IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF GEORGIA

COLUMBUS DIVISION

ALEX EDUARDO UMAÑA MEJÍA,
A# [redacted],

Petitioner,

v.

STEPHEN SCHRANK, Warden, Stewart Detention Center;

TODD M. LYONS, Acting Director, U.S. Immigration and Customs Enforcement;

KRISTI NOEM, Secretary, U.S. Department of Homeland Security;

PAMELA BONDI, Attorney General of the United States,

Respondents.

Civil Action No 4:26-cv-1056

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241, WITH REQUEST FOR IMMEDIATE BOND HEARING, EMERGENCY INJUNCTIVE RELIEF, AND DECLARATORY RELIEF, AND MEMORANDUM OF LAW IN SUPPORT

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA, COLUMBUS DIVISION:

COMES NOW, Alex Eduardo Umaña Mejia ("Petitioner" or "Mr. Umaña Mejia"), proceeding pro se and without the assistance of counsel due to his continued civil immigration detention and consequent inability to retain private counsel, and respectfully petitions this Honorable Court, pursuant to 28 U.S.C. § 2241, Article I, Section 9, Clause 2 of the United States Constitution (the Suspension Clause), and the Fifth Amendment to the United States Constitution, for a Writ of Habeas Corpus directing Respondents to release Petitioner from unlawful and unconstitutional civil immigration detention, or, in the alternative, to grant Petitioner an immediate, individualized bond hearing before a neutral decision-maker at which the Government bears the burden of proving by clear and convincing evidence that Petitioner's continued detention is justified. In further support of this Petition, Petitioner respectfully states and alleges as follows.

I. PRELIMINARY STATEMENT

1. This is a civil action for a writ of habeas corpus, brought pursuant to 28 U.S.C. § 2241, challenging the continued, prolonged, and unconstitutional civil immigration detention of Petitioner Alex Eduardo Umaña Mejía by the United States Department of Homeland Security ("DHS") and U.S. Immigration and Customs Enforcement ("ICE") at the Stewart Detention Center in Lumpkin, Georgia, a facility located within the territorial jurisdiction of this Honorable Court.

2. Petitioner is a twenty-year-old native and citizen of Guatemala who has resided continuously in the United States since August 6, 2018 — a period of approximately eight years — having entered this country as a minor child. He has no disqualifying serious criminal history, no record of violence, and no adjudicated danger to the community. His sole entanglement with the criminal justice system arises from a minor traffic citation issued in 2024 for operating a motorcycle in excess of the posted speed limit, a citation he failed to answer not out of willful evasion, but because he had relocated and never received notice of the corresponding court date.

3. Petitioner's current detention did not arise from any violent act, any threat to public safety, or any adjudication of dangerousness. It arose from a chance roadside encounter on January 23, 2026, when Petitioner stopped to assist his girlfriend after her vehicle broke down, and a patrol officer who arrived at the scene discovered an outstanding bench warrant connected to the unanswered 2024 traffic citation. Petitioner was taken into custody by local authorities, held for ten days at the Bartow County Jail in Cartersville, Georgia, and — notwithstanding his subsequent appearance in state court and the resolution of the underlying traffic matter — was thereafter transferred into the custody of Immigration and Customs Enforcement and removed to the Stewart Detention Center, where he remains confined to this day.

4. Since his transfer into ICE custody, Petitioner has been subjected to conditions of confinement that violate the most basic constitutional guarantees owed to civil detainees under the Due Process Clause of the Fifth Amendment: chronic and unremediated denial of necessary medical care for a head injury sustained during a violent disturbance at the

Bartow County Jail, an untreated ear infection, a persistent and unresolved throat infection believed to be connected to contaminated ventilation systems within the facility, an untreated insect or animal bite to his leg that rendered him unable to walk for over a week before he received any medical attention, repeated deprivation of adequate nutrition because Petitioner — physically unable to stand or walk due to his untreated leg injury — was denied food brought to him in his cell, spoiled and improperly prepared food causing recurring gastrointestinal illness, severe overcrowding, unsanitary housing conditions, and verbal mistreatment by detention officers.

5. Petitioner brings this Petition because his continued detention is unauthorized by statute, unsupported by any individualized determination that he poses a flight risk or danger to the community, unmoored from any constitutionally adequate procedural safeguard, and is inflicting serious, ongoing, and irreparable harm upon his physical health, mental health, and fundamental liberty interests. Petitioner respectfully requests that this Court grant the relief set forth herein.

II. JURISDICTION AND VENUE

6. This Court has subject-matter jurisdiction over this Petition pursuant to 28 U.S.C. § 2241(c)(3), which confers jurisdiction upon the federal district courts to entertain an application for a writ of habeas corpus by any person who alleges that he is held "in custody in violation of the Constitution or laws or treaties of the United States." The Supreme Court has expressly confirmed that § 2241 "confers jurisdiction upon the federal courts to hear" challenges by civil immigration detainees to the legality of their continued confinement.

7. This Court further has jurisdiction pursuant to Article I, Section 9, Clause 2 of the United States Constitution, the Suspension Clause, which guarantees the privilege of the writ of habeas corpus and which protects the writ "as it existed in 1789," including its traditional function as a vehicle to secure release from unlawful executive detention.

8. This Court also possesses jurisdiction under 28 U.S.C. § 1331 (federal question jurisdiction), as this action arises under the Constitution and laws of the United States,

including the Fifth Amendment's Due Process Clause and the Immigration and Nationality Act, 8 U.S.C. § 1101 et seq.

9. Venue is proper in the United States District Court for the Middle District of Georgia, Columbus Division, pursuant to 28 U.S.C. § 1391(e) and well-settled habeas practice, because Petitioner is physically confined at the Stewart Detention Center, 146 CCA Road, Lumpkin, Georgia 31815, which lies within the territorial jurisdiction of this district and division, and because the immediate custodian rule identifies the proper respondent and proper venue as the district of confinement.

10. The proper Respondent in this action is the Warden of the Stewart Detention Center, as the official with direct, day-to-day physical custody of Petitioner, together with the supervisory federal officials named in the caption above, who exercise legal authority over Petitioner's detention and removal proceedings and who are properly joined as Respondents in immigration habeas actions.

III. PARTIES

11. Petitioner Alex Eduardo Umaña Mejía is a natural person, a native and citizen of the Republic of Guatemala, born [redacted] currently held in the civil immigration custody of the United States Department of Homeland Security at the Stewart Detention Center, 146 CCA Road, Lumpkin, Georgia 31815. Petitioner is identified by Department of Homeland Security Alien Registration Number A-[redacted]

12. Respondent [Warden], in his or her official capacity, is the Warden and immediate physical custodian of the Stewart Detention Center and is sued in his or her official capacity as the officer with direct custodial authority over Petitioner.

13. Respondent Todd M. Lyons, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement, is the federal official with supervisory authority over the agency responsible for Petitioner's apprehension, detention, and proposed removal, and is sued in his official capacity only.

14. Respondent Kristi Noem, in her official capacity as Secretary of the United States Department of Homeland Security, is the cabinet official with ultimate executive authority over immigration enforcement, detention, and removal operations carried out by DHS and its component agencies, including ICE, and is sued in her official capacity only.

15. Respondent Pamela Bondi, in her official capacity as Attorney General of the United States, exercises supervisory authority over matters of federal detention and is named as a Respondent consistent with established practice in federal immigration habeas litigation, and is sued in her official capacity only.

IV. STATEMENT OF FACTS

A. Background, Residence, and Community Ties of Petitioner

16. Petitioner was born on [redacted], in Guatemala, and is a citizen of that country. Petitioner entered the United States on August 6, 2018, at the age of twelve, and has resided continuously in the United States for approximately eight years.

17. Petitioner has resided in this country since early adolescence, has been substantially raised, educated, and socially integrated within the United States, and has established deep and longstanding ties to his community, including family relationships and a romantic partner, all of which constitute significant equities relevant to any individualized assessment of flight risk and the propriety of continued detention.

18. Prior to his detention, Petitioner functioned as a primary economic provider for his household. His detention has not only deprived him of his own liberty, but has produced severe derivative harm to his family unit, which has lost its principal source of financial support, compounding the family's emotional distress arising from his prolonged and unexplained confinement.

B. The Circumstances of Petitioner's Arrest on January 23, 2026

19. On January 23, 2026, Petitioner traveled to assist his girlfriend, whose vehicle had broken down on the roadway. While Petitioner was present at the scene rendering assistance to a

disabled vehicle — conduct that is, on its face, lawful, civic-minded, and wholly unrelated to any criminal enterprise — a law enforcement patrol unit arrived at the location.

20. The responding officer requested identification from Petitioner. Upon running a routine records check, the officer discovered an outstanding bench warrant for Petitioner's arrest. Petitioner was thereupon taken into custody and transported to the Bartow County Jail, located at Cartersville, Georgia 30121

21 The underlying bench warrant arose exclusively from Petitioner's failure to appear at a 2024 traffic court proceeding concerning a citation for speeding on a motorcycle. Petitioner did not willfully evade that court date; rather, he had relocated his residence in the interim, and the corresponding notice of his court date was never delivered to him at his new address Petitioner's failure to appear was thus the product of a defective or incomplete notice process, not of any intent to evade the jurisdiction of the court or to flee from legal process.

22. This sequence of events is critical to this Court's analysis: Petitioner's only contact with the criminal justice system, the single thread connecting him to law enforcement scrutiny in the first instance, was a non-violent, regulatory traffic infraction — not a felony, not a crime of violence, not a crime involving moral turpitude, and not any offense bearing upon Petitioner's danger to the community.

C. Ten Days of Pretrial Detention at Bartow County Jail and the Injury Sustained During an Inmate Disturbance

23. Petitioner was held at the Bartow County Jail for approximately ten days. During that period of confinement, a disturbance erupted between correctional officers and detainees at the facility. Petitioner, who was present during this disturbance, sustained a blow to the head.

24. Despite having visibly sustained a head injury during a violent altercation within the facility, Petitioner's injury was not treated with appropriate seriousness or urgency by jail staff. No adequate medical evaluation, diagnostic imaging, or follow-up care was provided to Petitioner in response to a blunt head trauma sustained in a custodial disturbance — an

injury that, as set forth more fully below, has had lasting medical consequences for Petitioner, including the ear infection he subsequently developed

25. Following this incident, Petitioner appeared before the state court on the underlying traffic matter. The court proceeding concluded, and Petitioner was ordered released from state custody on the traffic charge.

D. Petitioner's Unlawful Continued Detention Beyond the Promised 48-Hour ICE Window, and the Deceptive Manner of His Transfer to Federal Custody

26. Notwithstanding the resolution of the state traffic matter and the corresponding order of release, Bartow County authorities elected to refer Petitioner to ICE for civil immigration detention rather than release him as ordered.

27. Petitioner was expressly informed by jail personnel that if Immigration and Customs Enforcement did not take custody of him within forty-eight (48) hours, he would be released. This forty-eight-hour window elapsed without ICE assuming custody, and Petitioner was nevertheless not released, in direct contravention of the representation made to him.

28. Compounding this irregularity, jail personnel thereafter informed Petitioner that he was "free" and instructed him to prepare himself for release. Petitioner, reasonably relying on this representation, gathered his belongings in anticipation of release. Only at that point was Petitioner informed that ICE had, in fact, arrived to take him into custody. This sequence — a promise of release at the expiration of forty-eight hours, the further passage of time without release, an affirmative representation of imminent release, and the abrupt reversal of that representation upon ICE's arrival — reflects a process infected with fundamental unfairness and irregularity inconsistent with the due process protections owed to any person within the custody of state or federal authority.

29. On February 4, 2026, Petitioner was transported to 180 Ted Turner Drive, Atlanta, Georgia 30303, an ICE processing facility in downtown Atlanta, where he was rapidly processed and prepared for further transfer.

30 On February 5, 2026, Petitioner was transferred to the Stewart Detention Center, 146 CCA Road, Lumpkin, Georgia 31815, where he has remained in continuous civil immigration detention from that date to the present.

E. Denial of Adequate Medical Care for the Head-Injury-Related Ear Infection

31. Upon arrival at Stewart Detention Center, and as a direct consequence of the untreated head trauma sustained during the Bartow County Jail disturbance, Petitioner developed an ear infection. Petitioner promptly requested medical evaluation and treatment.

32. Facility medical staff did not respond to Petitioner's request with appropriate urgency. Petitioner was made to suffer for multiple days in a condition of active infection and pain before receiving any meaningful medical attention, despite the foreseeable connection between his recent head trauma and the onset of the infection — a connection that should have prompted heightened, not diminished, medical vigilance.

F. Untreated Respiratory and Throat Infection Linked to Contaminated Facility Ventilation

33. Since the date of his arrival at Stewart Detention Center, Petitioner has suffered from a persistent throat infection that, despite the passage of substantial time, remains unresolved and untreated to this day.

34. Petitioner has reason to believe, based on his observations and those of fellow detainees, that this respiratory condition is connected to the unsanitary condition of the facility's ventilation system, which Petitioner has observed to expel substantial visible dust, debris, and particulate contamination into the air of the housing units. The continuous exposure of detainees, including Petitioner, to airborne contaminants emanating from poorly maintained ventilation infrastructure constitutes an objectively serious condition of confinement giving rise to ongoing, unaddressed harm to Petitioner's respiratory health.

G. Untreated Insect or Animal Bite Resulting in Inability to Walk, and Consequent Deprivation of Food

35. During his detention at Stewart, Petitioner was bitten on the leg by an insect or animal. The bite site became severely inflamed and painful, to such a degree that Petitioner lost the ability to walk.

36. Despite Petitioner's repeated requests to be seen by a physician, he was not examined by medical staff until after approximately one week had elapsed — and was seen at that point only because his condition had progressed to the point that he was physically unable to walk.

37. As a direct and foreseeable consequence of his inability to walk, Petitioner was unable to present himself at the designated location to receive his meals. Petitioner so informed correctional officers on multiple occasions, requesting that food be brought to him given his documented inability to ambulate. These requests were disregarded. As a result, Petitioner went without food for multiple consecutive days — not because food was unavailable, but because the facility failed to make any reasonable accommodation for a detainee whom its own medical and custodial staff knew, or should have known, was physically incapable of retrieving his meals.

H. Spoiled and Improperly Prepared Food Causing Recurring Gastrointestinal Illness

38. On repeated occasions throughout his detention, Petitioner has been served food that was spoiled, improperly prepared, or otherwise unfit for consumption. Consumption of this food has caused Petitioner recurring gastrointestinal distress and illness.

39. Petitioner further asserts that he has been subjected to extreme rationing of food and water during his confinement, conditions which, considered alongside the spoiled and inadequately prepared meals described above, fall well below the minimum standard of humane treatment to which any person in civil custody of the United States government is constitutionally entitled

I. Cumulative Physical and Psychological Deterioration

40. As a cumulative result of the conditions described above — the untreated head injury, the ear infection, the unresolved throat infection, the untreated leg wound and resulting

immobility, the periods of enforced starvation, and the recurring gastrointestinal illness caused by spoiled food — Petitioner has been continuously ill for the substantial majority of his confinement at Stewart Detention Center, with little to no meaningful period of wellness since his arrival.

41. Petitioner reports a noticeable and concerning loss of body weight during his detention, consistent with the malnutrition, illness, and psychological distress described throughout this Petition.

42. Petitioner reports that he experiences clinically significant feelings of depression, anxiety, hopelessness, and despair as a direct result of the conditions of his confinement, the denial of adequate medical care, his prolonged separation from family, and the uncertainty surrounding the duration and outcome of his detention.

J. Overcrowding, Unsanitary Housing Conditions, and Verbal Mistreatment

43. Petitioner has been confined in conditions of significant overcrowding, housed in cells exceeding their intended occupancy, with inadequate sanitation and hygiene infrastructure to accommodate the number of persons detained therein.

44. Petitioner has further been subjected to verbal mistreatment and disrespectful, demeaning conduct by detention officers assigned to the facility, conduct inconsistent with the standard of humane and dignified treatment owed to civil detainees who are not held as punishment for any crime.

K. Petitioner's Fear of Retaliation

45. Petitioner reasonably fears that, by virtue of filing this Petition and bringing these conditions to the attention of this Honorable Court, he will be subjected to retaliatory action by facility or agency personnel, including but not limited to: (i) an unjustified transfer to a different detention facility, potentially in a different judicial district, undertaken for the purpose or with the effect of divesting this Court of jurisdiction over his case; and (ii) punitive placement in segregated or solitary confinement in reprisal for the exercise of his right to seek judicial review of his detention.

46. Petitioner respectfully requests that this Court take such fear of retaliation into account in fashioning appropriate relief, including by considering an order restraining Respondents from transferring Petitioner outside the jurisdiction of this Court during the pendency of this action, and from subjecting Petitioner to disciplinary segregation in retaliation for the filing of this Petition.

L. Petitioner's Fear of Removal or Third-Country Transfer Without Lawful Process

47. Petitioner fears that he may be removed from the United States, or transferred to and removed to a third country with which he has no prior connection, without lawful authorization, without adequate process, and without a proper adjudication of probable cause or legal authority for such removal. Any such removal, effectuated while this Petition remains pending and unresolved, would inflict irreparable injury upon Petitioner that could not thereafter be remedied by any subsequent judicial proceeding, as Petitioner would be physically removed from the territorial jurisdiction of the United States and from the practical reach of this Court's remedial authority.

V. GROUNDS FOR RELIEF

Petitioner asserts the following grounds for relief, each of which independently and cumulatively warrants the issuance of the requested Writ of Habeas Corpus, an immediate bond hearing, and/or injunctive and declaratory relief.

GROUND ONE: Petitioner's Continued Civil Detention Without an Individualized Bond Hearing Violates the Due Process Clause of the Fifth Amendment

48. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein.

49. It is beyond dispute that civil immigration detention, although not punitive in character, nonetheless implicates one of the most fundamental liberty interests protected by the Constitution: freedom from bodily restraint. The Supreme Court has long recognized that "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.

50. In Zadvydas v. Davis, 533 U.S. 678 (2001), the Supreme Court held that the post-removal-period detention statute, read in light of the Constitution's demands, implicitly limits a noncitizen's detention to a period reasonably necessary to bring about that person's removal, and does not authorize indefinite or potentially permanent civil detention. The Court explained that the basic federal habeas statute grants federal courts the authority to determine whether continued detention exceeds a period reasonably necessary to secure removal, and that where removal is not reasonably foreseeable, continued detention is no longer statutorily authorized.

51. While Petitioner's case arises in the pre-final-order context rather than the post-removal-period context addressed directly in Zadvydas, the constitutional concern animating that decision — that prolonged civil detention without meaningful, individualized judicial or quasi-judicial review offends due process — applies with equal, if not greater, force here, where Petitioner has not even been ordered removed and where the sole basis offered for his original encounter with law enforcement was a non-violent traffic infraction.

52. In Jennings v. Rodriguez, 583 U.S. 281 (2018), the Supreme Court held that the specific mandatory-detention provisions of the Immigration and Nationality Act at issue in that case do not themselves contain a statutory requirement of periodic bond hearings, and declined to read such a requirement into the statutory text under the canon of constitutional avoidance. Critically, however, the Jennings Court did not foreclose — and expressly left open — the question whether prolonged detention without any individualized hearing violates the Due Process Clause of the Fifth Amendment as applied to a particular detainee's circumstances. The Court remanded the constitutional questions for further proceedings precisely because they had not been resolved on the merits.

53. This unresolved constitutional question is squarely presented by Petitioner's case. Petitioner has been held in civil immigration detention since February 5, 2026, without ever having received an individualized hearing before a neutral decision-maker at which the Government was required to justify, by clear and convincing evidence, his continued physical confinement based on flight risk or danger to the community. Petitioner respectfully submits that, as applied to him, continued detention without such a hearing violates due process given: (i) the minor, non-violent nature of the offense underlying his original arrest; (ii) the absence of any serious criminal history; (iii) his eight years of continuous residence and deep community ties within the United States; (iv) his status as the principal economic provider for his family; and (v) the irregular and procedurally troubling manner in which he was transferred from state to federal custody, including the broken promise of release within forty-eight hours.

54. Due process requires, at a constitutional minimum, that any deprivation of physical liberty be accompanied by procedures adequate to guard against erroneous or arbitrary deprivation. The absence of any individualized bond hearing in Petitioner's case, considered together with the irregularities attending his transfer into federal custody, deprives Petitioner of the process he is constitutionally due.

55. Petitioner therefore respectfully requests that this Court order Respondents to provide Petitioner with an immediate, individualized bond hearing before an immigration judge or other neutral decision-maker, at which the Government shall bear the burden of proving, by clear and convincing evidence, that Petitioner's continued detention is justified by a

genuine risk of flight or a genuine danger to the community that cannot be mitigated by reasonable conditions of release

GROUND TWO: Petitioner Is Not a Flight Risk and Is Not a Danger to the Community, Such That His Continued Detention Is Neither Necessary Nor Justified

56. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein.

57. The two recognized governmental interests that may justify civil immigration detention are (i) ensuring the detained individual's presence at future proceedings or at the time of removal, and (ii) protecting the community from a danger posed by the individual's release. Neither interest is substantially served by Petitioner's continued detention.

58. Absence of Danger to the Community. Petitioner has no record of violent criminal conduct. His only contact with the criminal justice system is a single, non-violent traffic infraction — a speeding citation involving a motorcycle — for which he failed to appear in court not out of contempt for the judicial process, but because he never received notice of the hearing after relocating his residence. A failure to appear arising from a defective notice process is not probative of dangerousness, and no other fact alleged by the Government, if any, establishes that Petitioner poses any threat to public safety. The absence of a disqualifying serious criminal record is a factor of substantial weight in any individualized danger assessment.

59. Absence of Flight Risk. Petitioner has resided in the United States continuously for approximately eight years, since the age of twelve. He has established substantial ties to his community, including a romantic partner and family members who depend upon him, and he was, prior to his detention, gainfully contributing to his household as its principal economic provider. These are precisely the type of "roots in the community" factors that courts have long recognized as probative of an individual's likelihood of appearing for future proceedings rather than absconding. Petitioner's voluntary act of stopping to assist his girlfriend with a disabled vehicle — the very circumstance that led to his arrest — is itself evidence of an individual embedded in ongoing personal relationships and responsibilities within this country, not a person poised for flight.

60. Because neither statutory purpose underlying civil immigration detention — assurance of presence, or protection of the community — is meaningfully served by Petitioner's continued confinement, his detention is excessive in relation to its purpose and therefore violates substantive due process under the Fifth Amendment, which requires that civil detention bear a reasonable relation to the purpose for which an individual is committed.

GROUND THREE: Denial of Adequate Medical Care Violates Petitioner's Fifth Amendment Due Process Rights as a Civil Detainee

61. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein.

62. As a civil immigration detainee who is not held pursuant to any criminal conviction, Petitioner's right to humane conditions of confinement, including adequate medical care, arises under the Due Process Clause of the Fifth Amendment, and the standard applicable to his treatment is at least as protective as the Eighth Amendment standard applicable to convicted prisoners, given that civil detainees may not constitutionally be subjected to conditions that amount to punishment. It is well established that the government, having assumed custody of an individual and thereby stripped that individual of the ability to independently seek medical care, assumes a corresponding constitutional obligation to provide for that individual's essential medical needs; the failure to do so, where the need is serious and the response is inadequate, offends the most basic notions of human dignity embedded in the Due Process Clause.

63. Petitioner has alleged, and will be prepared to substantiate through medical records, declarations, and witness testimony, the following discrete and serious denials of necessary medical care:

(a) Failure to provide adequate diagnostic evaluation or treatment for a blunt head injury sustained during a violent disturbance between guards and detainees at Bartow County Jail;

(b) Delayed treatment, spanning multiple days, of an ear infection that developed as a foreseeable consequence of the untreated head injury described above;

(c) Continued and ongoing failure to diagnose or treat a persistent throat infection that has afflicted Petitioner since his arrival at Stewart Detention Center and that remains unresolved to the present day;

(d) A delay of approximately one week in providing any medical evaluation for an inflamed and painful insect or animal bite to Petitioner's leg, despite Petitioner's repeated requests, notwithstanding that the bite rendered him physically unable to walk;

(e) Failure to accommodate Petitioner's documented immobility by bringing meals to him, resulting in Petitioner going without food for multiple consecutive days while medically unable to ambulate to the dining area; and

(f) Recurring gastrointestinal illness caused by the facility's repeated service of spoiled or improperly prepared food, without remediation

64. Each of these conditions reflects a serious medical need — that is, a condition that a reasonable person would find important and worthy of treatment, or one diagnosed by a physician as mandating treatment — met with a response by facility staff that was inadequate, delayed, or wholly absent. The cumulative effect of these repeated denials of care, considered in the aggregate rather than in isolation, demonstrates a pattern of deliberate indifference to Petitioner's serious medical needs that this Court should find sufficient to support both habeas relief and the broader injunctive relief requested herein.

65. Courts evaluating the conditions of confinement imposed upon civil detainees, including immigration detainees, have recognized that the government bears an affirmative constitutional obligation to provide for the basic human needs of those within its custody, including adequate food, shelter, sanitation, and medical care, precisely because civil detainees, having been stripped of the means to provide for themselves, become wholly dependent upon the State for the necessities of life. The conditions Petitioner has endured — prolonged illness without treatment, enforced starvation due to immobility, and repeated exposure to spoiled food and contaminated air — fall well below this constitutional floor.

GROUND FOUR: Conditions of Confinement — Overcrowding, Contaminated Ventilation, Food and Water Rationing, and Unsanitary Housing — Violate Due Process

66. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein.

67. In addition to the denial of medical care set forth in Ground Three, Petitioner has been subjected to independently unconstitutional conditions of confinement, including: severe overcrowding within his housing unit; visibly contaminated ventilation systems that expel dust and particulate matter into the air breathed by detainees, including Petitioner, and which Petitioner reasonably believes to be connected to his unresolved respiratory and throat infection; extreme rationing of food and water; the repeated service of spoiled and improperly prepared food; and generally unsanitary and substandard housing and hygiene conditions.

68. The Due Process Clause prohibits the imposition of conditions on civil detainees that amount to punishment, and requires that any restriction or condition of confinement bear a reasonable relationship to a legitimate, non-punitive governmental purpose. Conditions that are excessive in relation to that purpose, or that are not reasonably related to any legitimate governmental objective, give rise to a permissible inference that the conditions are intended as punishment, in violation of due process.

69. There exists no legitimate governmental purpose served by confining civil detainees in overcrowded cells, exposing them to contaminated air through poorly maintained ventilation systems, rationing food and water to an extreme degree, or repeatedly serving spoiled food. These conditions bear no rational relationship to the orderly administration of a detention facility and instead reflect punitive or, at minimum, deliberately indifferent treatment of individuals held only in civil, non-punitive custody.

GROUND FIVE: Verbal Mistreatment and Abusive Treatment by Detention Officers Violate the Dignity Interests Protected by the Due Process Clause

70. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein.

71. Petitioner has been subjected to verbal abuse and demeaning treatment at the hands of detention officers at Stewart Detention Center. While verbal mistreatment, standing

entirely alone, may not in every instance rise to an independent constitutional violation, it is properly considered by this Court as part of the totality of the conditions of confinement imposed upon Petitioner, and as further evidence of an institutional environment characterized by indifference to, and in some respects active disregard for, the basic dignity owed to individuals held in civil, non-punitive custody. This conduct compounds the psychological harm Petitioner has already suffered as a result of his prolonged separation from family, his physical illness, and the uncertainty surrounding his case.

GROUND SIX: The Irregular Manner of Petitioner's Transfer From State to Federal Custody, Including the Broken Promise of Release Within Forty-Eight Hours, Independently Offends Due Process

72. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein.

73. Petitioner was expressly informed that he would be released if ICE failed to assume custody within forty-eight hours of the resolution of his state court matter. That forty-eight-hour period elapsed without Petitioner's release, and Petitioner was nonetheless retained in custody in apparent contravention of the representation made to him by jail personnel. Petitioner was thereafter told that he was free and instructed to prepare for release, only to be informed, once he had gathered his belongings in justified reliance on that representation, that ICE had arrived to take him into custody.

74. This sequence of events reflects a process that was, at minimum, irregular, and which deprived Petitioner of any meaningful opportunity to understand or contest the legal basis for his continued confinement at the critical juncture of his transfer from state to federal custody. Due process requires fundamental fairness in the procedures by which the government deprives an individual of physical liberty; a process in which a detainee is affirmatively told he will be released, is not released within the represented timeframe, is then told he is free, and is then abruptly redetained, falls short of that constitutional baseline.

GROUND SEVEN: Risk of Removal or Third-Country Transfer During the Pendency of This Petition Threatens Irreparable Harm and Warrants Injunctive Protection

75. Petitioner incorporates by reference each and every factual allegation set forth above as though fully restated herein

76. Petitioner reasonably fears that he may be removed from the United States, or transferred to a third country, during the pendency of this Petition, without adequate legal process or probable cause, an outcome that would render this Court's eventual adjudication of his claims effectively meaningless and would inflict harm that no subsequent remedy could repair. Federal courts have long recognized that the threatened removal of a habeas petitioner during the pendency of habeas proceedings constitutes irreparable harm warranting interim injunctive protection, because removal from the territorial United States may extinguish or severely impair the practical availability of habeas relief.

77. Petitioner therefore respectfully requests that this Court enter an immediate order enjoining Respondents and their agents, officers, employees, and all persons acting in concert with them, from removing Petitioner from the United States, or from transferring Petitioner to the custody of any other facility, agency, or jurisdiction located outside this Court's territorial jurisdiction, during the pendency of this action, absent further order of this Court.

VI. MEMORANDUM OF LAW

A. The Availability and Scope of Habeas Corpus Review for Civil Immigration Detainees

78. The writ of habeas corpus occupies a uniquely protected position within our constitutional structure. Article I, Section 9, Clause 2 of the Constitution provides that "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it." The Supreme Court has confirmed that, at an irreducible minimum, the Suspension Clause protects the writ as it existed in 1789, and that habeas "has traditionally provided a means to seek release from unlawful detention." Petitioner here seeks precisely that traditional remedy: release, or in the alternative a hearing concerning the lawfulness of his continued physical confinement, not any form of relief outside the historic core of the writ.

79. Congress has codified this constitutional guarantee, in relevant part, at 28 U.S.C. § 2241, which authorizes the federal courts to grant the writ to any person held "in custody in violation of the Constitution or laws or treaties of the United States." The Supreme Court has expressly held that § 2241 supplies federal jurisdiction for civil immigration detainees to challenge the legality and duration of their custody, and that nothing in the comprehensive scheme of immigration statutes forecloses habeas review of the type of claims Petitioner raises here.

80. Petitioner's claims fall squarely within this traditional core of habeas jurisdiction: he seeks release from physical confinement that he contends is unauthorized, excessive, and unconstitutional, and, in the alternative, a hearing process adequate to test the legality of that confinement going forward.

B. Civil Immigration Detention Must Bear a Reasonable Relationship to Its Statutory and Constitutional Purpose

81. It is fundamental that civil detention, unlike criminal incarceration, is not, and cannot constitutionally be, imposed as punishment. The Supreme Court's decision in Zadvydas v. Davis, 533 U.S. 678 (2001), rests on the foundational premise that "freedom from imprisonment — from government custody, detention, or other forms of physical restraint

— lies at the heart of the liberty" the Due Process Clause protects, and that a statute permitting indefinite, non-individualized civil detention raises grave constitutional concerns warranting a narrowing construction. The Court further explained that, in assessing the lawfulness of continued detention, a reviewing court must ask whether detention exceeds a period reasonably necessary to serve its stated statutory purpose, measured primarily by reference to whether continued confinement actually serves to assure the detained individual's presence and to protect the public, and that courts are not required to abdicate their review function merely because the Executive Branch possesses expertise in immigration administration.

82. Although Zadvydas arose in the specific context of post-removal-order detention under 8 U.S.C. § 1231(a)(6), its core due process reasoning — that prolonged civil detention untethered from its statutory purpose becomes constitutionally suspect, and that habeas courts retain authority and responsibility to police the outer boundary of that detention — provides the analytical framework this Court should apply in evaluating the constitutionality of Petitioner's continued, hearing-less detention.

83. In Jennings v. Rodriguez, 583 U.S. 281 (2018), the Supreme Court held that the specific statutory provisions at issue did not themselves impose a requirement of periodic bond hearings, rejecting the Ninth Circuit's use of constitutional avoidance to read such a requirement into the statutory text. The Jennings Court remanded for further proceedings on the respondents' as-applied constitutional claims, expressly leaving open the question whether the Due Process Clause independently requires a bond hearing where civil immigration detention becomes unreasonably prolonged. That open constitutional question remains unsettled by binding Supreme Court precedent and is properly and timely raised by Petitioner in this proceeding, as applied to the specific and compelling facts of his individual case.

84. Petitioner respectfully submits that the due process concerns identified, but not finally resolved, in Jennings are squarely implicated here, and that the specific aggravating facts of Petitioner's case — minor underlying offense, absence of serious criminal history, eight years of continuous residence, status as family breadwinner, and the procedurally irregular manner of his transfer into federal custody — cumulatively establish that his continued

detention without an individualized hearing offends the Due Process Clause of the Fifth Amendment.

C. The Conditions of Petitioner's Confinement Independently Violate Due Process

85. Separate and apart from the duration and procedural posture of Petitioner's detention, the conditions under which he has been confined independently violate the Due Process Clause. It is a bedrock principle of constitutional law that civil detainees — who, unlike convicted prisoners, may not be punished at all — are entitled to conditions of confinement that do not amount to punishment, and that any restriction imposed upon a civil detainee must bear a reasonable relationship to a legitimate, non-punitive governmental interest. Where a condition or restriction is excessive in relation to any such legitimate purpose, or serves no purpose other than to punish, it violates due process.

86. This constitutional principle extends with full force to the government's obligation to provide for the basic human needs of those it holds in custody, including adequate medical care, food, water, sanitation, and humane housing conditions, precisely because an individual in custody has been deprived of his own capacity to provide for these needs and has been rendered wholly dependent upon his custodian. The repeated and serious deprivations Petitioner has experienced — untreated head trauma, delayed treatment of an ear infection and a leg wound, an unresolved throat infection associated with contaminated ventilation, days without food while physically immobile, recurring illness from spoiled food, and extreme rationing of food and water — collectively and individually fall below this constitutional floor and support both habeas relief and the request for injunctive relief set forth herein.

D. The Threatened Removal of Petitioner During the Pendency of This Action Warrants Immediate Injunctive Relief

87. Federal courts possess inherent and statutory authority to preserve the status quo and protect their own jurisdiction pending resolution of a habeas petition, including by enjoining a petitioner's removal or transfer outside the court's territorial reach. Courts have long recognized that removal of a habeas petitioner during the pendency of habeas proceedings threatens irreparable harm by potentially mooting or practically defeating the

petitioner's ability to obtain meaningful relief, and that interim injunctive protection is therefore appropriate to preserve the Court's jurisdiction and the integrity of the habeas process itself.

88. The traditional four-factor test governing requests for preliminary injunctive relief — likelihood of success on the merits, irreparable harm absent relief, the balance of equities, and the public interest — is readily satisfied here. Petitioner has demonstrated a substantial likelihood of success on the merits of his due process claims for the reasons set forth throughout this Petition; the harm of wrongful removal or third-country transfer is by its nature irreparable and incapable of post-hoc remedy; the balance of equities favors a Petitioner with no record of dangerousness and substantial community ties over any marginal administrative inconvenience to the Government in maintaining the status quo pending judicial review; and the public interest is undeniably served by ensuring that civil detention and removal proceedings comport with the Constitution and that no person is removed from the United States in violation of due process before a court of competent jurisdiction has had the opportunity to adjudicate his claims.

VII. EXHAUSTION OF ADMINISTRATIVE REMEDIES AND ABSENCE OF ADEQUATE ALTERNATIVE REMEDY

89 Petitioner is not required to exhaust administrative remedies prior to seeking habeas relief under 28 U.S.C. § 2241 where, as here, the constitutional claims raised are not the type of claims committed to agency discretion, where administrative review would be inadequate to redress the ongoing harms alleged, and where the urgency of Petitioner's circumstances — active, unresolved medical conditions and the imminent risk of removal — renders the pursuit of further administrative process inadequate and impractical.

90 To the extent any administrative remedies remain technically available to Petitioner, Petitioner respectfully submits that such remedies would be futile under the circumstances presented, given the institutional, facility-wide nature of the conditions described herein, the repeated and unremediated failures of facility medical staff to respond to Petitioner's documented requests for care, and the constitutional nature of the claims at issue, which are properly and most effectively addressed through this Court's habeas jurisdiction.

91. Petitioner has no adequate remedy at law other than this Petition. The ordinary administrative and removal-proceeding channels available within the immigration system do not provide a mechanism for prompt, individualized judicial review of the lawfulness of Petitioner's continued physical detention or the conditions of his confinement, and money damages, even if otherwise available, would be inadequate to remedy the ongoing deprivation of physical liberty and the risk of imminent, irreparable harm that Petitioner faces.

VIII. PRAYER FOR RELIEF

WHEREFORE, Petitioner Alex Eduardo Umaña Mejía respectfully prays that this Honorable Court grant the following relief:

I. Assume jurisdiction over this Petition pursuant to 28 U.S.C. § 2241;

II. Order Respondents to show cause, within a time certain set by this Court, why the Writ of Habeas Corpus should not issue and why Petitioner should not be immediately released from custody;

III. Issue a Writ of Habeas Corpus directing Respondents to release Petitioner from civil immigration detention forthwith, or, in the alternative, to provide Petitioner an immediate, individualized bond hearing before a neutral decision-maker at which the Government bears the burden of proving, by clear and convincing evidence, that Petitioner's continued detention is justified by a genuine and unmitigated risk of flight or danger to the community;

IV. Enter a temporary restraining order and/or preliminary injunction enjoining Respondents, their officers, agents, employees, and all persons acting in active concert or participation with them, from removing Petitioner from the United States, or transferring him to the custody of any third country, pending the final resolution of this Petition;

V. Enter a temporary restraining order and/or preliminary injunction enjoining Respondents from transferring Petitioner to any detention facility outside the territorial jurisdiction of this Court during the pendency of this action, absent further order of this Court;

VI. Enter a temporary restraining order and/or preliminary injunction enjoining Respondents from subjecting Petitioner to retaliatory disciplinary action, segregation, or solitary confinement on account of the filing of this Petition;

VII. Order Respondents to immediately provide Petitioner with adequate medical evaluation and treatment for his ear infection, throat infection, leg injury, and any other untreated medical conditions, by a qualified, independent medical provider, and to provide this Court and Petitioner with copies of all resulting medical records and treatment plans;

VIII. Order Respondents to ensure Petitioner receives adequate, properly prepared food and clean water sufficient to meet recognized nutritional and health standards for the duration of his detention;

IX. Order an independent inspection of the ventilation systems and general sanitary conditions of the housing unit in which Petitioner is confined at Stewart Detention Center, and order appropriate remedial measures as warranted by the results of that inspection;

X Grant Petitioner leave to conduct any discovery reasonably necessary to support the claims raised herein, including access to Petitioner's complete immigration detention file, medical records, and facility incident reports relevant to the events described in this Petition;

XI. Set this matter for an evidentiary hearing at the earliest practicable date;

XII. Award Petitioner his costs incurred in this action to the extent permitted by law;

XIII. Grant such other and further relief, legal or equitable, as this Court deems just, necessary, and proper under the circumstances presented.

IX. VERIFICATION

I, Alex Eduardo Umaña Mejía, Petitioner in the above-captioned action, 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 am familiar with its contents, and that the factual statements contained therein are true and correct to the best of my own personal knowledge, information, and belief, except as to those matters stated upon information and belief, and as to those matters, I believe them to be true.

I further declare that I am currently confined at the Stewart Detention Center, 146 CCA Road, Lumpkin, Georgia 31815, that I am proceeding in this matter without the assistance of retained counsel, and that I respectfully request that this Honorable Court construe this pro se Petition liberally, consistent with the well-established principle that filings submitted by unrepresented litigants are held to less stringent standards than formal pleadings drafted by attorneys.

Executed this _____ day of _____, 2026, at Lumpkin, Georgia

Alex Umana Mejía

Alex Eduardo Umaña Mejía
Petitioner, Pro Se
A-Number: [redacted]
Stewart Detention Center

146 CCA Road
Lumpkin, Georgia 31815
Date: 7/6/26

X. CERTIFICATE OF SERVICE

I, Alex Eduardo Umaña Mejía, Petitioner, Pro Se, hereby certify that, to the best of my ability under the constraints of my current civil immigration detention, a true and correct copy of the foregoing Petition for Writ of Habeas Corpus, together with all attachments and exhibits referenced herein, has been or will be served by United States Mail, postage prepaid, or by such other means as may be available to me as a detained, unrepresented litigant, upon the following:

United States Attorney for the Middle District of Georgia
Office of the United States Attorney
P.O. Box 1702
Macon, Georgia 31202

Office of the Field Office Director
U.S. Immigration and Customs Enforcement
Atlanta Field Office
180 Ted Turner Drive SW
Atlanta, Georgia 30303

Office of the General Counsel
U.S. Department of Homeland Security
Washington, D.C. 20528

Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Warden, Stewart Detention Center
146 CCA Road
Lumpkin, Georgia 31815

Alex Umana Mejía

Alex Eduardo Umaña Mejía
Petitioner, Pro Se

A-Number: [redacted]
Stewart Detention Center
146 CCA Road
Lumpkin, Georgia 31815
Date: 7/6/26