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

JUSTIN SAWYER ,	:	
	:	
Petitioner,	:	
	:	**Case No. 4:26-cv-972-CDL-ALS**
v.	:	**28 U.S.C. § 2241**
	:	
WARDEN, STEWART DETENTION CENTER,	:	
	:	
	:	
Respondent.	:	

MOTION TO DISMISS

On June 29, 2026, the Court received Petitioner's writ of habeas corpus ("Petition"). ECF No. 1. On July 6, 2026, the Court ordered Respondents to provide Petitioner with a bond hearing to determine if Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations based on the Court's rationale in *J.A.M. v. Streeval*, No. 4:25-CV-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025) and *P.R.S. v. Streeval*, No. 4:25-CV-330-CDL, 2025 WL 3269947 (M.D. Ga. Nov. 24, 2025). Doc. 5. The Court also noted that if Respondents have a good faith contention that the Court's prior ruling in *J.A.M.* and *P.R.S.* do not apply here then Respondents could file an appropriate motion seeking relief from this order and demonstrating why the Court's prior rulings in *J.A.M.* and *P.R.S.* does not control. *Id.* Here, Respondents file a Motion to Dismiss.

ARGUMENT

Petitioner contends that that his detention is under 8 U.S.C. § 1226(a) and that he should be granted a discretionary bond hearing. Pet. 1. Petitioner has successfully petitioned the United States District Court for the Southern District of Florida for a bond hearing pursuant to *Hernandez*

Alvarez v. Warden, —— F.4th ——, No. 25-14065, 2026 WL 1243395, at *14 (11th Cir. May 6, 2026). Exhibit A, SDFL Civil Docket, Case No. 1:26-cv-22327-WPD. As a result, Petitioner has already received the relief he now requests from this Court in a bond hearing. On June 9, 2026, Petitioner appeared with counsel for a bond hearing before the Immigration Court pursuant to the District Court's order. At that hearing, the Immigration Court denied Petitioner bond based on findings that Petitioner poses a danger to the community. *See* Exhibit B, Immigration Court bond order. Petitioner did not file an appeal of the Immigration's Judge's custody decision.

The case-or-controversy requirement of Article III, section 2 of the United States Constitution subsists through all stages of federal judicial proceedings. *See Spencer v. Kemna*, 523 U.S. 1, 7 (1998). A petitioner "must have suffered, or be threatened with, an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision." *Lewis v. Cont'l Bank Corp.*, 494 U.S. 472, 477 (1990). "The doctrine of mootness derives directly from the case or controversy limitation because an action that is moot cannot be characterized as an active case or controversy." *Soliman v. United States*, 296 F.3d 1237, 1242 (11th Cir. 2002) (internal quotation marks and citation omitted). "Put another way, a case is moot when it no longer presents a live controversy with respect to which the court can grant meaningful relief." *Fla. Ass'n of Rehab. Facilities, Inc. v. Fla. Dep't of Health & Rehab. Servs.*, 225 F.3d 1208, 1217 (11th Cir. 2000) (internal quotation mark and citation omitted). Thus, "[i]f events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed." *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1336 (11th Cir. 2001). "Indeed, dismissal is required because mootness is jurisdictional." *Id.*; *see also De La Teja v. United States*, 321 F.3d 1357, 1362 (11th Cir. 2003).

Here, Petitioner has since been moved to Stewart Detention Center where Petitioner has filed the current Petition. Pet 1. Petitioner has already received the relief he now requests from this Court and is not entitled to further relief because he was moved to a new district. Accordingly, the Court should dismiss the Petition as moot.

CONCLUSION

Petitioner has already received the relief he now seeks. As such, the Petition is moot and should be dismissed

Respectfully submitted, this 13th day of July, 2026.

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CERTIFICATE OF SERVICE

This is to certify that I have this date filed the Motion to Dismiss with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

N/A

I further certify that I have this date mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non CM/ECF participants:

Justin Sawyer
A# [redacted]
Stewart Detention Center
P.O. Box 248
Lumpkin, GA 31815

This 13th day of July, 2026.

BY: *s/ Travis D. Lynes*
TRAVIS D. LYNES
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