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

ALAN EDUARDO CORTEZ LEON
A# [redacted]
Petitioner,

Civil Action No: _____

v.

JASON STREEVAL Warden Stewart Detention Center,

EMERGENCY PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C.§ 2241, AND DISCRETIONARY BOND PURSUANT TO 8 U.S.C. § 1226(a).

Petitioner **ALAN EDUARDO CORTEZ LEON** pro se' hereby petitions this Court for a writ of Habeas Corpus to remedy petitioner's unlawful detention by respondents and to enjoin Petitioners continued unlawful detention by respondents and states as follows:

Petitioner is a Native and Citizen of Mexico who entered the United States on July of 2018 and has lived in the U.S. continuously since then, and is not an arriving Alien as the Judge and DHS improperly assume at Stewart Detention Center in Lumpkin, GA where he remains detained unlawfully.

Petitioner applied for a Custody re-determination Hearing on **6-26-2026** so that he could continue with his Asylum claim from outside and the Court and Judge erroneously applied the broad interpretation of 8 U.S.C. § 1225(b)(2) which do not apply to the Petitioner because he is not an arriving Alien. see **Alvarez v. Warden, Federal Detention Center**, et al, No. 25-14065 (11th Cir. 2026) and **Perez v. Assistant Field Office Director, Krome North Service Processing Center**, et al., No. 25-14075 (11th Cir. 2026). 11th Circuit states 1226 applies to unadmitted aliens arrested within the United States and, therefore, such aliens are eligible for release on bond..

Respondents argue that he is a arriving Alien **"seeking admission"**, but this is not true as he entered the United States on July of 2018 which is years ago and not now as suggested.

In support of his claim for Bond the Petitioner is also referencing the following similar cases as well. J.A.M.M. v. Warden, STEWART DETENTION CENTER 4:25-cv-385-CDL-AGH, P.R.S. 4:25-cv-330, J.A.C.C. 4:25-cv-337, M.M.M. 4:25-cv-343, G.A.G.C. 4:25-cv-347

Petitioner should be allowed the opportunity for pre-removal release while the removal proceedings are pending.

PRAYER FOR RELIEF

THEREFORE, Petitioner prays that this Court grant the following relief:

1. Assume jurisdiction over the matter;
2. Grant the Petitioner a Habeas Corpus directing respondents to allow petitioner a Bond.
3. Award Petitioner's Attorney fees and cost under the Equal Access to Justice Act("EAJA"), as amended, 5 U.S.C. §2412, and on other basis justified under law; and
4. Grant any other form of relief this court deems proper.

X _____

July 2, 2026

ALAN EDUARDO CORTEZ LEON

A[redacted]

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

CERTIFICATE OF SERVICE

I Swear, that a true and correct copy of the following Motion has been placed in the hands of an institution official to be furnished and forwarded by first class mail to the following parties listed below on July 2, 2026

CLERK OF COURTS

1. **U.S. DISTRICT COURT**
   For the Middle District of Georgia
   Columbus Division
   P.O. BOX 124
   Columbus, GA 31902

2. **Office Of Chief Counsel DHS/ICE**
   Stewart Detention Center
   146 CCA Rd.
   Lumpkin, GA 31815

X _____

July 2, 2026

ALAN EDUARDO CORTEZ LEON

A [redacted]

Stewart Detention Center
146 CCA Rd.
Lumpkin, GA 31815