UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

LUIS MACDON DE LEON-MAZARIEGOS,

Petitioner,

v.

LADEON FRANCIS, Field Office Director of Enforcement and Removal Operations, Atlanta Field Office, TODD LYONS, in his official capacity as Acting director of Immigration and Customs Enforcement; KRISTI NOEM, Secretary, U.S. Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; Tony Normand, Warden of FOLKSTON DETENTION CENTER,

Respondents.

Case No.

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner LUIS MACDON DE LEON MAZARIEGOS brings this petition for a writ of habeas corpus to seek enforcement of their rights as members of the Bond Denial Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.) Petitioner is in the physical custody of Respondents at the FOLKSTON DETENTION CENTER He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) have refused to abide by the declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

2. On November 20, 2025, the district court granted partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners' Motion for Partial Summary Judgment).

3. The declaratory judgment held that the Bond Denial Class members are detained under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

4. Nonetheless, the Executive Office for Immigration Review and its subagency the

Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the opportunity to be released on bond.

5. Petitioner LUIS MACDON DE LEON MAZARIEGOS is a member of the Bond Eligible Class, as he:

a. does not have lawful status in the United States and is currently detained at the [FOLKSTON DETENTION CENTER. He was apprehended by immigration authorities on December 8, 2025;

b. entered the United States without inspection over ten years ago and was not apprehended upon arrival, *cf. id.*; and

c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

6. After apprehending Petitioner on December 8, 2025, the DHS placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. On information and belief the DHS has charged Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection.

7. The Court should expeditiously grant this petition.

8. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a). Nevertheless, Respondents continue to flagrantly defy the judgment in that case and continue to subject Petitioner to unlawful detention despite his clear entitlement to consideration for release on bond as a Bond Eligible Class member.

9. Immigration judges have informed class members in bond hearings that they have been instructed by "leadership" that the declaratory judgment in *Maldonado Bautista* is not controlling, even with respect to class members, and that instead IJs remain bound to follow the agency's prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). Because Respondents are detaining Petitioner in violation of the declaratory judgment issued in *Maldonado*

Bautista, the Court should accordingly order that within one day, Respondent DHS must release Petitioner.

10. Although Respondents have distributed written notices and provided oral advisal referencing February 18, 2026, order such actions have not resulted in actual release for detainees found eligible for bond. Instead, Respondents continue to invoke administrative stays and appeals to prevent release, rendering the purported availability of bond relief ineffective in practice. This demonstrates that further administrative remedies would be futile and that judicial intervention is necessary to remedy Petitioner's ongoing unlawful detention.

11. Alternatively, the Court should order Petitioner's release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

JURISDICTION

12. Petitioner is in the physical custody of Respondents. Petitioner is detained at the FOLKSTON DETENTION CENTER in Folkston, GEORGIA.

13. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

14. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

15. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493- 500 (1973), venue lies in the United States District Court for the SOUTHERN DISTRICT OF GEORGIA, the judicial district in which Petitioner currently is detained.

16. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because

Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the SOUTHERN DISTRICT OF GEORGIA.

REQUIREMENTS OF 28 U.S.C. § 2243

17. The Court should grant the petition for writ of habeas corpus "forthwith," as the legal issues have already been resolved for class members in *Maldonado Bautista.*

18. Habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

19. Petitioner LUIS MACDON DE LEON MAZARIEGOS is a citizen of Guatemala who has been in immigration detention since the 8th of December 2025. After arresting Petitioner on his way to work he was detained and subsequently transferred to the Folkston Detention Center, ICE did not set bond and Petitioner is unable to obtain review of his custody by an IJ, pursuant to the Board's decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). Due to this erroneous decision, it would be futile for Petitioner to apply to EOIR without the intervention of this honorable Court.

20. Respondent LADEON FRANCIS is the Director of the Atlanta Field Office of ICE's Enforcement and Removal Operations division; however, on information and belief, the DHS is rotating their Field Office Director without publishing a schedule of rotation. As such, LADEON

FRANCIS or his unknown, unannounced provisional replacement is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He or his acting counterpart is named in his or her official capacity. Respondent Francis's address is 180 Ted Turner Dr Se, Ste 522. Atlanta GA 30303.

21. Respondent Todd Lyons is named in his official capacity as the Acting Director of the Immigration and Customs Enforcement ("ICE"). As the senior Official Performing the duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in the Southern District of Georgia; is legally responsible for any effort to detain Petitioner; and as such is a custodian of the Petitioner. His address is ICE, Office of the Principal Legal Advisor, 500 12th St. SW, Mail Stop 5900, Washington DC 20536-5900.

22. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity. Respondent Noem's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr Ave Se Washington DC 20528-0525.

23. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

24. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official

capacity. Respondent Bondi's address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001.

25. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

26. Respondent, Warden Tony Normand, is employed by the private, for-profit detention corporation contracted by the Government as an agent to confine immigrants at Folkston Detention Center, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity. Respondent Warden's address is Warden, ICE processing center, 2500 South Highway 1, Folkston GA 31539.

FACTS

27. Mr. LUIS MACDON DE LEON MAZARIEGOS ("Mr. De Leon") is a thirty-six old citizen and national of Guatemala.

28. Mr. De Leon entered the United States in or around 2015 and has been present ever since.

29. Mr. De Leon was on his way to work in Maryland when he was stopped by an unmarked car.

30. Unidentified officials approached him, broke his driver side window, and violently detained Mr. De Leon.

31. On or Around December 8, 2025, the DHS filed a Notice to Appear and initiated removal proceedings against Mr. De Leon.

32. Mr. De Leon was taken to the medical unit to have stitches placed on his forehead.

33. Mr. De Leon has suffered physical harm at the hands of is a devoted father and husband whose presence is essential to his children's

well-being and stability.

34. Pursuant to *Matter of Yajure Hurtado*, the immigration judge is unable to consider Petitioner's bond request, and his unlawful detention cannot be litigated before that body, who collaborated with the DHS – who is a party to these contested proceedings – to adopt the DHS position wholesale, because such efforts would be futile.

35. As a result, Petitioner remains in detention. Without relief from this court, he faces the prospect of months, or even years, in immigration custody, separated from his family and community while his relief remains pending.

CLAIMS FOR RELIEF
COUNT I

Violation of the INA:
Request for Relief Pursuant to *Maldonado Bautista*

36. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

37. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for release on bond under 8 U.S.C. § 1226(a).

38. The order granting partial summary judgment in *Maldonado Bautista* holds that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

39. The order granting class certification in *Maldonado Bautista* further orders that "[w]hen considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole."

40. Respondents are parties to *Maldonado Bautista* and bound by the Court's declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).

41. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is subject

to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA and the Court's judgment in *Maldonado Bautista*.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

a. Assume jurisdiction over this matter;

b. Issue a writ of habeas corpus requiring that within one day, Respondents release Petitioner;

c. Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven days;

d. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and

e. Grant any other and further relief that this Court deems just and proper.

DATED this 17th of March 2026.

/s/ *Matthew Boles*, Esq.

Matthew Boles, Esq.
Attorney for Petitioner
Georgia Bar No. 904287
Louisiana Bar No.: 37593
Manji Law, P.C.
5745 Lawrenceville Hwy
Tucker, GA 30084
Email: Matt@manjilaw.com
Attorney for Petitioner

28 U.S.C. § 2242 VERIFICATION STATEMENT

I am submitting this verification on behalf of the Petitioner because I am the Petitioner's attorney. I have discussed with Petitioner's family members and have reviewed various documents for Petitioner. On the basis of those discussions, I hereby verify that I have reviewed the foregoing Petition and that the facts and statements made in this Petition and Complaint are true and correct to the best of my knowledge or belief pursuant to 28 USC § 2242.

DATED this 17th of March 2026.

/s/ *Matthew Boles*, Esq.
Matthew Boles, Esq.
Attorney for Petitioner
Georgia Bar No. 904287
Louisiana Bar No.: 37593
Manji Law, P.C.
5745 Lawrenceville Hwy
Tucker, GA 30084
Email: Matt@manjilaw.com
Attorney for Petitioner