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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

HARRY JOSÉ LACAYO AGUIRRE, Petitioner,

v.

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

EMERGENCY MOTION TO EXPEDITE HABEAS CORPUS PROCEEDINGS

INTRODUCTION

Petitioner respectfully requests expedited consideration of the pending federal habeas corpus proceedings because continued detention presents immediate constitutional harm, deteriorating medical and psychological conditions, and the constant threat of retaliatory transfer or removal before meaningful judicial review may occur.

This matter involves urgent allegations concerning unconstitutional detention conditions, denial of medical care, severe rationing of food and water, overcrowding, unsanitary confinement conditions, emotional deterioration, and fear of punitive retaliation for exercising constitutional rights. Delay in judicial intervention risks irreparable injury that cannot later be remedied through monetary damages or delayed relief.

FACTUAL BACKGROUND

Petitioner Harry José Lacayo Aguirre is a native and citizen of Nicaragua who entered the United States on March 22, 2022. Petitioner was detained on May 5, 2026 while voluntarily attending a routine immigration appointment.

Petitioner was not apprehended during criminal activity, did not evade immigration supervision, and did not present a danger to public safety. Petitioner alleges that detention occurred without probable cause and absent a criminal judicial warrant.

Since detention, Petitioner has allegedly experienced severe deprivation of adequate food and hydration, repeated exposure to spoiled or unsafe meals, denial or delay of medical

attention despite physical and psychological suffering, verbal mistreatment by detention officers, overcrowded living conditions, and unsanitary confinement conditions.

Petitioner further fears retaliatory transfer to another detention facility or placement in segregation as punishment for pursuing federal judicial review.

LEGAL STANDARD

Federal courts possess broad authority to expedite habeas corpus proceedings where delay risks irreparable constitutional injury. Habeas corpus occupies a unique and protected position within the constitutional framework of the United States.

The Supreme Court has repeatedly emphasized that habeas corpus must remain a meaningful and effective remedy capable of immediate judicial intervention when liberty interests are threatened. See Boumediene v. Bush, 553 U.S. 723 (2008); INS v. St. Cyr, 533 U.S. 289 (2001).

Expedited review is especially appropriate where continued detention threatens serious physical or psychological harm, where constitutional violations are ongoing, or where transfer or removal could undermine jurisdiction and frustrate meaningful review.

ARGUMENT

Immediate judicial intervention is necessary because Petitioner faces continuing and escalating harm each day detention continues. The allegations described within the habeas petition are not speculative concerns but ongoing constitutional violations directly affecting Petitioner's physical and mental well-being.

Petitioner alleges severe food and water rationing resulting in dehydration and physical deterioration. Petitioner further alleges denial of adequate medical care despite symptoms of anxiety, depression, emotional distress, and worsening physical condition.

The Constitution does not permit civil immigration detention to become punitive. Conditions amounting to punishment violate substantive due process protections guaranteed under the Fifth Amendment. See Bell v. Wolfish, 441 U.S. 520 (1979).

Petitioner additionally fears retaliatory transfer designed to disrupt jurisdiction and obstruct judicial review. Federal courts have recognized that detainee transfers during pending habeas proceedings may substantially interfere with access to the courts and effective review.

Petitioner also fears removal or transfer to a third country without meaningful notice or opportunity to seek protection from the Court. Such removal would likely render portions

of the pending habeas proceedings ineffective and create severe irreparable consequences for Petitioner and family members.

Petitioner has substantial ties within the United States, lacks serious criminal history, and does not present a meaningful danger to the community. Continued detention under these conditions is excessive, punitive, and constitutionally intolerable.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

1. EXPEDITE all proceedings associated with the pending Petition for Writ of Habeas Corpus;

2. ORDER Respondents to file an expedited response within a shortened timeframe determined by the Court;

3. PROHIBIT transfer of Petitioner outside the jurisdiction of this Court while proceedings remain pending;

4. PROHIBIT removal or transfer to any third country pending resolution of these proceedings;

5. GRANT any further relief this Court deems just, equitable, and proper.

Respectfully submitted,

Harry Lacayo

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