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

VICTOR MAURICIO LOBO GONZALEZ (A[redacted], Petitioner, v. TODD BLANCHE, Acting Attorney General of the United States; KRISTEN SULLIVAN, Acting Field Office Director of Immigration and Customs Enforcement, Atlanta Field Office; WARDEN OF IRWIN COUNTY DETENTION CENTER; MARKWAYNE MULLIN, Secretary of The Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, Respondents.	Case No. 7.26-cv-00125 **PETITION FOR WRIT OF HABEAS CORPUS**

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

Petitioner, Victor Mauricio Lobo Gonzalez (A[redacted]), brings this writ of habeas corpus to seek enforcement of his rights to a bond hearing in the U.S. Immigration Court. Petitioner is in the physical custody of Respondents at the Irwin County Detention Center, Irwin County, Georgia. He now faces unlawful detention because the Respondents have taken a posture that Petitioner is not entitled to a bond hearing pursuant to 8 USC § 1226(a).

JURISDICTION and VENUE

Petitioner is detained at the Irwin County Detention Center, Irwin County, Georgia. The Irwin County Detention Center is in the Middle District of Georgia. This court has jurisdiction to grant a writ of habeas corpus to a petitioner who demonstrates that he is being held in custody in violation of federal law 28 USC § 2241(a), (c)(3). Venue is proper in the United States District Court for the Middle District of Georgia, the judicial district in which the petitioner is being detained. Venue is also proper in this court pursuant to 28 USC § 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 Middle District of Georgia.

PARTIES

Petitioner is a citizen of Honduras who has been in immigration detention since on or about April 23, 2026. Petitioner entered the United States without inspection on or about twelve to fourteen years ago. Petitioner was placed in removal proceedings and charged under 212 (a)(A)(i) of the Immigration and Nationality Act (INA), as an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

Subsequent to an arrest in South Carolina, Petitioner was taken into custody by Immigration and Customs Enforcement (ICE) and remains detained at the Irwin

County Detention Center in Irwin County, Georgia, pending removal proceedings. To date, no bond has been set in his case.

The Executive Office for Immigration Review (EOIR), through the Immigration Court, and the Department of Homeland Security (DHS) have declined to schedule bond hearings for individuals who entered the United States without admission or inspection, asserting that immigration judges lack jurisdiction to conduct such proceedings. As a result of this refusal to afford Petitioner a bond hearing pursuant to 8 U.S.C. § 1226(a), Petitioner is left with no adequate remedy other than to seek relief through a writ of habeas corpus.

The Petitioner has continuously resided in the United States for approximately twelve to fourteen years. During this time, he has established substantial equities, including consistent employment, stable housing, and strong family ties, including three United States citizen children, all of which reflect meaningful integration into the community and deep-rooted connections to this country. Additionally, the Petitioner has a defense to his removal, as he qualifies to apply for Cancellation of Removal for Non-Permanent Residents (Form 42B).

Respondent Kristen Sullivan, Acting Field Office Director, is the Director of the Atlanta Field Office of ICE's Enforcement and Removal Operations division. As such, Kristen Sullivan, Field Office Director, is Petitioner's immediate

custodian and is responsible for Petitioner's detention and removal. She is named in her official capacity.

Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security. He is responsible for the implementation and enforcement of the INA and oversees ICE, which is responsible for Petitioner's detention. Mr. Mullin has ultimate custodial authority over Petitioner and is sued in his official capacity.

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

Respondent Todd Blanche is the Acting Attorney General of the United States. He is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system are component agencies. He is sued in his official capacity.

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.

Respondent, the Warden of the Irwin County Detention Center, where Petitioner is detained, has immediate physical custody of Petitioner.

CLAIM FOR RELIEF

Petitioner seeks habeas corpus relief based on Respondents' refusal to provide Petitioner with a bond hearing pursuant to 8 USC § 1226(a) and the opportunity for pre-removal release while the removal proceedings are pending. Petitioner is entitled to a discretionary bond hearing under 8 USC § 1226(a). *R.C.M. v. Warden, Stewart Detention Center,* 4:26-CV-056-CDL, 2026 WL 147698 (M.D. Ga., 2026); *J.A.M. v. Streeval,* 4:25-CV-342-CDL, 2025 WL 3050094 (M.D. Ga., 2025).

Petitioner is currently being detained under 8 USC § 1226(a); therefore, petitioner is not subject to mandatory detention.

By denying petitioner a bond hearing under 8 USC § 1226(a) and asserting that he is subject to mandatory detention, respondents violate petitioner's statutory rights.

PRAYER FOR RELIEF

Petitioner requests that this Court grant the following relief:

(a) Assume jurisdiction over this matter;

(b) Issue an order requiring Respondent to conduct a bond hearing under 8 USC § 1226(a) within seven days;

(c) In the alternative, order Petitioner's immediate release from Immigration and Customs Enforcement Custody;

(d) Award petitioner attorney's fees and costs under the Equal Access to Justice Act and on any other bases justified; and

(e) Any other relief that this Court deems fair and just.

Respectfully submitted,

This April 27, 2026.

/s/Noemi Puntier

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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that I caused the attached document to be served electronically to the United States and the attorneys for the other parties.

This April 27, 2026.

Respectfully submitted,

/s/Noemi Puntier

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LIST OF RESPONDENTS

(1) ACTING U.S. ATTORNEY GENERAL, TODD BLANCHE;
(2) ACTING ICE, FIELD OFFICE DIRECTOR, KRISTEN SULLIVAN;
(3) WARDEN OF IRWIN COUNTY DETENTION CENTER;
(4) SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY, U.S., MARKWAYNE MULLIN;
(5) DEPARTMENT OF HOMELAND SECURITY;
(6) EXECUTIVE OFFICE FOR IMMIGRATION REVIEW.