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APR 13 2026
11:00 AM
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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

FREIDER RENE LABORI GONZALEZ,	)	
A# 	)	
	)	
Petitioner, Pro-se	)	
	)	
v.	)	Civil Action No.: _____
	)	
WARDEN, STEWART DETENTION CENTER.	)	
	)	
	)	
Respondent.	)	
	)	

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

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I. JURISDICTION AND VENUE.

This Honorable Court has jurisdiction to consider this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, which authorizes federal courts to review the legality of detention of individuals held in custody under the authority of the United States

Petitioner is currently detained under the civil custody of the Department of Homeland Security, acting through U.S. Immigration and Customs Enforcement (ICE), at the Stewart Detention Center located in Lumpkin, Georgia, within the territorial boundaries of the Middle District of Georgia.

Accordingly, this Court has jurisdiction over the present habeas action because the Respondent exercises immediate legal custody over Petitioner within this District at the time this Petition is filed.

This Petition challenges the legality of Petitioner's continued civil immigration detention while his immigration proceedings remain pending before the Executive Office for Immigration Review.

II. PARTIES

Petitioner, **Freider Rene Labori Gonzalez** (A# ) is a national of Venezuela currently detained under civil immigration custody of U.S. Immigration and Customs Enforcement (ICE) at the Stewart Detention Center located in Lumpkin, Georgia.

Petitioner is being held in administrative custody by the Department of Homeland Security (DHS) while his immigration proceedings remain pending, and there is currently no final order of removal entered against him.

Respondent is the Warden of Stewart Detention Center, who has immediate custody over Petitioner.

III. FACTUAL BACKGROUND AND NATURE OF DETENTION

Petitioner was initially detained on December 10, 2025, by state authorities in Greenville, South Carolina. Petitioner is currently detained under the authority of the Department of Homeland Security pending removal proceedings; however, he has not been provided clear written notice identifying the statutory basis for his continued immigration detention.

However, at the time when his release was to be effected, Petitioner was retained by federal immigration agents and transferred into immigration custody without being provided a copy of the administrative custody documentation or a clear written explanation identifying the statutory basis for his continued detention.

Since that time, Petitioner has remained in continuous immigration detention, having been initially transferred to the Spartanburg County Detention Center on December 12, 2025, and subsequently to the Stewart Detention Center on December 19, 2025, where he remains detained to this date.

Petitioner requested bond before the immigration authorities, which was denied. Petitioner thereafter appeared before an Immigration Judge on February 2, 2026, during which hearing his request for bond was again rejected, and he was informed that any request for release must be pursued through judicial remedies, including habeas corpus.

To date, Petitioner remains detained without the existence of a final order of removal against him, without having failed to appear at any appointments with immigration authorities, and without having been afforded a meaningful review of the legality or necessity of his continued detention.

IV. Legal Basis for Habeas Relief Under 28 U.S.C. § 2241

This Petition for Writ of Habeas Corpus is brought pursuant to 28 U.S.C. § 2241(c)(3), which authorizes federal courts to grant relief to any person who is in custody in violation of the Constitution or laws of the United States.

Petitioner is currently in the civil custody of the Department of Homeland Security, acting through U.S. Immigration and Customs Enforcement (ICE), while his immigration proceedings remain pending before the Executive Office for Immigration Review. There is *no final order of removal entered against him that would authorize his detention for the purpose of imminent removal from the United States.*

Although immigration detention is civil and non-punitive in nature, it remains subject to constitutional limitations arising under the Due Process Clause of the Fifth Amendment. Accordingly, such detention must bear a reasonable relation to its regulatory purpose, which is limited to ensuring an individual's appearance at future immigration proceedings or protecting the community in appropriate circumstances.

In the absence of a final order of removal, prolonged civil detention requires adequate procedural safeguards to ensure that the deprivation of liberty does not extend beyond what is necessary to serve those regulatory purposes. Where administrative detention is prolonged without an individualized determination assessing its continued necessity, federal courts retain authority to review immigration detention through habeas corpus where detention lacks a clearly identified statutory basis or where available procedures fail to provide a meaningful review of its necessity. See *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Jennings v. Rodriguez*, 583 U.S. 513 (2018).

Federal courts retain jurisdiction to intervene where civil detention lacks a clearly identified legal basis or where available procedures fail to provide a meaningful review of the legality or necessity of such detention, in order to prevent a regulatory measure from transforming into a form of punitive confinement incompatible with fundamental due process principles.

V. Claim I – Continued Detention Violates the Fifth Amendment Due Process

Petitioner's continued civil detention, in the absence of a meaningful individualized determination assessing its present necessity, violates the due process guarantees of the Fifth Amendment.

Although the Government may detain a noncitizen during the pendency of immigration proceedings, such custody must bear a reasonable relationship to a legitimate regulatory purpose and cannot become, by duration or by conditions, a punitive deprivation of liberty.

In this case, Petitioner remains detained while his immigration proceedings continue pending and without any final order of removal entered against him. Despite this, Petitioner has not been afforded a meaningful, evidence-based custody review determining whether continued detention remains necessary to ensure future appearance or to protect the community, nor have less restrictive alternatives to detention been meaningfully considered.

Moreover, Petitioner's detention is occurring under circumstances that directly aggravate his medical condition and therefore intensify the constitutional injury associated with continued custody. Petitioner suffers from a serious medical condition resulting from prior gunshot injuries that compromised his lung and rib structure. During detention, he has experienced recurrent fever, physical weakness, and progressive deterioration of his general health, without receiving specialized medical care appropriate to his condition.

The material conditions of confinement have further contributed to this deterioration. The food provided is of poor quality and insufficient in portion, causing considerable weight loss and evident physical weakening. Petitioner has also been exposed to excessively low temperatures from air conditioning and elevated humidity levels, including water leakage from the walls, conditions that have contributed to the worsening of his health.

Where civil detention is maintained without a meaningful individualized assessment of necessity and simultaneously operates under conditions that produce progressive physical decline and medical risk, the deprivation of liberty no longer bears a reasonable relationship to its regulatory purpose and becomes constitutionally excessive.

Accordingly, Petitioner's continued detention, without adequate individualized custody review and under conditions that significantly aggravate his health, violates the substantive and procedural due process protections guaranteed by the Fifth Amendment to the United States Constitution.

VI. Claim II -- Detention Without a Meaningful Bond Hearing

Petitioner has remained in continuous immigration detention without having received a bond hearing that constitutes a meaningful review of the necessity of his deprivation of liberty.

Although Petitioner appeared before an Immigration Judge on February 2, 2026, the bond request presented at that hearing was denied without an individualized determination based on evidence as to whether his detention was necessary to ensure future appearance or to mitigate any risk to the community.

A meaningful review of the necessity of detention requires a substantive evaluation of relevant individual factors, including the likelihood of Petitioner's appearance at future immigration proceedings and the existence of reasonable alternatives to detention. The denial of bond without an adequate analysis of these factors does not constitute an effective review of the need for detention.

Administrative detention that continues following a bond denial that does not include an individualized determination based on evidence renders the deprivation of liberty a measure that has not been properly evaluated in light of the regulatory purposes of immigration detention.

The absence of a meaningful bond hearing allowing for the evaluation of the continued necessity of detention prevents an effective review of whether the deprivation of liberty remains reasonably necessary in the context of the ongoing immigration proceedings.

Accordingly, Petitioner's continued detention without having been afforded a meaningful bond hearing constitutes a deprivation of liberty that has not been adequately justified under the principles governing civil detention.

VII. Irreparable Harm Resulting from Continued Detention

Petitioner's continued detention has caused, and continues to cause, irreparable harm to his physical health, emotional stability, and overall well-being.

Petitioner suffers from a serious medical condition resulting from prior gunshot injuries that compromised his lung and rib structure. These injuries require appropriate medical

monitoring; however, during his detention, Petitioner has experienced recurrent fever, significant physical weakness, and progressive deterioration of his general health, without receiving specialized medical care appropriate to his condition.

Additionally, the conditions of his confinement have aggravated his physical state. The food provided at the detention facility is of poor quality and insufficient in portion, resulting in considerable weight loss and evident physical weakening. Petitioner has also remained in facilities where air conditioning is maintained at excessively low temperatures and humidity levels are elevated, including water leakage from the walls, further contributing to the deterioration of his medical condition.

The absence of adequate medical care in the context of his pulmonary injuries presents a significant risk to his health, particularly in the presence of persistent fever and physical weakness. These circumstances exceed the normal conditions of civil administrative detention and constitute harm that cannot be remedied at a later time through compensation or any legal relief.

In addition to the physical impact, Petitioner's detention has had direct consequences on his family. His mother, who suffers from cervical radicular compression syndrome secondary to a probable C6–C7 disc herniation, has experienced a worsening of her health condition, including blood pressure complications resulting from the emotional impact of her son's detention.

Furthermore, Petitioner's partner, who has been diagnosed with level 2 anxiety disorder, has experienced a significant worsening of her condition, including severe anxiety episodes and aggravation of alopecia areata, as a direct result of the prolonged stress associated with Petitioner's detention. She has also assumed full economic responsibility to cover basic needs, as well as additional expenses resulting from Petitioner's detention.

The ongoing nature of these physical and emotional harms constitutes irreparable injury that cannot be remedied once inflicted and justifies the immediate intervention of this Honorable Court.

VIII. Requested Relief

Accordingly, Petitioner respectfully requests that this Honorable Court grant the writ of habeas corpus and order:

- (a) his immediate release from immigration custody; or, in the alternative,
- (b) his release under reasonable non-monetary conditions to ensure future appearance; or, alternatively,
- (c) that a meaningful bond hearing be ordered before an Immigration Judge at which the Government bears the burden of demonstrating that Petitioner's continued detention is necessary, including consideration of his current medical condition and the proportionality of continued detention in light of his physical vulnerability;
- (d) that U.S. Immigration and Customs Enforcement (ICE) be ordered not to transfer Petitioner to another detention facility or remove him from this jurisdiction while this habeas corpus petition remains pending, so that this Court may maintain effective control over the case and Petitioner may have meaningful access to the judicial process; and
- (e) any other relief the Court deems just and proper to protect Petitioner's liberty and ensure a fair legal process.

Executed on this 03 day of 13, 2026.



Freider Rene Labori Gonzalez

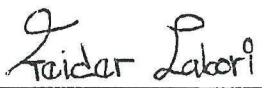
A# 
Petitioner, Pro Se

IX. Verification

I, **Freider Rene Labori Gonzalez** (A# ) declare under penalty of perjury pursuant to the laws of the United States that I have read the foregoing Petition for Writ of Habeas Corpus and that the facts stated therein are true and correct to the best of my knowledge and belief.

I further declare that this Petition is submitted in good faith for the purpose of challenging the legality of my current civil immigration detention and to protect my constitutional rights under the laws of the United States.

Executed on this 03 day of 13, 2026.



Freider Rene Labori Gonzalez

A# 

Petitioner, Pro Se

SWORN DECLARATION UNDER PENALTY OF PERJURY

Freider Rene Labori Gonzalez (A# ) declare under penalty of perjury pursuant to the laws of the United States that the following is true and correct:

1. I am the Petitioner in the present habeas corpus petition filed pursuant to 28 U.S.C. § 2241.
2. I am currently detained under civil immigration custody at the Stewart Detention Center in Lumpkin, Georgia.
3. I do not pose a danger to public safety or to the community.
4. Prior to my detention, I complied with all obligations before immigration authorities and attended all scheduled appointments with U.S. Immigration and Customs Enforcement (ICE).
5. I suffer from a serious medical condition resulting from prior gunshot injuries that compromised my lung and rib structure.
6. During my detention, I have experienced recurrent fever, significant physical weakness, and progressive deterioration of my general health, without receiving specialized medical care appropriate to my condition.
7. The conditions of my confinement have aggravated my physical state. The food provided is of poor quality and insufficient in portion, resulting in considerable weight loss and evident physical weakening.
8. I have also been exposed to excessively low temperatures from air conditioning and elevated humidity levels within the facility, including water leakage from the walls, which has contributed to the deterioration of my medical condition.
9. If released, I am willing to appear at any future immigration hearing or proceeding scheduled in my case and to strictly comply with all conditions of supervision or reporting that may be imposed.
10. I submit this declaration voluntarily in support of my request for release or, in the alternative, for a meaningful bond hearing while my habeas corpus petition is pending.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 03 day of 13, 2026.



Freider Rene Labori Gonzalez

A# 

Declarant

CERTIFICATE OF SERVICE

I hereby certify that on this 03 day of 13, 2026, I caused a true and correct copy of the foregoing **Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241**, together with all supporting documents and exhibits, to be served by United States Mail, postage prepaid, upon the following:

Office of the United States Attorney
Middle District of Georgia
300 Mulberry Street, 4th Floor
Macon, GA 31201
P.O. Box 1702
Macon, GA 31202-1702

Office of the Principal Legal Advisor (OPLA)
U.S. Immigration and Customs Enforcement (ICE) – Atlanta (Lumpkin)
Stewart Detention Center
146 CCA Road
Lumpkin, GA 31815

Warden
Stewart Detention Center
146 CCA Road
Lumpkin, GA 31815

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on this 03 day of 13, 2026.



Freider Rene Labori Gonzalez

A# 
Petitioner, Pro Se

Stewart Detention Center
146 CCA Road
Lumpkin, GA 31815