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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISIÓN
475 MULBERRY STREET, SUITE 216
MACON, GA 31202

GALO ALEXANDER DERCE PACHAY
NO CIUDADANO DETENIDO
A# [redacted]
ACTUALMENTE DETENIDO EN:
Irwin County Detention Center
132 Cotton Drive, Ocilla, Georgia 31774

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241
AND REQUEST FOR IMMEDIATE RELEASE

GALO ALEXANDER DERCE PACHAY,
PRO-SE - EMERGENCY NATURE
Petitioner,
v.
DIRECTOR OF THE IRWIN COUNTY DETENTION CENTER;
DIRECTOR OF THE ICE ATLANTA FIELD OFFICE;
SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY;
ATTORNEY GENERAL OF THE UNITED STATES,
Respondents.

I, GALO ALEXANDER DERCE PACHAY, a Venezuelan national currently detained at the Irwin County Detention Center, located at 132 Cotton Drive, Ocilla, Georgia 31774, acting in my own representation (pro se), respectfully request that this Honorable Court, pursuant to Title 28 U.S.C. § 2241, the Fourth, Fifth, and Fourteenth Amendments to the United States Constitution, and all applicable laws, immediately issue a Writ of Habeas Corpus ordering my release from unlawful custody. In support thereof, I declare the following:

I. INTRODUCTION - JURISDICTION

This Honorable Court has jurisdiction over my Petition pursuant to Title 28 U.S.C. § 2241(c)(3), a provision that grants federal courts the authority to issue a writ of habeas

corpus on behalf of a person detained in violation of the Constitution or laws or treaties of the United States.

Venue is proper in this district because I am physically detained at the Irwin County Detention Center, located in Ocilla, Irwin County, Georgia, which is within the Middle District of Georgia, Macon Division. See 28 U.S.C. § 2241(d); Rumsfeld v. Padilla, 542 U.S. 426, 443 (2004).

The Respondents are the Director of the Irwin County Detention Center, the Director of the ICE Atlanta Field Office, the Secretary of the Department of Homeland Security, and the Attorney General of the United States, all of whom are legally responsible for my custody and treatment.

II. PARTIES

I, GALO ALEXANDER DERCE PACHAY, am a Venezuelan national, born on [redacted] in [redacted] Venezuela. My established domicile in the United States is [redacted] I am currently detained at the Irwin County Detention Center, 132 Cotton Drive, Ocilla, GA 31774. My Alien Registration Number is A-[redacted]

The Respondent Director is the official responsible for the day-to-day operations of the Irwin County Detention Center and is my immediate custodian.

The Respondent Director of the ICE Atlanta Field Office oversees immigration law enforcement operations in Georgia and has supervisory authority over my detention.

The Respondent Secretary of DHS and the Respondent Attorney General are the cabinet officials with ultimate institutional authority over my immigration case and my detention.

III. STATEMENT OF FACTS

A. Background: My Flight from Venezuela and My Entry into the United States

I, Galo Alexander Derce Pachay, am a Venezuelan national who fled my country due to serious threats against my life by [redacted]

[redacted] Fearing for my life, I was forced to flee Venezuela.

I entered the United States on September 12, 2023, near El Paso, Texas.

Since my entry into the United States, I have continuously resided at [redacted] where I have established legitimate and strong ties to the community, and I have complied with all obligations imposed on me by the United States immigration authorities.

B. My Asylum Application and My Demonstrated Compliance with the Laws of the United States

On May 30, 2024, within the legal one-year deadline, I filed Form I-589, Application for Asylum and Withholding of Removal, with USCIS. (See EXHIBIT A). My application is based on my membership in a particular social group and my well-founded fear of being tortured or murdered by agents sponsored by the Venezuelan State.

On June 17, 2024, I voluntarily and punctually appeared at the USCIS Application Support Center in Raleigh, North Carolina, complying with all immigration obligations imposed on me. (See EXHIBIT G).

On December 9, 2024, the State of North Carolina issued me a valid Identification Card with number [redacted] valid through May 18, 2032. (See EXHIBIT H).

On November 29, 2024, USCIS granted me an Employment Authorization Document (EAD), valid through November 28, 2029. (See EXHIBIT D). The issuance of this EAD constitutes a formal determination by the federal government recognizing my legal status as an asylum applicant with the right to work in the United States.

On March 4, 2025, the State of North Carolina issued me a Class C Driver's License with number [redacted], valid through May 18, 2033. (See EXHIBIT I).

On February 25, 2026, a Notice to Appear (NTA) was issued ordering me to appear before the Charlotte Immigration Court on August 26, 2026, at 8:30 a.m. (See EXHIBIT E). I was fully willing and prepared to appear at that hearing.

C. The Detailed Circumstances of My Arrest and My Detention — Specific Facts

C.1. My Arrest — Without Probable Cause and Without Prior Investigation

Recently, I was driving my vehicle on Raleigh Road Pkwy W, in Wilson, North Carolina, near the Walmart Supercenter located on that road, when I was intercepted by a Wilson police patrol.

Unlike what occurs in ordinary police procedure, the officer did not ask me any questions, did not investigate the circumstances of the moment, did not take my statement, and did not collect testimony from people present at the scene. Without any inquiry or verification of the facts, the officer immediately proceeded to arrest me at the same location where he stopped me, without giving me the opportunity to explain what had occurred or to exercise my fundamental rights.

This immediate arrest, without prior investigation and without duly established probable cause, constituted from the outset a deficient police action that violated my constitutional rights under the Fourth Amendment.

C.2. My Court Hearing — My Partner's Testimony and the Court's Decision

I appeared before the local court, at which hearing my own partner appeared as a witness and testified to the facts as they actually occurred, confirming that my actions were motivated by her protection and not by any aggressive intent.

My partner did not file any charges against me. The court, evaluating the facts and the testimony presented, determined to grant me a bond of TWO THOUSAND DOLLARS (USD $2,000.00) and set a future hearing for July 20. I immediately proceeded to arrange the payment of the bond through a bondsman (bail bond agent), who handled the corresponding procedures to secure my release pursuant to the court order.

C.3. ICE's Illegal Intervention — My Detention After Payment of the Bond

Despite having complied with the payment of the bond ordered by the court and having no criminal charges against me, in the early morning hours, a police officer approached me inside the detention center and informed me that I was being released, expressly telling me that I was going home.

While I was descending the stairs of the detention center toward the exit, at the precise moment when I believed I was about to recover my liberty pursuant to the court order I was intercepted by two (2) agents of U.S. Immigration and Customs Enforcement (ICE),

who were deliberately waiting for me at the bottom of the stairs inside the police facility itself, and they proceeded to detain me again without any court order and without independent probable cause.

This circumstance that ICE agents were waiting for me precisely inside the police building, in the early morning hours, at the exact moment of my release, reveals a deliberate and premeditated coordination between local police and ICE to deprive me of the liberty that the court had granted me, effectively circumventing the already-paid judicial bond order.

At that moment, local police transferred me to ICE despite the fact that: (a) the court had ordered my release on bond; (b) the bond had been paid; (c) there was no active criminal arrest warrant against me; (d) I possessed valid immigration documents, including my federal Employment Authorization Document (EXHIBIT D); and (e) I had my active and pending asylum application before USCIS (EXHIBIT A and EXHIBIT B).

I am currently detained at the Irwin County Detention Center, 132 Cotton Drive, Ocilla, GA 31774, to which I was transferred by ICE following that nocturnal arrest. I have been in the United States for a period of two (2) years and nine (9) months, with no criminal record, with my asylum application pending, with my valid EAD (EXHIBIT D), with my driver's license (EXHIBIT I) and valid state identification (EXHIBIT H).

IV. MY LEGAL ARGUMENTS

FIRST GROUND: VIOLATION OF THE FOURTH AMENDMENT — MY UNLAWFUL DETENTION AND TRANSFER WITHOUT A COURT ORDER

The Fourth Amendment establishes the right of persons to be secure in their persons against unreasonable seizures, and that no warrants shall issue except upon probable cause. U.S. Const. amend. IV.

The protections of the Fourth Amendment apply to all persons within the United States, including non-citizens such as myself. See Zadvydas v. Davis, 533 U.S. 678, 693 (2001); Plyler v. Doe, 457 U.S. 202 (1982).

In my case, the incident that led to my contact with the police was an immediate arrest while driving my vehicle, without prior investigation, without questioning, and without duly established probable cause. My partner did not file charges against me. The court granted me bond, which was paid. At that point, no independent probable cause

justified my new detention.

ICE's intervention at the moment of my release, intercepting me as I descended the stairs of the detention center, inside the police building itself, without a court order, without independent probable cause, constitutes an unreasonable seizure in direct violation of the Fourth Amendment. See Morales v. Chadbourne, 793 F.3d 208 (1st Cir. 2015).

The cooperation of local police with ICE to carry out my detention without a court order, immediately after the court ordered my release on bond, violates the principles established in Rodriguez v. United States, 575 U.S. 348 (2015), which prohibits extending a detention beyond its original purpose without independent legal cause.

The fact that ICE was waiting for me precisely at the moment of my departure from the detention center, in the early morning hours, inside the police building itself — reveals a deliberate coordination between local police and ICE to circumvent the judicial bond order and deprive me of the liberty the court had granted me. This conduct is constitutionally and legally unacceptable.

The fruit of the poisonous tree doctrine, established in Wong Sun v. United States, 371 U.S. 471 (1963), requires that all evidence and authority derived from an unconstitutional detention be suppressed. In my case, the logical consequence is my immediate release.

SECOND GROUND: VIOLATION OF THE FIFTH AMENDMENT — MY RIGHT TO DUE PROCESS

The Fifth Amendment establishes that no person shall be deprived of life, liberty, or property without due process of law. U.S. Const. amend. V.

Substantive Due Process: My physical liberty is the most fundamental interest recognized by the Constitution. Foucha v. Louisiana, 504 U.S. 71, 80 (1992). A court of competent jurisdiction had already determined that my release on bond was appropriate. ICE cannot unilaterally revoke that judicial determination without adequate legal process.

Procedural Due Process: ICE's decision to detain me again, after the court ordered my release, without a hearing, without prior notice, and without giving me the opportunity to challenge that detention, flagrantly violates my procedural due process rights, pursuant

to Mathews v. Eldridge, 424 U.S. 319 (1976).

The three-factor Mathews v. Eldridge test weighs decisively in my favor: (1) the private interest affected is my physical liberty, the most fundamental of all; (2) the risk of erroneous deprivation is extremely high, given that a judge had already determined that I deserved release on bond, and there is no criminal conviction against me; and (3) the government's interest in detaining me is minimal, given my compliance history documented in EXHIBITS A through K, my pending asylum application, my valid EAD (EXHIBIT D), and the absence of any criminal record.

Furthermore, my detention, having satisfied the bond ordered by the court and with no criminal conviction weighing against me, based solely on my immigration status, constitutes an arbitrary deprivation of liberty that directly conflicts with due process. See Zadvydas v. Davis, 533 U.S. 678 (2001).

The Notice to Appear issued to me on February 25, 2026 (EXHIBIT E) charges me only with a civil violation of INA § 212(a)(6)(A)(i) an administrative immigration status infraction, not a criminal offense. The Supreme Court has established a clear distinction between criminal punishment and civil detention. See Bell v. Wolfish, 441 U.S. 520, 538 (1979). My current confinement lacks a legitimate, non-punitive regulatory purpose.

THIRD GROUND: VIOLATION OF THE FOURTEENTH AMENDMENT — MY RIGHT TO EQUAL PROTECTION AND FEDERAL DUE PROCESS

The equal protection and due process principles of the Fourteenth Amendment are applicable to the federal government through the Fifth Amendment. See Bolling v. Sharpe, 347 U.S. 497 (1954).

Equal Protection: I am being treated differently from other individuals in an identical legal situation, with bond paid and no active criminal charges, solely because of my status as a Venezuelan national and asylum applicant. This distinction lacks legitimate legal basis and triggers the heightened scrutiny applicable to classifications based on national origin.

In Plyler v. Doe, 457 U.S. 202, 210 (1982), the Supreme Court confirmed that whatever his status under the immigration laws, an alien is surely a person in any ordinary sense of that term. The Equal Protection Clause extends to every person subject to the laws of the United States, including me. Yick Wo v. Hopkins, 118 U.S. 356, 369 (1886).

The practice of intercepting me at the precise moment of my judicial release, after payment of my bond, inside the police building itself, without a court order and without independent probable cause, constitutes a selective and discriminatory application of the law that violates my constitutional right to equal protection.

FOURTH GROUND: INTERFERENCE WITH MY JUDICIAL BOND ORDER — VIOLATION OF THE SEPARATION OF POWERS

A court of competent jurisdiction determined, after evaluating the facts of my case, that I was eligible for release on a bond of $2,000.00. That judicial determination is an act of the Judicial Branch that the Executive Branch, through ICE, cannot unilaterally override without violating the constitutional principle of separation of powers.

ICE's conduct in intercepting me at the precise moment of my judicial release, inside the police building itself, amounts to a de facto defiance of the court's order. Federal courts have reaffirmed that Executive Branch agencies are obligated to respect judicial determinations regarding the liberty of persons. See United States v. Salerno, 481 U.S. 739 (1987).

By depriving me of my liberty minutes after the court ordered my release on bond, already paid, ICE has acted in contempt of judicial authority and has rendered the court's order practically meaningless, which cannot be tolerated in a nation governed by the rule of law.

FIFTH GROUND: VIOLATION OF THE EIGHTH AMENDMENT — MY EXCESSIVE AND PUNITIVE DETENTION

The Eighth Amendment prohibits cruel and unusual punishments. U.S. Const. amend. VIII. The principles established in Bell v. Wolfish, 441 U.S. 520 (1979), prevent civil detainees, those who have not been criminally convicted, from being subjected to conditions or lengths of confinement that amount to punishment.

In my case, the court had already determined that bond was sufficient to guarantee my appearance. I have no criminal conviction. I had an immigration hearing scheduled (EXHIBIT E). I have a valid EAD (EXHIBIT D). In this context, my detention at the Irwin County Detention Center, far from serving a legitimate regulatory function, operates exclusively as punishment for having applied for asylum and for being of Venezuelan origin.

My detention for months while awaiting a court hearing, when the local court had already determined that a $2,000 bond was sufficient, is disproportionate, unreasonable, and contrary to the principles established in Solem v. Helm, 463 U.S. 277 (1983).

SIXTH GROUND: STATUTORY VIOLATIONS — INA, REGULATIONS, AND CONVENTION AGAINST TORTURE

Under INA § 208, any person present in the United States may apply for asylum. I exercised this right on May 30, 2024, by filing my Form I-589 (EXHIBIT A), within the legal one-year deadline. The regulations at 8 C.F.R. § 208.7 authorize employment authorization for pending asylum applicants, which USCIS has granted me through my EAD (EXHIBIT D). My detention, while holding a valid EAD and with my asylum application pending, is incompatible with the regulatory framework.

Pursuant to 8 C.F.R. § 236.1(c)(8), the government must provide me with an individualized bond hearing. No such hearing has been provided to me, which violates my legal rights.

The United States is a signatory to the Convention Against Torture (CAT). My I-589 application (EXHIBIT A) includes a request for protection under the CAT, based on my well-founded fear of being tortured upon return to Venezuela. My indefinite detention while my CAT application is resolved violates the spirit of the United States' international obligations.

The Supreme Court, in INS v. St. Cyr, 533 U.S. 289 (2001), confirmed that habeas corpus under 28 U.S.C. § 2241 remains available to challenge immigration detention such as mine, and that depriving federal courts of this jurisdiction raises serious constitutional concerns.

SEVENTH GROUND: COMPLETE ABSENCE OF FLIGHT RISK OR DANGER TO THE COMMUNITY

Pursuant to the factors set forth in Matter of Guerra, 24 I&N Dec. 37 (BIA 2006), no element supports my continued detention. On the contrary, the totality of the documentary evidence I attach to my Petition, identified as EXHIBITS A through K, demonstrates conclusively and irrefutably that I do not represent a flight risk or any danger to the community. In support thereof, I present the following facts and documents:

(a) My Voluntary Appearance Before USCIS — Demonstration of My Compliance. (EXHIBIT G)

On June 17, 2024, I voluntarily and punctually appeared at the USCIS Application Support Center in Raleigh, North Carolina, complying with all immigration obligations imposed on me. This voluntary act of compliance is evidenced by the ASC APPOINTMENT NOTICE — APPLICATION SUPPORT CENTER (EXHIBIT G), a document that demonstrates that I have never evaded my obligations before immigration authorities. A person intending to evade the immigration process does not voluntarily appear before federal authorities.

(b) My Active and Pending Asylum Application — My Formal Commitment to the Legal Process. (EXHIBITS A, B, and C)

On May 30, 2024, I filed FORM I-589, APPLICATION FOR ASYLUM AND FOR WITHHOLDING OF REMOVAL (EXHIBIT A), within the legal one-year deadline. The federal government formally acknowledged my application through FORM I-797 NOTICE OF ACTION (EXHIBIT B). Additionally, the NOTICE OF FORWARDING OF FORM I-589 TO EOIR dated January 22, 2026 (EXHIBIT C) confirms that my application was formally transferred to the immigration court and that my legal process is active and ongoing. Having initiated and maintained a formal asylum process is entirely incompatible with the conduct of someone seeking to evade the judicial system.

(c) The Federal Government's Formal Recognition of My Status — FORM I-797 NOTICE OF ACTION. (EXHIBIT B)

FORM I-797 NOTICE OF ACTION (EXHIBIT B) is an official document issued by the United States government itself that formally acknowledges my asylum application and confirms my status as an asylum applicant with an active process before federal immigration authorities. This formal governmental recognition constitutes direct evidence that I am within the legal system and that my presence in the United States is known to and being processed by the competent authorities.

(d) My Valid Federal Employment Authorization Document — Legal Recognition of My Status. (EXHIBIT D)

On November 29, 2024, USCIS granted me the EMPLOYMENT AUTHORIZATION DOCUMENT (EAD) (EXHIBIT D), valid through November 28, 2029. The issuance of

this EAD constitutes a formal determination by the federal government recognizing my legal status as an asylum applicant with full right to work in the United States. I would not have applied for or obtained federal work authorization documents, which required me to provide my fixed address, fingerprints, and biometric data to the authorities, if I had any intention of evading justice.

(e) My Scheduled Immigration Hearing — My Documented Willingness to Appear. (EXHIBIT E)

The NOTICE TO APPEAR (EXHIBIT E) demonstrates that I had an immigration hearing formally scheduled before the Charlotte Immigration Court for August 26, 2026, at 8:30 a.m. I was fully willing and prepared to appear at that hearing, which is the most direct possible evidence that I had no intention of evading the judicial process. It is precisely this hearing that ICE prevented me from attending by detaining me unlawfully.

(f) The Determination of My Immigration Custody Since Entry — My Continuously Documented Supervision. (EXHIBIT F)

The NOTICE OF CUSTODY DETERMINATION dated September 14, 2023 (EXHIBIT F) demonstrates that from my very first day in the country, I have been under the full knowledge and supervision of immigration authorities. At no point during nearly three years have I attempted to evade that supervision, changed my address without notice, or failed to comply with any obligation imposed on me by immigration authorities.

(g) The Judicial Bond Determination — The Most Direct Institutional Expression of My Absence of Risk.

The local court itself determined, after directly evaluating the facts of my case, that a bond of TWO THOUSAND DOLLARS (USD $2,000.00) was sufficient to guarantee my appearance. This judicial determination constitutes the most direct and authoritative institutional expression that I do not represent a flight risk. If the competent court that directly reviewed the facts considered $2,000 to be sufficient security for me, there is no legal or factual basis for ICE to impose indefinite detention on me without a court order and without an individualized bond hearing.

(h) My Valid State of North Carolina Identification Card — My Formal Ties and Roots in the State. (EXHIBIT H)

The STATE OF NORTH CAROLINA ID CARD (EXHIBIT H), number [redacted]

issued on December 9, 2024, valid through May 18, 2032, demonstrates that I am formally registered as a resident in the State of North Carolina with a fixed and known address. Obtaining this state identification required me to demonstrate my residence, identity, and physical presence in the state, which is incompatible with the conduct of someone attempting to hide from or evade authorities.

(i) My State of North Carolina Driver's License — My Community Ties and Stable Residence. (EXHIBIT I)

The STATE OF NORTH CAROLINA CLASS C DRIVER'S LICENSE (EXHIBIT I), numbe[redacted] issued on March 4, 2025, valid through May 18, 2033, confirms my roots in the community of Wilson, North Carolina. Obtaining my state driver's license required me to pass examinations, provide a verifiable address, and fulfill all requirements of the Department of Motor Vehicles, demonstrating my integration into the community and my compliance with state laws.

(j) My Federal and State Income Tax Returns — My Civic Integration and Tax Compliance. (EXHIBITS J and K)

I attach as evidence my FORM 1040 U.S. INDIVIDUAL INCOME TAX RETURN 2025 (EXHIBIT J) and my FORM D-400 NORTH CAROLINA INDIVIDUAL INCOME TAX RETURN 2025 (EXHIBIT K), both in my name GALO A. DERCE PACHAY, with my Social Security numbe[redacted] for fiscal year 2025.

These documents demonstrate that I voluntarily and timely complied with my tax obligations before the federal government and the State of North Carolina, reporting total income of $4,682 and adjusted gross income of $4,351, lawfully earned through my authorized work as a driver under my valid federal EAD (EXHIBIT D).

My voluntary tax compliance is one of the strongest and most objective indicators of civic integration and absence of intent to evade the laws of this country that I can present before this Honorable Court. I would not have filed tax returns with the Internal Revenue Service or with the North Carolina Department of Revenue, which required me to formally identify myself, provide my fixed address, and submit to the scrutiny of federal and state tax authorities, if I had any intention of fleeing. The fact that I complied with my tax obligations for fiscal year 2025, including the payment of self-employment taxes, demonstrates my commitment to complying with American laws and my genuine roots in the community.

(k) My Continuously Documented Residence — My Community Ties of Nearly Three Years.

I have continuously resided at [redacted] 27893-6507 since my entry into the United States on September 12, 2023, as reflected in all attached documents that list that same address (EXHIBITS H, I, J, and K). This continuous residence at the same address for nearly three years, combined with all the documents I have described, demonstrates solid, genuine, and documented community ties that are entirely incompatible with the profile of a person who poses a flight risk.

(l) My Complete Absence of Any Criminal Record.

I have no criminal record in the United States or in any other country. The only incident that led to my contact with the police was an arrest without prior investigation and without established probable cause, in which the court itself determined that a $2,000 bond was sufficient security, and in which my own partner testified on my behalf without filing any charges against me. This incident does not constitute a criminal record and cannot be used as a basis for my indefinite immigration detention.

CONCLUSION OF THE SEVENTH GROUND:

The complete and irrefutable set of ELEVEN (11) DOCUMENTS that I attach as EXHIBITS A through K to my Petition, which include my federal and state income tax returns, my federal Employment Authorization Document, my state driver's license, my state identification card, my active asylum application with formal governmental recognition, my scheduled immigration court hearing, my voluntary appearance before USCIS, the custody determination since my entry, and my continuous residence of nearly three years at the same address, constitutes one of the most solid, complete, and documented profiles of community ties and legal compliance that I can present before this Honorable Court.

These documents verify that my case satisfies the legal standard set forth in Matter of Guerra, 24 I&N Dec. 37 (BIA 2006), and confirm that I do not represent a flight risk or danger to the community. My current detention is arbitrary, capricious, and unconstitutional, and must be terminated immediately through the issuance of the Writ of Habeas Corpus I request herein.

EIGHTH GROUND: MY PROLONGED DETENTION — CONSTITUTIONAL LIMITS ON CIVIL CONFINEMENT

In Zadvydas v. Davis, 533 U.S. 678 (2001), the Supreme Court established that indefinite civil detention raises serious constitutional concerns and set a presumptive six-month limit. This principle applies with even greater force to my situation, as I am an asylum applicant with no criminal record detained prior to my hearing.

Multiple circuit courts have extended these principles to require bond hearings when pre-removal detention is prolonged as in my case. See Diop v. ICE/Homeland Security, 656 F.3d 221 (3d Cir. 2011); Ly v. Hansen, 351 F.3d 263 (6th Cir. 2003).

My detention, which extends for months before my hearing scheduled for August 26, 2026 (EXHIBIT E), without an individualized bond hearing before an immigration judge having been provided to me, falls within this category of prolonged detention that requires immediate judicial review and my release.

V. MY PRAYER FOR RELIEF

THEREFORE, I, Galo Alexander Derce Pachay, respectfully request that this Honorable Court grant the following relief:

A. Issue an Order to Show Cause, directing the Respondents to demonstrate, within seventy-two (72) hours, why my Writ of Habeas Corpus should not be granted;

B. Issue the Writ of Habeas Corpus and order my immediate release from custody at the Irwin County Detention Center;

C. In the alternative, order the Respondents to immediately hold an individualized and meaningful bond hearing before an immigration judge, at which the Respondents shall bear the burden of demonstrating, by clear and convincing evidence, that I represent a flight risk or a danger to the community;

D. Issue a Temporary Restraining Order (TRO) and/or a Preliminary Injunction prohibiting the Respondents from: (i) transferring me to another facility outside the jurisdiction of this Court; (ii) deporting or removing me while my Petition is pending resolution; or (iii) taking any retaliatory action against me;

E. Declare that ICE's arrest at the moment of my release on bond, without a court order and without independent probable cause, violated my rights under the Fourth, Fifth, and Eighth Amendments to the United States Constitution, the principles of Due Process

and Equal Protection, the Immigration and Nationality Act, and the Convention Against Torture;

F. Order the Respondents to release me under reasonable conditions of supervision — such as periodic reporting, electronic monitoring, or other alternatives to detention — sufficient to guarantee my appearance at my immigration hearing that was scheduled for August 26, 2026 (EXHIBIT E) and at my local hearing scheduled for July 20;

G. Grant any other additional relief that this Honorable Court deems just, proper, and equitable under the circumstances of my case.

VI. MY VERIFICATION

I, Galo Alexander Derce Pachay, declare under penalty of perjury pursuant to Title 28 U.S.C. § 1746, that the foregoing statements are true and correct to the best of my knowledge and belief. The facts set forth herein are based on my own personal knowledge and on the documents and records I attach to my Petition identified as EXHIBITS A through K.

Respectfully submitted,

Galo Perce

GALO ALEXANDER DERCE PACHAY
Pro Se Petitioner
Irwin County Detention Center
132 Cotton Drive, Ocilla, Georgia 31774
Alien Number: A[redacted]