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UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF GEORGIA

ALBANY DIVISION

201 West Broad Avenue

Albany, GA 31701

EMILIA ARCOS AVILA
A# [redacted]
Stewart Detention Center
146 CCA Road
Lumpkin, Georgia 31815

Petitioner,

v. Civil Action No. _____

1. WARDEN, STEWART DETENTION CENTER
2. ACTING DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)
3. SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY
4. ATTORNEY GENERAL OF THE UNITED STATES

Respondents.

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EMERGENCY MOTION TO EXPEDITE PROCEEDINGS

Petitioner, EMILIA ARCOS AVILA, respectfully moves this Court to expedite consideration of her Petition for Writ of Habeas Corpus and Emergency Motion for Temporary Restraining Order.

I. INTRODUCTION

This is an emergency request.

Petitioner is currently detained at Stewart Detention Center following her recent arrest on or about April 4, 2026 in Savannah, Georgia. She remains in custody under conditions that are rapidly causing serious harm to her physical and mental health.

Immediate judicial intervention is necessary

II. LEGAL STANDARD

Federal courts have inherent authority to expedite proceedings when justice so requires.

See Landis v. North American Co., 299 U.S. 248 (1936)

Expedited treatment is appropriate where:

- There is risk of irreparable harm
- There are urgent constitutional concerns
- Delay would render relief ineffective

III. GROUNDS FOR EXPEDITED RELIEF

A. Ongoing and Irreparable Harm

Petitioner is suffering:

- Severe anxiety and depression
- Panic attacks and insomnia
- Emotional and psychological deterioration
- Heart-related symptoms and physical distress

Courts have recognized that ongoing constitutional violations constitute irreparable harm.

Elrod v. Burns, 427 U.S. 347 (1976)

Each day of continued detention worsens Petitioner's condition.

B. Unlawful and Excessive Detention

Petitioner is being subjected to detention that raises serious constitutional concerns, including:

- Lack of meaningful custody review
- Absence of legal representation
- Detention conditions that are punitive in nature

See Zadvydas v. Davis, 533 U.S. 678 (2001)

These issues warrant immediate judicial review.

C. Severe Impact on Family

Petitioner is the primary emotional and financial support for her family.

Her detention has caused:

- Economic instability
- Emotional distress to her daughter
- Significant harm to her minor grandchildren, including a young child highly dependent on her

This ongoing harm further supports expedited relief.

D. Risk That Relief Will Become Meaningless

Without expedited consideration:

- Petitioner's health may significantly deteriorate
- Her constitutional claims may become moot
- The purpose of habeas relief would be undermined

IV. NO PREJUDICE TO RESPONDENTS

Expediting these proceedings will not prejudice Respondents.

The Government routinely responds to emergency habeas petitions and retains full ability to present its arguments.

V. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. EXPEDITE consideration of the Petition for Writ of Habeas Corpus
2. EXPEDITE ruling on the Emergency Motion for Temporary Restraining Order
3. ORDER Respondents to respond within a shortened time frame

4. GRANT any further relief deemed just and proper

Respectfully submitted,

Emilia Arcos

EMILIA ARCOS AVILA

A# [redacted]

Pro Se Petitioner

CURRENT PLACE OF DETENTION:

Stewart Detention Center

146 CCA Road

Lumpkin, Georgia 31815

Date: 04-28-26