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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

EMERGENCY MOTION TO EXPEDITE HABEAS CORPUS PROCEEDINGS

INTRODUCTION

COMES NOW Petitioner, YEAN MARCOS SOTO LUGO, proceeding Pro Se, and respectfully moves this Honorable Court for expedited consideration of his pending Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

This matter presents extraordinary circumstances involving ongoing constitutional violations, severe emotional and physical harm, unconstitutional civil detention conditions, denial of medical attention, and the imminent risk of retaliatory transfer or sudden deportation before meaningful judicial review may occur. Immediate judicial intervention is necessary to preserve the Court's jurisdiction and prevent irreparable harm to Petitioner.

FACTUAL BASIS FOR EXPEDITED REVIEW

Petitioner is currently detained at Stewart Detention Center under conditions that have caused significant physical and psychological deterioration. Petitioner reports severe food rationing, spoiled meals, denial of proper medical treatment, verbal abuse involving racial and xenophobic remarks, anxiety, depression, emotional distress, and substantial weight loss resulting from detention conditions.

Petitioner was detained after voluntarily appearing at a routine ICE check-in appointment despite having a pending asylum case and despite maintaining compliance with immigration authorities. Petitioner further asserts that his bond hearing lacked fundamental fairness and meaningful individualized consideration.

Most critically, Petitioner fears retaliatory transfer outside the jurisdiction of this Court or abrupt deportation to a third country without adequate notice. Such actions would irreparably undermine Petitioner's ability to pursue habeas relief and could effectively extinguish this Court's jurisdiction over the matter.

LEGAL ARGUMENT

Federal courts possess broad authority to expedite habeas proceedings where constitutional violations and irreparable harm are ongoing. Habeas corpus has historically served as an emergency safeguard against unlawful restraint of liberty.

The Supreme Court has repeatedly emphasized the fundamental importance of prompt judicial review where liberty interests are at stake. See Boumediene v. Bush, 553 U.S. 723 (2008); Zadvydas v. Davis, 533 U.S. 678 (2001). Delayed adjudication under these circumstances risks rendering habeas protections meaningless.

Courts routinely expedite habeas matters where detainees face deteriorating medical conditions, unconstitutional confinement, retaliatory transfer, or imminent removal. Petitioner's claims involve ongoing violations of due process protections under the Fifth Amendment and substantial risks of irreparable harm that cannot later be remedied.

Furthermore, the balance of equities overwhelmingly favors expedited consideration. The Government suffers little prejudice from accelerated briefing or prompt judicial review, whereas Petitioner continues suffering severe constitutional injuries daily while confined.

IRREPARABLE HARM

Absent expedited review, Petitioner faces continuing physical, emotional, and constitutional harm. Continued detention under degrading and punitive conditions further exacerbates Petitioner's mental health deterioration and physical suffering.

Additionally, any retaliatory transfer or deportation prior to adjudication would create devastating and potentially irreversible consequences, including interference with access to counsel, disruption of pending proceedings, separation from community ties, and practical destruction of meaningful habeas review.

Such injuries are immediate, ongoing, and irreparable.

CONCLUSION

WHEREFORE, Petitioner respectfully requests that this Court:

1. GRANT this Emergency Motion to Expedite;
2. Expedite briefing and judicial review of the pending habeas petition;
3. Issue immediate scheduling orders necessary to preserve the Court's jurisdiction;
4. Grant any further relief deemed just and proper.

Respectfully submitted,

YEAN MARCOS SOTO LUGO
Pro Se Petitioner
A# [redacted]