UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

REDONDO ZUNIGA, Jefferson Jose Petitioner, v. Jason STREEVAL, *in his official capacity as Warden of Stewart Detention Center,* and David VENTURELLA *in his official capacity as Acting Director of Immigration and Customs Enforcement,* and Kristen SULLIVAN *Field Office Director ICE Atlanta Field Office*, and Markwayne, MULLIN, *Secretary of Homeland Security,* Todd BLANCHE in his official capacity as Acting Attorney General, United States Department of Justice Respondents.	Case No. _____ **PETITION FOR WRIT OF HABEAS CORPUS** Alien File No. [redacted]

I. INTRODUCTION

1. This case challenges Respondents' unlawful re-detention of Petitioner Jefferson Jose Redondo Zuniga. Petitioner is currently in the physical custody of Respondents at the Stewart Detention Center.

2. Petitioner, Mr. Redondo Zuniga, is a 25-year-old native and citizen of Venezuela. On or about October 12, 2024, Petitioner applied for admission to the United States near San Ysidro, California. Following his arrival, the Department of Homeland Security ("DHS") initiated removal proceedings by issuing Petitioner a Notice to Appear ("NTA") Thereafter, Petitioner timely filed an Application for Asylum and for Withholding of Removal (Form I-589), complied with the conditions of his release as required by

Immigration and Customs Enforcement ("ICE"), and obtained employment authorization. Petitioner has no criminal history in the United States or any other country.

3. Despite Petitioner's compliance while released, she was abruptly and unlawfully re-detained on or about July 8, 2026, by the Department of Homeland Security (DHS).

4. Prior to re detaining Petitioner, Respondents did not provide written notice explaining the basis for revoking his release. Likewise, Respondents did not assess whether Petitioner posed a flight risk or a danger to the community before re arresting him, nor did they provide Petitioner with a hearing before a neutral decisionmaker at which ICE was required to justify his re-detention or establish that he presented a flight risk or danger to the community.

5. Due process demands a hearing *prior* to the government's decision to terminate a person's liberty. *See Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 542 (1985) (holding that "[a]n essential principle of due process is that a deprivation of life, liberty, or property 'be preceded by notice and opportunity for hearing appropriate to the nature of the case'"); *Fuentes v. Shevin,* 407 U.S. 67, 82 (1972) (holding that "[t]he right to a prior hearing has long been recognized by this Court under the Fourteenth and Fifth Amendments," and that "opportunity for that hearing must be provided before the deprivation at issue takes effect").

6. Accordingly, this Court should grant the instant petition for a writ of habeas corpus and order Petitioners' immediate release.

II. VENUE AND JURISDICTION

7. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 et seq.

8. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).

9. Venue lies in this Division because Petitioner is detained at Stewart Detention Center, within the Columbus Division, and Respondent Streeval is her immediate custodian. *See* 28 U.S.C. §§ 2241(d), 1391(e).

III. PARTIES

10. . Petitioner, Jefferson Jose Redondo Zuniga, is a 24-year-old native and citizen of Venezuela. He is currently detained at the Stewart Detention Center in Lumpkin, Georgia. Prior to his detention, Petitioner resided in Brookhaven, Georgia

11. Respondent Jason Streeval is the Warden of Stewart Detention Center. As such, Respondent Streeval is responsible for the operation of the Detention Center where Petitioner is detained. Because ICE contracts with private prisons such as Stewart to house immigration detainees such as Mr. Redondo Zuniga, Respondent Streeval has immediate physical custody of the Petitioner.

12. Respondent David Venturella is the Acting Direction of Immigration and Customs Enforcement (hereinafter "ICE"). As such, Respondent Venturella is being sued in his official capacity.

13. Respondent Kristen Sullivan is the Atlanta Field Office Director for Immigration and Customs Enforcement (hereinafter "FOD"). As such, Respondent Sullivan is responsible for the oversight of ICE operations at the Stewart Detention Center. Respondent Sullivan is being sued in her official capacity.

14. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security (hereinafter "DHS"). As Secretary of DHS, Secretary Mullin is responsible for the general administration and enforcement of the immigration laws of the United States. Respondent Mullin is being sued in his official capacity.

15. Respondent Todd Blanche is the Acting Attorney General of the United States, United States Department of Justice. As Acting Attorney General, Blanche is responsible for overseeing the administration and enforcement of federal laws, including matters related to immigration proceedings before the Department of Justice. Respondent Blanche is being sued in hisofficial capacity.

IV. EXHAUSTION OF REMEDIES

16. Petitioner has exhausted his administrative remedies to the extent required by law, and his only remedy is by way of this judicial action.

V. STATEMENT OF FACTS

17. Petitioner, Jefferson Jose Redondo Zuniga, is a 24-year-old native and citizen of Venezuela. On or about October 12, 2024, Petitioner applied for admission to the United States near San Ysidro, California. Upon his arrival, the Department of Homeland Security ("DHS") initiated removal proceedings by issuing Petitioner a Notice to Appear ("NTA"). See **Exhibit 1**, *Petitioner's Passport and Notice to Appear.*

18. Following his release, Petitioner relocated to Brookhaven, Georgia, where he resided while complying with the conditions of his release. Removal proceedings remain pending before the Atlanta Immigration Court. See **Exhibit 1**, *Petitioner's Notice to Appear*.

19. On or about November 23, 2024, Petitioner timely filed Form I-589, *Application for Asylum and for Withholding of Removal*, which remains pending before the Atlanta

Immigration Court. Based on his pending application, Petitioner is eligible for an Employment Authorization Document, which would authorize him to lawfully work and contribute to his community while his application remains pending. See **Exhibit 2**, *Petitioner's Form I-589*

20. While released from custody, Petitioner complied with the conditions of his release, pursued his immigration case, and continued seeking protection in the United States. Nevertheless, on or about July 8, 2024, Petitioner was re-detained by Immigration and Customs Enforcement ("ICE") and is currently detained at Stewart Detention Center in Lumpkin, Georgia.
21. Petitioner has no criminal history in the United States or in any other country. Throughout these proceedings, Petitioner has sought to comply with the immigration laws of the United States by pursuing his claims for relief through the proper legal channels.
22. Prior to Petitioner's re-detention, Respondents did not provide Petitioner with written notice explaining the basis for revoking his release.
23. Prior to Petitioner's re-detention, Respondents did not assess whether Petitioner presented a flight risk or a danger to the community or otherwise determined whether his re-detention was warranted.
24. Prior to Petitioner's re-detention, Petitioner was not afforded a hearing before a neutral decisionmaker to determine whether his continued detention was justified.
25. Petitioners' continued detention is causing irreparable harm. He has been deprived of his liberty despite complying with the conditions of his release and pursuing his pending immigration case.

VI. LEGAL FRAMEWORK

Due Process Principles

26. Due process requires that if DHS seeks to re-arrest a person like Ms. Redondo Zuniga – an individual who has lived in the United States without incident since being initially released by DHS, submitted applications for protection from removal, and otherwise complied with the terms release – the government must afford a hearing before a neutral decisionmaker to determine whether any re-detention is justified, and whether the person is a flight risk or danger to the community.

27. "Freedom from imprisonment – from government custody, detention, or other forms of physical restraint – lies at the heart of the liberty protected by the Due Process Clause." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). This Court has held that "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that Clause protects." *J.G. v. Warden, Irwin County Detention Center*, 501 F.Supp.3d 1331, 1333-34 (2020) (*quoting Zadvydas*, 533 U.S. at 690).

28. Consistent with this principle, individuals released on parole or other forms of conditional release have a liberty interest in their "continued liberty." *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972).

29. Such liberty is protected by the Fifth Amendment because, "the liberty of a parolee, although indeterminate, includes many of the core values of unqualified liberty," such as the ability to be gainfully employed and live with family, "and its termination inflicts a 'grievous loss' on the [released individual] and often on others." *Id.*

30. To protect against arbitrary re-detention and to ensure the right to liberty, due process requires "adequate procedural protections" that test whether the government's asserted justification for a noncitizen's physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Zadvydas*, 533 U.S. at 690 (citation modified)

31. Due process thus guarantees notice and an individualized hearing before a neutral decisionmaker to assess danger or flight risk before the revocation of an individual's release. *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) ("The fundamental requisite of due process of law is the opportunity to be heard... at a meaningful time in a meaningful manner." (citation modified)); *see also, e.g., Morrissey*, 408 U.S. at 485 (requiring "preliminary hearing to determine whether there is probable cause or reasonable ground to believe that the arrested parolee has committed . . . a violation of parole conditions" and that such determination be made "by someone not directly involved in the case" (citation modified)).

32. This Court has applied these constitutional principles in the context of revocation of supervised release. In *Gervin v. Florence,* this Court applied the *Morrissey* framework and cited the Supreme Court's holding that "due process requires certain procedural requirements in probation revocation proceedings," including a preliminary and final hearing. 667 F.Supp.3d 1325, 1342 (2023).

33. These principles apply with respect to the re-detention of the many noncitizens that DHS has arbitrarily begun taking back into custody, often after such persons have been released for months and years.

34. The same principles apply here and compel Petitioner's immediate release.

VI. CAUSE OF ACTION
Violation of Fifth Amendment Right to Due Process
Procedural Due Process

35. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs as if fully set forth herein.

36. Due process does not permit the government to re-detain Petitioner and strip him of his liberty without written notice and a pre-deprivation hearing before a neutral decisionmaker to determine whether re-detention is warranted based on danger or flight risk. *See Morrissey*, 408 U.S. at 487–88. Such written notice and a hearing must occur prior to any re-detention

37. Respondents revoked Petitioner's release and deprived his of liberty without providing written notice and a meaningful opportunity to be heard by a neutral decisionmaker prior to his re-detention.

38. Accordingly, Petitioner's re-detention violates the Due Process Clause of the Fifth Amendment.

PRAYER FOR RELIEF

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

1) Assume jurisdiction over this matter;

2) Issue an Order to Show Cause ordering Respondents to show cause within three days as to why this Petition should not be granted as required by 28 U.S.C. § 2243, and ordering that they not transfer Petitioner out of this district during the pendency of the court's adjudication of this petition;

3) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody immediately and permanently enjoining their re-detention during the pendency of his removal proceeding absent written notice and a hearing prior to re-detention where

Respondents must prove by clear and convincing evidence that Petitioner is a flight risk or danger to the community and that no alternatives to detention would mitigate those risks;

4) Declare that the re-detention of Petitioner while removal proceedings are ongoing without first providing an individualized determination before a neutral decisionmaker violates the Due Process Clause of the Fifth Amendment;
5) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
6) Grant any further relief this Court deems just and proper.

I affirm, under penalty of perjury, that the foregoing is true and correct.

Respectfully submitted this 28th day of July 2026.

/s/ Peter Isbister
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Verification

I declare under penalty of perjury that the facts set forth in the foregoing Verified Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

/s/ Peter Isbister Date: July 28, 2026