FILED IN CLERK'S OFFICE
U.S.D.C. - Columbus, GA
2026 JUN 17 PM 2:14

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF GEORGIA

COLUMBUS DIVISION

HARRY JOSÉ LACAYO MORENO, Petitioner,

v.

WARDEN, STEWART DETENTION CENTER, et al., Respondents.

EMERGENCY MOTION FOR STAY OF REMOVAL

INTRODUCTION

COMES NOW Petitioner Harry José Lacayo Moreno, proceeding Pro Se, and respectfully requests that this Honorable Court immediately stay any deportation, transfer, or removal proceedings pending final adjudication of the Petition for Writ of Habeas Corpus and all related federal proceedings.

Absent emergency intervention, Petitioner faces imminent risk of deportation or transfer before meaningful judicial review may occur. Such removal would create immediate and irreparable constitutional injury and would substantially interfere with this Court's jurisdiction and ability to provide effective habeas relief.

FACTUAL BACKGROUND

Petitioner is a native and citizen of Nicaragua born on [redacted] Petitioner entered the United States on or about March 22, 2022 together with family members seeking safety, stability, and opportunity.

Prior to detention, Petitioner was actively completing high school education and attempting to continue educational development and personal growth. Petitioner's education and emotional stability were abruptly interrupted when immigration authorities detained him on May 5, 2026 during a routine immigration appointment despite prior compliance with supervision obligations.

Petitioner was not apprehended during criminal activity and does not possess a serious criminal history. Petitioner voluntarily appeared for immigration appointments in good faith.

Since detention at Stewart Detention Center, Petitioner allegedly has suffered anxiety, depression, dehydration, hopelessness, emotional deterioration, fear, and severe psychological distress.

Petitioner additionally alleges severe rationing of food and water, repeated exposure to spoiled food, denial of medical care, overcrowded conditions, unsanitary confinement conditions, verbal mistreatment, and fear of retaliatory transfer or punitive isolation for pursuing federal judicial review.

LEGAL STANDARD

Federal courts possess broad equitable authority to issue stays of removal where necessary to preserve jurisdiction, protect constitutional rights, and prevent irreparable harm during pending habeas proceedings.

A stay of removal is appropriate where the moving party demonstrates likelihood of success on the merits, irreparable injury absent relief, favorable balance of equities, and consistency with the public interest.

The Supreme Court repeatedly has recognized the constitutional importance of meaningful judicial review in immigration detention proceedings. See Boumediene v. Bush, 553 U.S. 723 (2008); INS v. St. Cyr, 533 U.S. 289 (2001); Zadvydas v. Davis, 533 U.S. 678 (2001).

ARGUMENT

Petitioner faces extraordinary and irreparable harm absent immediate judicial intervention. Deportation prior to completion of federal judicial review would substantially undermine Petitioner's ability to obtain meaningful habeas relief and potentially render portions of the pending proceedings ineffective.

Petitioner additionally fears removal to Nicaragua or transfer to a third country without meaningful notice or opportunity to seek protection from this Court.

Petitioner's youth and educational circumstances create extraordinary humanitarian concerns supporting issuance of emergency relief. Although Petitioner recently reached adulthood, he remained actively engaged in completing high school studies and continuing emotional and educational development before detention abruptly interrupted his future plans.

The disruption of education, family life, emotional stability, and personal development has caused severe emotional distress and discouragement.

Petitioner additionally fears retaliatory transfer intended to interfere with federal jurisdiction and meaningful judicial review. Federal courts possess inherent authority to preserve the integrity of pending proceedings and prevent governmental conduct capable of frustrating judicial review.

Petitioner does not possess a serious criminal history and does not present a danger to public safety. Petitioner voluntarily complied with immigration supervision obligations before detention, strongly undermining any assertion that Petitioner presents a meaningful flight risk.

The balance of equities overwhelmingly favors preserving constitutional protections, meaningful judicial review, family unity, educational stability, and avoidance of irreparable harm.

REENTRY CLAUSE

In the event Respondents remove or deport Petitioner while these proceedings remain pending, Petitioner respectfully requests that this Court order Respondents to immediately facilitate, coordinate, and finance Petitioner's return to the United States so that meaningful judicial review may remain effective and constitutionally adequate.

Without such protection, Respondents could effectively undermine this Court's jurisdiction through unilateral removal prior to adjudication of the constitutional claims presented within the pending habeas proceedings.

Federal courts retain equitable authority to order corrective measures necessary to preserve meaningful review and remedy unconstitutional governmental conduct.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

1. ISSUE an immediate Stay of Removal pending adjudication of the Petition for Writ of Habeas Corpus;

2. ENJOIN Respondents from deporting or removing Petitioner from the United States while proceedings remain pending;

3. ENJOIN Respondents from transferring Petitioner to any third country absent prior authorization from this Court;

4. ORDER that, if Petitioner is removed during pendency of these proceedings, Respondents shall immediately facilitate and finance Petitioner's return to the United States to preserve meaningful judicial review;

5. PROHIBIT retaliatory transfer outside the jurisdiction of this Court;

6. GRANT all additional relief deemed just and proper under the law.

Respectfully submitted,

Harry Lacayo

Harry José Lacayo Moreno
A# [redacted]
Pro Se Petitioner
Stewart Detention Center
146 CCA Road
Lumpkin, GA 31815