

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

FILED APR 17 2026 10:48  
MDGA-COL

**OSCAR IRVING VIGUERAS CLAVEL**

A# [REDACTED]  
Petitioner,

Civil Action No: \_\_\_\_\_

v.

**JASON STREEVAL** Warden Stewart Detention Center,

**EMERGENCY PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO  
28 U.S.C. § 2241, AND DISCRETIONARY BOND PURSUANT TO 8 U.S.C. § 1226(a).**

Petitioner **OSCAR IRVING VIGUERAS CLAVEL** hereby petitions this Court for a writ of Habeas Corpus to remedy petitioner's unlawful detention by respondents and to enjoin Petitioners continued unlawful detention by respondents and states as follows:

Petitioner is a Native and Citizen of MEXICO who entered the United States on 9/1/1997 and has lived in the U.S. continuously since then, and is not an arriving Alien as the Judge and DHS improperly assume at Stewart Detention Center in Lumpkin, GA where he remains detained unlawfully. Petitioner does not have an aggravated felony, he is not a flight risk, or a menace to society.

Petitioner applied for a Custody re-determination Hearing on April 7, 2026 so that he could continue with his Asylum claim from outside and used these cases as reference **Garcia v. Noem**, 2025 U.S. Dist. LEXIS 214695 and **J.A.M. v. Streeval**, 2025 U.S. Dist LEXIS 215437 No. 4:25-cv-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025), and the Court and Judge erroneously applied the broad interpretation of 8 U.S.C. § 1225(b)(2) which do not apply to the Petitioner because he is not an arriving Alien.

Respondents argue that they have no jurisdiction, as he is a arriving Alien "seeking admission", but this is not true as he entered the United States on 9/1/1997 which is years ago so he is governed under 8 U.S.C. § 1226 which entitles him to a Bond.

In support of his claim for Bond the Petitioner is also referencing the following similar cases as well. **J.A.M.M. v. Warden, STEWART DETENTION CENTER** 4:25-cv-385-CDL-AGH, P.R.S. 4:25-cv-330, **J.A.C.C. 4:25-cv-337**, **M.M.M. 4:25-cv-343**, **G.A.G.C. 4:25-cv-347**

Petitioner should be allowed the opportunity for pre-removal release while the removal proceedings are pending.

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

FILED APR 17 2026 10:50  
MDGA-COL

**OSCAR IRVING VIGUERAS CLAVEL**

A# [REDACTED]  
Petitioner/ Plaintiff

Civil Action No: \_\_\_\_\_

v.

**PAM BONDI**

Attorney General;

**KRISTI NOEM**

Secretary of Department of  
Homeland Security;

**HOMER BRYSON**

U.S. ICE Field Office Director For  
The Middle District of Georgia

**JASON STREEVAL** Warden

Stewart Detention Facility,

Respondent(s)

**MOTION TO PROCEED INFORMA PAUPERIS  
PURSUANT TO 18 U.S.C. §3006A and  
PURSUANT TO 28 U.S.C. §2241**

**COMES NOW**, the Petitioner **OSCAR IRVING VIGUERAS CLAVEL** pro se' and files this Motion in a timely manner.

The Petitioner files this Motion to proceed Informa Pauperis and states as follows:

The defendant is indigent and has no monies, employment or income as he has been detained by DHS/ICE since 12/4/2025 and has remained in custody at Stewart Detention Center at 146 CCA Rd. Lumpkin, GA 31815. Petitioner Humbly asks this Court to accept this motion and waive any and all cost associated with the proceedings and appointment of Counsel in this case at Bar and allow him to proceed Informa Pauperis as he is indigent.

(See fee waiver form attached)

**PRAYER FOR RELIEF**

**THEREFORE,** Petitioner prays that this Court grant the following relief:

1. Assume jurisdiction over the matter;
2. Grant the Petitioner a Habeas Corpus directing respondents to allow petitioner a Bond.
3. Award Petitioner's Attorney fees and cost under the Equal Access to Justice Act ("EAJA"), as amended, 5 U.S.C. §2412, and on other basis justified under law; and
4. Grant any other form of relief this court deems proper.

X 

April- 8 -2026

**OSCAR IRVING VIGUERAS CLAVEL**

**DETAINED A#** 

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

**CERTIFICATE OF OATH**

**I Swear** under Penalty of Perjury from the United States of America if this Motion is found to be false, frivolous, or made in bad faith. I also swear that this motion is true to the best of my knowledge.

**I further state** that this motion is not a copy of a motion that has been ruled on nor has it been deposed of by this Court.

**I Swear** that this motion has been prepared by personnel at Immigration Connection **and everything that is said in the following motion is true.**

X 

April- 8 -2026

**OSCAR IRVING VIGUERAS CLAVEL**

**DETAINED AT** 

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

**CERTIFICATE OF SERVICE**

I **Swear**, that a true and correct copy of the following Motion has been placed in the hands of an institution official to be furnished and forwarded by first class mail to the following parties listed below on April 8, 2026

**CLERK OF COURTS**

**1. U.S. DISTRICT COURT**

**For the Middle District of Georgia**

**Columbus Division**

P.O. BOX 124

Columbus, GA 31902

**2. Office Of Chief Counsel DHS/ICE**

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

X   
April- 8 -2026

**VIGUERAS, OSCAR**

**DETAINED AT** 

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815