FILED JUL 29 '26 10:28
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

MIGUEL ANGEL LOZADA-VASQUEZ,
A-Number [redacted]
Petitioner,
v.
WARDEN, STEWART DETENTION CENTER,
Respondent.

PETITION FOR WRIT OF HABEAS CORPUS
Pursuant to 28 U.S.C. § 2241

I. INTRODUCTION

1. This Petition presents a narrow but fundamental question: whether Respondent may continue to deprive Petitioner of his physical liberty without demonstrating that such detention is authorized by the Immigration and Nationality Act and consistent with the Constitution of the United States.
2. For centuries, the writ of habeas corpus has served as the principal safeguard against unlawful executive detention. Congress preserved that protection through 28 U.S.C. § 2241, which authorizes federal courts to determine whether a person is being held in custody in violation of the Constitution or laws of the United States.
3. I, Miguel Angel Lozada-Vasquez, respectfully invoke this Court's habeas jurisdiction because I am presently confined by the Department of Homeland Security ("DHS"), through U.S. Immigration and Customs Enforcement ("ICE"), at the Stewart Detention Center in Lumpkin, Georgia. I contend that my continued detention is not supported by lawful authority and that I am entitled to relief under 28 U.S.C. § 2241.
4. I do not ask this Court to decide whether I should ultimately receive asylum or any other immigration benefit. Nor do I ask this Court to review the merits of my removal proceedings. Those issues remain within the jurisdiction assigned by Congress to the immigration courts

and, where appropriate, the courts of appeals. This Petition challenges only the legality of my present detention.

5. I entered the United States when I was sixteen years old. Because I was a minor, my immigration affairs were handled through my mother, who sought protection in the United States and included me as her son in her Application for Asylum and for Withholding of Removal (Form I-589). The application identifies me by name, date of birth, A-Number, date of entry, and reflects that I was included in her request for protection.

6. After processing me, DHS released me while my immigration proceedings remained pending. I returned to live with my family, obtained stable employment, established significant ties to my community, and prepared to begin my own family. Only after I was arrested by local authorities on a traffic related matter did ICE again assume custody of me and transfer me to the Stewart Detention Center.

7. Today I remain confined. Respondent has continued to deprive me of my liberty while my immigration proceedings remain pending. Through this Petition, I respectfully request that this Court determine whether Respondent possesses lawful authority to continue my detention and, if not, issue the writ and order my immediate release, or grant such other relief as the law requires.

II. JURISDICTION, VENUE, AND NATURE OF THE ACTION

8. This action arises under the Constitution and laws of the United States, including 28 U.S.C. §§ 1331 and 2241. This Court has jurisdiction because I am presently confined by federal immigration authorities and challenge the legality of that detention.

9. A petition for a writ of habeas corpus under 28 U.S.C. § 2241 is the proper vehicle through which a person in federal immigration custody may challenge the legality of continued detention. Through this Petition, I do not challenge the merits of my removal proceedings or request review of any final order of removal. I challenge only the legal authority supporting my present confinement.

10. Venue is proper in the Middle District of Georgia because I am confined at the Stewart Detention Center in Lumpkin, Stewart County, Georgia, which is located within this judicial district.

11. Respondent is the Warden of the Stewart Detention Center. Because Respondent exercises immediate physical custody over me, Respondent is the proper party in this habeas proceeding.

III. APPLICABLE LAW

12. The writ of habeas corpus is one of the oldest and most fundamental protections recognized in Anglo-American law. Its central purpose is to protect individuals against unlawful executive detention by requiring the Government to demonstrate lawful authority for continued confinement.

13. Congress preserved that protection through 28 U.S.C. § 2241, which authorizes federal courts to determine whether a person is being held in custody in violation of the Constitution or laws of the United States.

14. Although Congress has limited judicial review of many immigration decisions, federal district courts retain jurisdiction under 28 U.S.C. § 2241 to determine whether the Executive possesses lawful authority to continue detaining an individual and to grant appropriate habeas relief where detention is not authorized by law.

15. The Fifth Amendment to the Constitution provides that no person shall be deprived of liberty without due process of law. Physical liberty is among the most fundamental interests protected by the Due Process Clause.

16. Because immigration detention constitutes a significant deprivation of liberty, federal courts retain the responsibility to determine whether that detention complies with the Immigration and Nationality Act and the Constitution.

17. The Supreme Court has long recognized that freedom from physical restraint lies at the core of the liberty protected by the Due Process Clause. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Although immigration detention may be authorized in appropriate circumstances, continued detention must remain consistent with the authority granted by Congress and the requirements of the Constitution.

18. The United States District Court for the Middle District of Georgia has recognized its authority to adjudicate habeas corpus petitions filed by individuals detained at the Stewart Detention Center who challenge the legality of their continued detention. In Standing Order 2026-01, the Court established procedures for the prompt resolution of such petitions and

acknowledged that, in appropriate cases, habeas relief may include an order requiring an individualized custody determination consistent with the governing immigration statutes.

IV. PARTIES

19. I, Miguel Angel Lozada Vasquez, am a native and citizen of Venezuela. My Alien Registration Number is [redacted] I am presently confined at the Stewart Detention Center in Lumpkin, Georgia.

20. Respondent is the Warden of the Stewart Detention Center, who exercises immediate physical custody over me.

V. STATEMENT OF FACTS

A. I Entered the United States as a Minor.

21. I was born on [redacted]

22. On or about October 14, 2023, I entered the United States near Eagle Pass, Texas, when I was sixteen years old

23. Because I was a minor, I depended entirely upon my mother to manage our family's immigration affairs. She made the decisions concerning our immigration case, communicated with immigration authorities, and sought legal protection for our family.

24. After our arrival, the Department of Homeland Security initiated removal proceedings against me by serving me with a Notice to Appear.

25. My mother later filed an Application for Asylum and for Withholding of Removal (Form I-589). I was identified in that application as her son and was included as a derivative child. The application identifies me by my name, date of birth, Alien Registration Number, date of entry into the United States, and confirms that I was included in her request for protection.

26. Because I was sixteen years old at the time, I reasonably understood that my immigration case was being handled together with my mother's application. I relied on her to manage the family's immigration matters and to comply with the obligations associated with those proceedings.

B. My Release from DHS Custody

27. After I was processed by the Department of Homeland Security, I was released from immigration custody while my removal proceedings remained pending. DHS did not continue to detain me after my initial processing.

28. Following my release, I returned to live with my family. I continued to rely upon my mother for guidance regarding our family's immigration matters because I was still a minor.
29. During that period, I continued living with my family while I adjusted to life in the United States and remained dependent upon my mother to manage our family's immigration matters.

C. My Life After My Release

30. As I grew older, I worked to become a productive member of my community and to support myself through honest employment.
31. I obtained employment as a painter with [redacted] where I worked for more than one year.
32. My employer has described me as a dependable, respectful, hardworking, and trustworthy employee and has confirmed that my position remains available if I am released from detention.
33. Through my employment, I earned an honest living and supported myself while my immigration proceedings remained pending.
34. During this same period, I established a committed relationship with my partner, Karla Mayde Lara Escobar.
35. My partner is currently pregnant with our first child.
36. Before my detention, I provided emotional support, financial assistance, transportation, and daily care throughout her pregnancy. According to her declaration, she has experienced medical complications during the pregnancy, and my detention has caused significant hardship for our family.
37. My employment, my family relationships, and my community ties reflect my commitment to living responsibly while my immigration case remained pending.

D. My Arrest by Local Authorities

38. On or about June 13, 2026, after I finished work and returned to my residence, deputies from the local Sheriff's Office approached me outside my home.
39. The deputies requested identification and informed me that there was an outstanding warrant because I had failed to appear in connection with a state traffic matter.
40. I cooperated fully with the deputies. I did not resist arrest, attempt to flee, or interfere with law enforcement in any way.

41. I was transported to the local jail, where I remained in state custody while the state charges were addressed.
42. My family retained an attorney to represent me in the state proceedings.
43. After I appeared before the appropriate state court, I was advised that I would be released if immigration authorities did not assume custody within the applicable holding period.
44. Before that occurred, ICE assumed custody of me and transferred me to the Stewart Detention Center, where I remain detained today.
45. My detention is civil, not criminal. I am not serving a criminal sentence. Nevertheless, I remain deprived of my physical liberty every day that I continue in immigration custody.

F. My Present Detention

8. **44.** Since being transferred to the Stewart Detention Center, I have remained continuously detained by ICE.
46. My immigration proceedings remain pending.
47. My continued detention has separated me from my family, interrupted my employment, prevented me from supporting my pregnant partner, and deprived me of my physical liberty.
48. Through this Petition, I respectfully ask this Court to determine whether Respondent has lawful authority to continue detaining me and, if not, to order my immediate release.

VI. GROUNDS FOR RELIEF

GROUND ONE

My Continued Detention Is Not Supported by Law

49. I incorporate by reference Paragraphs 1 through 47 as though fully set forth herein.
50. I am currently confined by the Department of Homeland Security through U.S. Immigration and Customs Enforcement while my immigration proceedings remain pending.
51. My liberty has been restrained by the Executive Branch. Through this Petition, I respectfully ask this Court to determine whether Respondent possesses lawful authority to continue that restraint.
52. I have never been provided with any written explanation identifying the statutory authority under which I continue to be detained. Based upon the information available to me, I do not know the legal basis Respondent relies upon to justify my continued confinement.

53. Because the Government continues to deprive me of my physical liberty, I respectfully submit that it bears the burden of identifying the statutory authority that authorizes my continued detention. Unless that authority exists, my confinement cannot lawfully continue.
54. Unless Respondent establishes lawful authority for my continued confinement, my detention cannot continue merely because I remain in immigration proceedings.
55. If Respondent cannot demonstrate that my detention is authorized by law, I respectfully request that this Court issue the writ and order my immediate release.

GROUND TWO

My Continued Confinement Violates the Fifth Amendment

56. I incorporate by reference Paragraphs 1 through 54 as though fully set forth herein
57. The Fifth Amendment guarantees that no person shall be deprived of liberty without due process of law.
58. My physical liberty has been taken from me while my immigration proceedings remain pending.
59. Every additional day that I remain confined deepens that deprivation.
60. My detention has separated me from my family, prevented me from returning to work, deprived my pregnant partner of my daily support, and substantially limited my ability to prepare my immigration case.
61. Because liberty may not be restrained without the process required by law, I respectfully request that this Court determine whether my continued detention complies with the Constitution. If it does not, I respectfully request that the Court order my immediate release.

VII. EQUITABLE CONSIDERATIONS

62. My request is not based solely upon the hardship created by my detention.
63. Nevertheless, the Court may consider that I entered the United States as a sixteen-year-old child, was released by DHS while my immigration proceedings remained pending, established steady employment, formed a family, and now face the imminent birth of my first child while remaining in civil immigration detention
64. These circumstances do not replace the Government's obligation to establish lawful authority for my continued detention. They simply demonstrate that the deprivation of my liberty carries immediate and significant consequences for innocent members of my family.

VIII. PRAYER FOR RELIEF

65. I respectfully request that this Court require Respondent to file a Return identifying every statutory and factual basis relied upon to justify my continued detention and to produce the complete administrative custody record relating to my confinement.

66. For the reasons set forth above, I respectfully request that this Court issue a Writ of Habeas Corpus and require Respondent to demonstrate the legal authority supporting my continued detention.

67. After considering Respondent's response and the record in this case, I respectfully request that this Court determine that my continued detention is not authorized by the Constitution and laws of the United States.

68. I respectfully request that this Court order my immediate release from the custody of the Department of Homeland Security and U.S. Immigration and Customs Enforcement.

69. In the alternative, if the Court concludes that immediate release is not the appropriate remedy, I respectfully request that the Court order Respondent to provide me with all of the process required by law, including a prompt individualized custody determination before an Immigration Judge within seven (7) days or within such time as the Court considers appropriate.

70. I further request that, if Respondent fails to comply with the Court's Order within the time prescribed, Respondent be ordered to release me immediately under appropriate conditions established by the Immigration Court.

71. I respectfully request such other and further relief as this Court deems just and proper.

IX. VERIFICATION

I, **Miguel Angel Lozada-Vasquez**, declare under penalty of perjury pursuant to **28 U.S.C. § 1746** that I have read the foregoing Petition for Writ of Habeas Corpus, that I understand its contents, and that the facts stated herein are true and correct to the best of my personal knowledge, information, and belief.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on July 26, 2026.

Respectfully submitted,

Miguel A. Lozada

Miguel Angel Lozada-Vasquez

A-Number: [redacted]

Stewart Detention Center

Lumpkin, Georgia

Petitioner, Pro Se

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MIGUEL ANGEL LOZADA-VASQUEZ,
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PETITIONER'S MOTION FOR EXPEDITED CONSIDERATION OF PETITION FOR WRIT OF HABEAS CORPUS

I, Miguel Angel Lozada Vasquez, proceeding pro se, respectfully moves this Court to expedite consideration of his Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241.

1. I am presently detained by the Department of Homeland Security through U.S. Immigration and Customs Enforcement at the Stewart Detention Center in Lumpkin, Georgia.

2. My Petition presents a limited question concerning the legality of my continued immigration detention. I do not ask this Court to decide the merits of my immigration case or to review any removal order.

3. Every additional day that I remain detained results in the continued loss of my physical liberty.

4. My detention has also caused immediate and continuing hardship to my family.

5. My partner is currently experiencing a medically complicated pregnancy with our first child. Before my detention, I worked every day and provided financial, emotional, and practical support throughout her pregnancy.

6. My continued detention prevents me from supporting her during a critical period of her pregnancy and from preparing for the birth of our child.

7. I also remain separated from my family despite having established stable employment and significant community ties before my detention.

8. Because I entered the United States as a minor and my immigration proceedings remain pending, this case concerns only the legality of my present detention and can be resolved independently of the ultimate outcome of my immigration case.

9. Expedited consideration will not unfairly prejudice Respondent. The issues presented are narrow, the relevant facts are largely documented, and Respondent has access to the administrative records concerning my detention

10. Under these circumstances, good cause exists for this Court to consider my Petition on an expedited basis.

WHEREFORE

1. Grant this Motion for Expedited Consideration;
2. Direct Respondent to file a prompt response to the Petition for Writ of Habeas Corpus within such time as the Court considers appropriate;
3. Consider the Petition on an expedited schedule; and
4. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

Miguel A Lozada

Miguel Angel Lozada-Vasquez

Petitioner, Pro Se

Stewart Detention Center

Lumpkin, Georgia

Date: July 26, 2026