

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

UNITED STATES DISTRICT COURT
for the

Jorge Goncalves de Meiva

Petitioner

v.

Warden, Steward 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: Jorge Goncalves de Meiva
(b) Other names you have used: Jorge Goncalves de Meira
2. Place of confinement:
(a) Name of institution: Steward Detention Center
(b) Address: 146 CCA Road
Lumpkin, GA, 31815
(c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
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: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

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)

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- ☐ 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):

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)

(b) Docket number, case number, or opinion number: 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Immigration Judge ordered removal on March 31, 2004. Petitioner is currently detained by ICE and remains in continued immigration detention without a meaningful custody review and without a clear likelihood of removal in the reasonably foreseeable future.

(d) Date of the decision or action: March 31, 2004

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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: Petitioner has not filed an administrative appeal because it is ineffective to challenge his detention. He has a Motion to Reopen and EOIR-42B ready to file, but seeks habeas relief due to the urgency of his continued detention.

8. **Second appeal**

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

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

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: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

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

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (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: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: February 3rd, 2026

(b) Date of the removal or reinstatement order: March 31, 2004

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

☐ Yes

☒ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

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

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

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: Petitioner is currently detained by immigration authorities following a final order of removal dated March 31, 2004. He has remained in custody without a clear timeline for removal. His detention has become prolonged without indication that removal will occur soon.

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

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

☐ Yes

☒ No

GROUND TWO: Petitioner has strong family ties in the United States, including his spouse and U.S. citizen children, who depend on him for emotional and financial support. His detention has caused significant hardship to his family, who rely on him for daily support and stability.

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

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

☐ Yes

☒ No

GROUND THREE: Petitioner does not pose a danger to the community. He has resolved any prior criminal matters and has maintained a stable and productive life in the United States, including consistent work history and compliance with the law.

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

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

☐ Yes

☒ No

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GROUND FOUR: Petitioner has not been provided with a meaningful bond hearing or individualized custody review during his detention. He remains detained without consideration of his personal circumstances, including his family ties and lack of danger, and without evaluation of whether continued detention is necessary.

(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: Petitioner has not previously challenged his detention through administrative processes because such remedies are ineffective to address the legality of prolonged detention. Petitioner is preparing a Motion to Reopen and an Application for Cancellation of Removal, but those proceedings do not provide a mechanism for immediate review of his detention.

Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully requests that this Court:

"Order his immediate release; or "

"In the alternative, order an individualized bond hearing before an Immigration Judge;"

"Grant any other relief deemed just and proper."

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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: 05/01/2026

Jorge. gonzalves de Meira
Signature of Petitioner

Signature of Attorney or other authorized person, if any

Print

Save As...

Reset

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

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA**

JORGE GONCALVES DE MEVIA,

A# 

Petitioner,

v.

Civil Action No. _____

**JASON STREEVAL, Warden,
Stewart Detention Center,
Respondent.**

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

1. JURISDICTION

This is a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Jurisdiction is proper in this Court because Petitioner is confined within this District and his immediate custodian is located within this jurisdiction. The Petitioner is detained in immigration custody within this judicial district.

2. PETITIONER INFORMATION

Name: Jorge Goncalves de Mevia

A-Number: 

Country of Citizenship: Brazil

Current Detention Facility: Stewart Detention Center, Lumpkin, Georgia

Date ICE Detention Began: February 3, 2026

3. CUSTODY STATUS

Petitioner is in civil immigration detention under a **final order of removal issued in 2004.**

Petitioner has been detained by ICE since February 3, 2026, and his detention is ongoing.

4. IMMIGRATION HISTORY

- Entered the United States in or about 2003 without inspection
- Removal order entered in 2004
- No serious criminal convictions
- Long residence in the United States

5. DETENTION FACTS

- ICE has not removed Petitioner to Brazil
- Petitioner does not have travel documents
- The Brazilian government has not issued travel documents to effect removal
- Removal is not reasonably foreseeable

There is no significant likelihood that Petitioner will be removed in the reasonably foreseeable future.

6. FAMILY & HUMANITARIAN FACTS

- Petitioner has two United States citizen children under age 15
- Petitioner's spouse suffers from a serious neurologic medical condition
- Spouse cannot work or drive
- Petitioner is the primary caregiver for spouse and children

Petitioner's continued detention imposes substantial hardship on his U.S. citizen family members and underscores that he is neither a flight risk nor a danger to the community.

7. LEGAL BASIS FOR RELIEF

Petitioner's continued detention violates the Fifth Amendment and federal law as articulated in *Zadvydas v. Davis*, 533 U.S. 678 (2001), because:

- Detention has exceeded the presumptively reasonable removal period;
- There is no significant likelihood of removal in the reasonably foreseeable future; and
- Continued detention without a meaningful custody determination is not authorized by statute.

8. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant this Petition for Writ of Habeas Corpus;
2. Order Petitioner's immediate release under appropriate conditions of supervision;

OR, IN THE ALTERNATIVE:

3. Order Respondent to provide a prompt, individualized custody hearing before an Immigration Judge;
4. Stay Petitioner's removal pending resolution of this Petition; and
5. Grant such other relief as this Court deems just and proper.

9. DECLARATION

I declare under penalty of perjury that the foregoing is true and correct.

Date: Jorge goncalves de meira

Signature of Petitioner: 05/01/2026

Printed Name: Jorge Goncalves de Mevia

A-Number: 

In support of this Petition, Petitioner respectfully submits the following exhibits, which demonstrate his identity, long-standing presence in the United States, strong family and community ties, lack of danger to the community, and the significant hardship resulting from his continued detention: