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

Rafael MEZA CASTRO,
Petitioner

v.

Case No.: 4:26-cv-00493-CDL-AGH

LYONS et al.,

Respondents.

PETITIONER'S STATUS REPORT

To the Honorable Judge of Said Court:

Petitioner served his Petition for Writ of Habeas Corpus on March 27, 2026. An Order to Show Cause was issued on March 30, 2026 ordering the Respondents to conduct a bond hearing within seven days of the order.

On April 6, 2026, a bond hearing was conducted in the Stewart Immigration Court. The judge denied bond in this matter, ruling that the Petitioner is a danger to the community based on an aggravated stalking charge that was ruled nolle prosequi. She also held that he is a flight risk and that no amount of bond could ensure the Petitioner is not a flight risk based on the denial of his application for permanent relief and despite his pending direct appeal of that matter. **See Status Report Attachment 1** The same charge was reviewed by a previous immigration judge, on September 11, 2025, who concluded

that the facts stated in the dismissal of the criminal case indicated the Petitioner had satisfied his burden to demonstrate he is not a danger to the community and granted him a bond of $5,000. **See Petitioner's Habeas Petition Exhibit G**

That September 11, 2025 grant of bond remains on appeal at the Board of Immigration Appeals by Respondent, Department of Homeland Security, on the sole basis of their position that the Immigration Court lacks jurisdiction to consider bond pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Petitioner provided evidence of this Court's Order of March 30, 3026 reaffirming the court's jurisdiction to review custody and granting the remedy of a bond hearing to the Board of Immigration Appeals on April 6, 2026, however to date the Petitioner has received no decision from the Board for the Respondent Department of Homeland Security's pending appeal.

Respectfully submitted,

s/Sarah W. H. Owings
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