

FILED FEB 25 2026 AM 8:09
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UNITED STATES DISTRICT COURT
Middle District of Georgia

Habeeb Adnan Habeeb Lami
Petitioner

A#



v.

Warden, Stewart Detention Center,
U.S. Immigration and Customs Enforcement

and

Acting Director,
U.S. Immigration and Customs Enforcement
Respondents

PETITION FOR WRIT OF HABEAS CORPUS AND MOTION FOR EXPEDITED BOND /
RELEASE 28 U.S.C. §2241

I. Jurisdiction and Venue

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in custody within this District and challenges the legality of his continued immigration detention under federal authority.

Venue is proper in the Middle District of Georgia because Petitioner is detained at Stewart Detention Center in Lumpkin, Georgia, which is located within this District.

II. Introduction

Petitioner, Habeeb Adnan Habeeb Lami, is a lawful permanent resident of the United States. He has been detained by U.S. Immigration and Customs Enforcement (ICE) at Stewart Detention Center since July 3, 2025. Petitioner has now been detained for approximately seven months without receiving an individualized bond hearing.

Petitioner is currently pursuing relief under the Convention Against Torture (CAT) and has filed an appeal of the denial of his I-589 application with the Board of Immigration Appeals on January 29, 2026. Despite the length of his detention and the pending appeal, he has not been afforded an individualized bond hearing.

Petitioner's mother is a United States citizen who suffers from diabetes, high blood pressure, high cholesterol, chronic pain, and mobility limitations due to a previously broken knee caused by [REDACTED] Petitioner is her primary caregiver. His prolonged detention has caused severe hardship.

The continued detention of Petitioner without an individualized bond hearing violates the Due Process Clause of the Fifth Amendment. See *Zadvydas v. Davis*, 533 U.S. 678 (2001). Immigration detention is constitutionally permissible only for a limited and reasonable period.

Petitioner has strong ties to the United States. He has been a lawful permanent resident since 2014, has close family members who are U.S. citizens, has complied with all court requirements, and has never failed to appear for immigration proceedings. From 2019 through 2025, Petitioner attended all required state court hearings and fully complied with every court-ordered condition, including probation, reporting requirements, community service, and mandated programs. This demonstrates respect for the judicial process and ensures petitioner will appear at all future immigration proceedings if released.

III. Prolonged Detention Has Become Constitutionally Unreasonable

Although the government asserts Petitioner is subject to mandatory detention, the Supreme Court has held that immigration detention is constitutionally permissible only for a limited period. See *Demore v. Kim*, 538 U.S. 510 (2003). Extended detention beyond the brief period discussed in *Demore* raises serious constitutional concerns. *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018) confirms detainees may challenge prolonged detention via habeas corpus.

Petitioner's detention has extended approximately seven months while his appeal is pending. Federal courts in the Eleventh Circuit have granted habeas relief or ordered bond hearings in similar prolonged detention cases. Due process requires justification for continued detention.

Detention that extends beyond six months without an individualized bond hearing becomes presumptively unreasonable under constitutional due process principles.

IV. Background

Entered the U.S. as a refugee in 2014

Lawful permanent resident since 2014

Immediate family are U.S. citizens

Criminal history:

Homicide by vehicle, 2nd degree – 6 months county jail + 12 months probation

Georgia Battery (§16-5-23.1) – minor physical harm to a stranger; completed probation, community service, and anger management course

ICE classifies battery as an aggravated felony, triggering mandatory detention

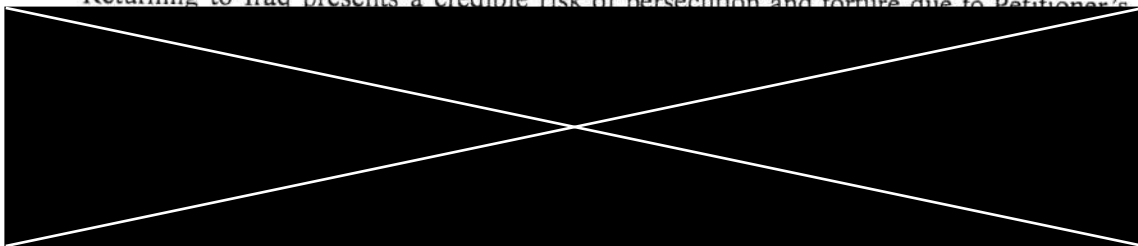
All obligations completed; no other criminal history

V. Humanitarian Hardship

Petitioner is the primary caregiver for his 62-year-old mother, who suffers from serious medical conditions including diabetes, hypertension, hyperlipidemia, chronic pain, and mobility impairment due to prior physical assault in Iraq. His detention prevents him from providing necessary support and care.

VI. Risk of Persecution / CAT Claim

Returning to Iraq presents a credible risk of persecution and torture due to Petitioner's



Detention prevents preparation for the pending CAT appeal, increasing risk.

VII. Strong Equities and Low Flight Risk

Lawful permanent resident since 2014

Deep family ties; immediate family members are U.S. citizens.

Completed all court obligations (2019–2025)

Community support letters attest to good character

No other criminal history; pursuing BIA CAT appeal

Not a flight risk

VIII. Motion for Expedited Bond / Release

Petitioner respectfully requests:

Release on reasonable bond or bond hearing pending BIA CAT appeal

Any other relief the Court deems just

Grounds for Bond / Release:

Prolonged detention without bond review

Humanitarian hardship (caregiver to critically ill mother)

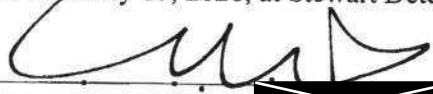
Risk of persecution / CAT claim

Strong equities / low flight risk

IX. Declaration

I declare under penalty of perjury that the facts stated herein are true and correct.

Executed on: February 17, 2026, at Stewart Detention Center, Lumpkin, Georgia.

Signature: 

Habib Adnan Habib Lami A# 

Certificate of Service

I, Habeeb Adnan Habeeb Lami, certify that on February 19, 2026, I served a true and correct copy of this Petition for Writ of Habeas Corpus and Motion for Expedited Bond / Release (28 U.S.C. §2241) by U.S. Mail, to the following:

Warden
Stewart Detention Center
146 CCA Road
Lumpkin, GA 31815

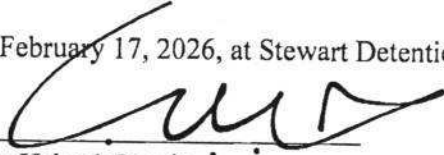
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, DC 20536

U.S. Attorney's Office
United States Attorney's Office for
The Middle District of Georgia
901 Front Avenue, Suite 200
Columbus, GA 31901

and via U.S. Mail Certified, Return Receipt Requested, to the following:

United States District Court for the
Attn: Clerk of Court
Middle District of Georgia - Columbus Division
PO Box 128
Columbus, GA 31902

Executed on: February 17, 2026, at Stewart Detention Center, Lumpkin, Georgia.

Signature: 
Habeeb Adnan Habeeb Lami

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