

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

SAYDA AYALA o/b/o E.S.R-M.,
Petitioner,

v.

WARDEN, STEWART DETENTION CENTER, et al.,
Respondents.

Case No. 4:26-cv-106-CDL-ALS

BRIEF IN SUPPORT OF NEXT FRIEND STATUS

I. LEGAL STANDARD

A habeas petition may be filed by a "next friend" where the real party in interest is unable to litigate on his own behalf due to inaccessibility, mental incompetence, or other disability. *Whitmore v. Arkansas*, 494 U.S. 149, 163–64 (1990). The next friend must be truly dedicated to the detainee's best interests and generally have a significant relationship with the detainee. *Id.*; *Francis v. Warden*, 246 F. App'x 621, 622 (11th Cir. 2007).

II. PETITIONER IS UNABLE TO PROSECUTE THIS ACTION HIMSELF

Petitioner's inability to litigate is not based solely on the ordinary constraints of detention. Rather, it arises from multiple compounding factors, including a documented physical assault resulting in an eye concussion, ongoing visual disturbances, a significant language barrier, and a well-founded fear of retaliation following detention staff's failure to protect his safety. These circumstances constitute an adequate explanation under *Whitmore*.

III. MS. AYALA IS TRULY DEDICATED TO PETITIONER'S BEST INTERESTS

Ms. Ayala has acted solely to preserve Petitioner's access to the federal courts. She has no personal stake in the outcome of this litigation and undertook the burden of preparing filings to ensure Petitioner's constitutional claims may be heard.

IV. MS. AYALA HAS A SIGNIFICANT RELATIONSHIP WITH PETITIONER

Ms. Ayala has been a close friend of Petitioner's family for approximately two years and has maintained consistent contact with Petitioner and his immediate family. Petitioner personally authorized Ms. Ayala on January 3, 2026, to act on his behalf, satisfying the relationship requirement articulated in *Whitmore*.

V. EQUITY AND ACCESS TO THE COURTS

Absent next friend standing, Petitioner's right to seek habeas relief would be effectively foreclosed. Granting next friend status ensures meaningful judicial review and is consistent with the remedial purpose of 28 U.S.C. § 2241.

VI. CONCLUSION

For the foregoing reasons, the Court should grant Sayda Ayala next friend status and permit this habeas action to proceed.

**SUPPLEMENTAL UNSWORN DECLARATION
(28 U.S.C. § 1746)**

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**SUPPLEMENTAL DECLARATION OF SAYDA AYALA
IN SUPPORT OF NEXT FRIEND STATUS**

I, Sayda Ayala, declare as follows:

1. I am over the age of eighteen and competent to make this declaration. I submit this declaration pursuant to the Court's Order dated January 22, 2026, requesting additional facts to establish my standing as "next friend" for Petitioner E.S.R-M.
2. I have been a close friend of Petitioner's family for approximately two (2) years. During this time, I have maintained consistent contact with Petitioner and his immediate family and have provided assistance during periods of hardship, including his current detention.
3. Petitioner's wife recently gave birth to their daughter. Due to postpartum recovery, childcare obligations, and financial and logistical limitations, she is unable to perform the due diligence required to draft federal court filings, travel to the post office, obtain copies, or manage deadlines associated with habeas corpus litigation.
4. Petitioner is unable to personally prosecute this habeas action due to medical, linguistic, and safety-related barriers that go beyond the ordinary limitations of detention.
5. Specifically, Petitioner suffered an eye concussion after being physically assaulted by another detainee while in custody. Since the incident, Petitioner has reported seeing flashing lights and visual disturbances, impairing his ability to read, write, or review legal documents.
6. Despite reporting the assault, detention staff failed to adequately protect Petitioner's safety. As a result, Petitioner fears retaliation if he attempts to pursue legal action or independently file court documents while detained.
7. Petitioner also suffers from a significant language barrier, which prevents him from understanding legal forms, drafting pleadings, or communicating effectively with the Court without assistance.

8. On January 3, 2026, Petitioner personally contacted me by telephone and explicitly authorized me to act on his behalf to seek habeas corpus relief as his next friend, due to the combined effects of his medical condition, language barrier, and fear of retaliation.

9. I am truly dedicated to Petitioner's best interests and have acted solely to ensure his access to the federal courts. I have no conflicting interests and seek no personal benefit from this litigation.

10. Without next-friend intervention, Petitioner's constitutional right to seek habeas relief would be effectively foreclosed, as he is presently incapable of filing or prosecuting this action on his own.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 1/26/, 2026

Location: Dallas Tx



Sayda Ayala
Next Friend for E.S.R-M.