A Certificate of Citizenship with U.S. Citizenship and Immigration Services. Exhibit N, USCIS Receipt Notice for Form N-600 Application for A Certificate of Citizenship, dated August 7, 2025.

Pursuant to Title 28, U.S. Code Section 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, this the 11th of August 2025.

David Bush

David Bush, Deportation Officer
Department of Homeland Security
Immigration & Customs Enforcement
Stewart Detention Center
Lumpkin, Georgia

ATL

UNITED STATES OF AMERICA
IMMIGRANT VISA AND ALIEN REGISTRATION

B-110

10/98283

IV 

THE IMMIGRANT
☐ HAS ☒ HAS NOT
BEEN PREVIOUSLY IN
THE UNITED STATES

OF: (Family Name) BOWMAN (First Name) ALMA BELLA (Middle Name) CATARUNGAN

I & NS FILE NUMBER, IF KNOWN

ACTION BY IMMIGRANT INSPECTOR

THE IMMIGRANT NAMED ABOVE ARRIVED IN THE UNITED STATES VIA

SEC. 212(a)(14) LABOR CERTIFICATION

IMM. & NATZ. SERVICE
CHICAGO ILLINOIS 34
ADMITTED

AUG 4 1977

CLASS
JR

IR-2

NW 006

(Name of vessel or flight no. of arrival)

INELIGIBILITY FOR VISA WAIVED UNDER SECTION

☐ 212(e)

☐ 212(h)

☐ 212(g)

☐ 212(i)

☒ NOT APPLICABLE

☐ STATUTORILY EXEMPT

☐ ATTACHED

☐ NOT REQUIRED

MO. DAY-YR. OF BIRTH

COUNTRY OF BIRTH

OCCUPATION

COUNTRY OF LAST RESIDENCE

MARITAL STATUS

SEX

NATIONALITY

66

Phil

None

Phil

☒ M ☒ S ☐ W ☐ D ☐ SEP

☒ M ☒ F

Filipino

FINAL ADDRESS IN THE UNITED STATES

STREET ADDRESS

, Lizella

CITY, STATE, AND ZIP CODE, IF AVAILABLE

Georgia 31052

ACTION OF S.I.O.

ACTION ON APPEAL

U.S.P.H.S.

101

ST.

This visa is issued under Section 221 of the Immigration and Nationality Act, and upon the basis of the facts stated in the application. Possession of a visa does not entitle the bearer to enter the United States if at the time he seeks to enter he is found to be inadmissible. Upon arrival in the United States, it must be surrendered to a United States Immigration Officer.

AMERICAN EMBASSY

AT Manila, Philippines

TED H. BARLOW

American Consul

of the United States of America.

ms /



PHOTOGRAPH ATTACHED
FOREIGN SERVICE

Tariff Item No. 2
Fee Paid \$20
Local Cy Equiv.

UNITED STATES OF AMERICA

IMMIGRANT CLASSIFICATION

