AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

Middle District of Georgia

AUBRIMAR FRASELIS REGALADO MENDEZ

Petitioner

v.

WARDEN, STEWART DETENTION CENTER

Respondent

(name of warden or authorized person having custody of petitioner)

Case No.

(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: AUBRIMAR FRASELIS REGALADO MENDEZ
   (b) Other names you have used: N/A
2. Place of confinement:
   (a) Name of institution: STEWART DETENTION CENTER
   (b) Address: 146 CCA ROAD, LUMPKIN, GEORGIA 31815
   (c) Your identification number: A [redacted]
3. Are you currently being held on orders by:
   ☑ Federal authorities ☐ State authorities ☐ Other - explain:
   U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
4. Are you currently:
   ☐ A pretrial detainee (waiting for trial on criminal charges)
   ☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
   If you are currently serving a sentence, provide:
   (a) Name and location of court that sentenced you: N/A
   (b) Docket number of criminal case: N/A
   (c) Date of sentencing:
   ☑ Being held on an immigration charge
   ☐ Other *(explain)*: N/A

Decision or Action You Are Challenging

5. What are you challenging in this petition:
   ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

☐ Pretrial detention
☑ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other *(explain)*: N/A

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE), STEWART DETENTION CENTER – LUMPKIN, GEORGIA

(b) Docket number, case number, or opinion number: A [redacted]

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*: MY CONTINUED IMMIGRATION DETENTION BY U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

(d) Date of the decision or action: 01/11/2026

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing:

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result:

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not appeal: N/A

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing:

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result:

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a second appeal: N/A

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing:

(3) Docket number, case number, or opinion number: N/A

(4) Result: N/A

(5) Date of result:

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a third appeal: N/A

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☑ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☐ No

If "Yes," provide:

(1) Name of court: N/A

(2) Case number: N/A

(3) Date of filing:

(4) Result: N/A

(5) Date of result:

(6) Issues raised: N/A

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes ☐ No

If "Yes," provide:

(1) Name of court: N/A

(2) Case number: N/A

(3) Date of filing:

(4) Result: N/A

(5) Date of result:

(6) Issues raised: N/A

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: N/A

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☑ Yes ☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 01/11/2026

(b) Date of the removal or reinstatement order:

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☑ No

If "Yes," provide:

(1) Date of filing:

(2) Case number: N/A

(3) Result: N/A

(4) Date of result:

(5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☐ No

If "Yes," provide:

(1) Name of court: N/A

(2) Date of filing:

(3) Case number: N/A

(4) Result: N/A

(5) Date of result:

(6) Issues raised: N/A

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes ☑ No

If "Yes," provide:

(a) Kind of petition, motion, or application: N/A

(b) Name of the authority, agency, or court: N/A

(c) Date of filing:

(d) Docket number, case number, or opinion number: N/A

(e) Result: N/A

(f) Date of result:

(g) Issues raised: N/A

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: My continued immigration detention violates the Due Process Clause of the Fifth Amendment.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

On January 4, 2026, I was arrested by local police in Selma, North Carolina. The charges were later dismissed and I posted bond on January 9, 2026. Despite the dismissal of all criminal charges, ICE took custody of me on January 11, 2026 and transferred me to Stewart Detention Center in Lumpkin, Georgia. Since that time I have remained detained without an individualized hearing to determine whether my continued detention is justified.

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes ☑ No

GROUND TWO: My detention is unreasonable and violates my constitutional right to liberty.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

I have no criminal convictions, I have a fixed address at [redacted] North Carolina, and I have a pending asylum application. Despite these facts, ICE continues to detain me without evaluating whether I pose a danger or a flight risk.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes ☑ No

GROUND THREE: Failure to provide an individualized custody or bond hearing

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

Since ICE took custody of me on January 11, 2026, I have not been given an individualized hearing before an immigration judge to determine whether my continued detention is justified or whether I should be released.

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes ☑ No

GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes ☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: I respectfully request that this Court grant my petition for a writ of habeas corpus and order my immediate release from immigration detention at Stewart Detention Center. In the alternative, I request that the Court order the government to provide me with an individualized bond hearing before an immigration judge as soon as possible. I also request that I not be transferred or removed from the United States while this petition is pending. I am willing to comply with any reasonable conditions of release the Court considers appropriate.

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 03/21/26

Signature of Petitioner

Aubimar Regalado

Signature of Attorney or other authorized person, if any