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

J.C.F.,
Petitioner,

v.

WARDEN, STEWART DETENTION CENTER, et al.,

Respondents.

Case No. 4:26-cv-945-CDL-ALS

28 U.S.C. § 2241

PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Petitioner J.C.F., by and through undersigned counsel and pursuant to Federal Rule of Civil Procedure 41(a), respectfully moves this Court to dismiss the above-captioned petition for a writ of habeas corpus *without prejudice*, the relief ordered by the Court having been fully provided. In support, Petitioner states as follows:

1. On June 15, 2026, Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 (ECF No. 1), challenging his continued immigration detention without an individualized bond hearing and seeking an order directing Respondents to afford him a custody redetermination under 8 U.S.C. § 1226(a).
2. On June 17, 2026, the Court (Land, J.) granted relief and ordered Respondents to provide Petitioner a bond hearing under 8 U.S.C. § 1226(a)(2) within seven days of that order. The Court further directed that, "[o]nce a bond hearing is provided, Petitioner will have received the remedy that the Court is authorized to order, and Petitioner should file a notice of dismissal." Order (June 17, 2026), ECF No. 5, at 2.

3. On June 29, 2026, the Stewart Immigration Court (Ward, I.J.) conducted Petitioner's custody redetermination. The Immigration Judge expressly found that the immigration court had jurisdiction to consider bond "pursuant to [the] habeas order issued by [the] U.S. District Court for the Middle District of Georgia, Columbus Division," and granted Petitioner's release from custody on a bond of $10,000.00.
4. Petitioner has thus received the full measure of relief this Court was authorized to order in these proceedings. The petition is moot, and dismissal is appropriate and consistent with the Court's June 17, 2026 Order.
5. To the extent Respondents have not served an answer or a motion for summary judgment, Petitioner is entitled to dismiss without a court order under Rule 41(a)(1)(A)(i). Petitioner brings this motion under Rule 41(a)(2) out of an abundance of caution and to confirm the dismissal of record; should the Court prefer, Petitioner will instead file a notice of voluntary dismissal under Rule 41(a)(1)(A)(i).
6. Dismissal should be *without prejudice*. See Fed. R. Civ. P. 41(a)(1)(B). This dismissal neither waives nor affects: (a) the Immigration Judge's June 29, 2026 custody order; (b) any proceedings now or hereafter pending before the Board of Immigration Appeals; or (c) any future challenge to a stay of that custody order or to any continued, renewed, or future detention of Petitioner — none of which was adjudicated by the Court's June 17, 2026 Order.

WHEREFORE, Petitioner respectfully requests that the Court dismiss the petition for a writ of habeas corpus *without prejudice*.

Respectfully submitted, this 30th day of June, 2026.

Mike Wallace, Bar #734183
Counsel for the Petitioner
Mike Wallace Law Firm, P.C.

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CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the foregoing upon counsel of record by the Court's electronic filing/service system and/or U.S. Mail and email, addressed to:

United States Attorney's Office, Middle District of Georgia
300 Mulberry Street, Suite 400
Macon, Georgia 31201

This 30th day of June, 2026.

Mike Wallace, Bar #734183
Counsel for the Petitioner