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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION — CINCINNATI

GUILLERMO ANTONIO GUEVARA MEDINA,
A[redacted]

Petitioner,

v.

1:26CV860
J. HOPKINS
M.J. BOWMAN

ACTING FIELD OFFICE DIRECTOR,
ENFORCEMENT AND REMOVAL OPERATIONS,
DETROIT FIELD OFFICE, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY;
ACTING DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
ATTORNEY GENERAL OF THE UNITED STATES; and
WARDEN/DIRECTOR OF BUTLER COUNTY CORRECTIONAL COMPLEX,

Respondents.

Case No. _____

Judge _____

FILED
RICHARD W. NAGEL
CLERK OF COURT
AUG 24 2026 3:12 PM
U.S. DISTRICT COURT
SOUTHERN DISTRICT
OF OHIO-CINCINNATI

EMERGENCY VERIFIED PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241
AND REQUEST FOR IMMEDIATE RELEASE OR, IN THE ALTERNATIVE,
AN EXPEDITED INDIVIDUALIZED BOND HEARING

Petitioner Guillermo Antonio Guevara Medina, A[redacted], respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging his continued detention by the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE").

Petitioner is a citizen of Venezuela who is currently detained at Butler County Correctional Complex in Hamilton, Ohio. He was taken into ICE custody on August 14, 2026.

Petitioner has a pending asylum matter and an immigration court hearing currently scheduled for August 4, 2027. His continued detention for an extended period while his asylum case remains pending imposes a severe deprivation of liberty and interferes with his ability to prepare and pursue his protection claim.

Petitioner respectfully requests emergency judicial intervention and asks this Court to order Respondents to release him immediately, or alternatively to provide an expedited individualized

custody/bond hearing at which the Government must establish the lawful basis for continued detention and why less restrictive alternatives are inadequate.

I. JURISDICTION AND VENUE

1. This action arises under the Constitution and laws of the United States, including 28 U.S.C. § 2241.
2. Section 2241 authorizes federal district courts to grant habeas relief to persons held in custody under federal authority in violation of federal law or the Constitution.
3. Petitioner is physically detained within the Southern District of Ohio at Butler County Correctional Complex in Hamilton, Ohio.
4. The Southern District of Ohio therefore provides the appropriate federal forum for this challenge to Petitioner's present physical detention.
5. Recent federal habeas cases arising from immigration detention at Butler County Correctional Complex have been litigated in this District. See, e.g., Singh v. Acting Field Office Director, S.D. Ohio, Case No. 1:26-cv-123; Vicente Cruz v. Secretary, DHS, Case No. 1:26-cv-158.
6. Venue is therefore proper in this District.

II. PARTIES

7. Petitioner Guillermo Antonio Guevara Medina is a citizen of Venezuela and is presently detained by ICE.
8. Petitioner's Alien Registration Number is A[redacted]
9. Petitioner is presently confined at:

Butler County Correctional Complex
705 Hanover Street
Hamilton, Ohio 45011.

10. Respondent Warden/Director of Butler County Correctional Complex is Petitioner's immediate physical custodian.
11. Respondent Acting Field Office Director of ERO, Detroit Field Office, is responsible for Petitioner's immigration detention and custody determination.
12. The federal Respondents are sued in their official capacities.

III. FACTUAL BACKGROUND

13. Petitioner is a citizen of Venezuela.
14. Petitioner has a pending asylum matter before the Executive Office for Immigration Review.
15. Petitioner's next immigration court hearing is currently scheduled for August 4, 2027.
16. On August 14, 2026, ICE took Petitioner into custody.
17. Petitioner is currently confined at Butler County Correctional Complex.
18. Petitioner seeks to continue pursuing his asylum claim and requests an opportunity to remain in the community while his immigration proceedings continue.

19. Petitioner has a substantial interest in being able to work lawfully, obtain housing and stability, communicate with counsel or representatives, gather evidence, obtain witnesses, and adequately prepare his asylum case.
20. Continued incarceration for the duration of immigration proceedings, particularly where the next scheduled hearing is not until August 4, 2027, creates an extraordinary burden on Petitioner.
21. Petitioner respectfully asserts that detention should not continue automatically without a meaningful individualized determination of whether detention is actually necessary.
22. Petitioner is willing to comply with reasonable immigration supervision conditions, including reporting requirements, electronic monitoring if ordered, residence requirements, check-ins, and attendance at all immigration proceedings.
23. Petitioner respectfully requests that the Court consider release under appropriate conditions rather than continued incarceration.

IV. CLAIM ONE
UNLAWFUL CONTINUED DETENTION UNDER 28 U.S.C. § 2241

24. Petitioner incorporates paragraphs 1 through 23.
25. Habeas corpus is available to challenge unlawful executive detention.
26. 28 U.S.C. § 2241 provides a federal mechanism for challenging custody imposed under federal authority.
27. The Supreme Court has recognized that § 2241 provides a mechanism for federal judicial review of unlawful immigration detention.
28. See Zadvydas v. Davis, 533 U.S. 678, 687 (2001).
29. Petitioner does not seek judicial review of the merits of his asylum claim through this Petition.
30. Instead, Petitioner challenges the legality and constitutionality of his present physical detention.
31. Petitioner's detention substantially interferes with his liberty while his underlying immigration proceedings remain pending.
32. To the extent the Government contends that Petitioner's detention is authorized under 8 U.S.C. § 1226(a), that provision authorizes discretionary detention and permits release on bond or conditional parole.
33. To the extent Respondents contend that a different detention statute applies, Petitioner requests that Respondents be required to identify the precise statutory authority upon which they rely.
34. Petitioner further requests an individualized determination concerning whether his continued detention is necessary.
35. Petitioner asserts that less restrictive alternatives are available and sufficient to ensure his appearance in immigration proceedings.
36. Continued detention without meaningful consideration of those alternatives raises serious constitutional concerns under the Fifth Amendment.

V. CLAIM TWO
DENIAL OF DUE PROCESS

37. Petitioner incorporates all preceding paragraphs.
38. The Fifth Amendment protects persons within the United States from deprivation of liberty without due process of law.
39. Civil immigration detention is a significant deprivation of physical liberty.
40. Petitioner has a strong interest in avoiding unnecessary incarceration while pursuing his asylum claim.
41. Petitioner also has an important interest in preparing his asylum case, maintaining employment, obtaining resources, communicating with counsel and witnesses, and maintaining stability in the community.
42. Petitioner respectfully submits that continued detention must be supported by lawful authority and appropriate procedural protections.
43. Petitioner requests an individualized custody determination rather than continued detention based solely upon the existence of pending immigration proceedings.
44. Recent decisions from the Southern District of Ohio demonstrate that immigration detainees at Butler County Correctional Complex may obtain habeas relief where they are denied an adequate custody redetermination hearing.
45. In Singh v. Acting Field Office Director, S.D. Ohio Case No. 1:26-cv-123, the Court granted habeas relief and ordered that the detainee receive a due-process-compliant individualized bond redetermination hearing or be released.
46. Similarly, in Vicente Cruz v. Secretary of DHS, S.D. Ohio Case No. 1:26-cv-158, the Court granted habeas relief concerning detention at Butler County Correctional Complex.
47. These decisions demonstrate that habeas relief concerning immigration detention is appropriate in this District when the detention violates federal law or constitutional protections.

VI. CLAIM THREE
DETENTION SHOULD NOT PREVENT PETITIONER FROM PURSUING HIS ASYLUM CLAIM

48. Petitioner incorporates all preceding paragraphs.
49. Petitioner has a pending asylum matter.
50. Petitioner's next immigration court hearing is scheduled for August 4, 2027.
51. Petitioner respectfully submits that prolonged incarceration while his protection claim remains pending substantially impairs his ability to prepare his case.
52. Petitioner needs meaningful access to legal assistance, documents, witnesses, evidence, family support, employment, housing, and other resources necessary to prepare his claim.
53. Release from detention would allow Petitioner to continue pursuing his asylum matter while remaining subject to the jurisdiction of the immigration court.
54. Petitioner does not ask this Court to decide whether he should receive asylum.
55. Petitioner asks only that his physical detention be reviewed and that he be released if the Government cannot demonstrate that continued detention is necessary and lawfully authorized.

VII. CLAIM FOUR
LESS RESTRICTIVE ALTERNATIVES TO DETENTION

56. Petitioner incorporates all preceding paragraphs.
57. Petitioner is willing to comply with reasonable conditions of release.
58. Such conditions may include:

a. regular ICE reporting;

b. electronic monitoring;

c. telephonic reporting;

d. residence restrictions;

e. travel restrictions;

f. surrender of passport or travel documents if legally required;

g. attendance at all immigration hearings;

h. notification of any address change;

i. regular communication with immigration authorities; and

j. any other reasonable condition ordered by the Court or immigration authorities.

59. These alternatives would protect the Government's legitimate interest in ensuring Petitioner's appearance while avoiding unnecessary incarceration.
60. Petitioner respectfully requests release under reasonable conditions.

VIII. EMERGENCY RELIEF IS WARRANTED

61. Petitioner incorporates all preceding paragraphs.
62. Petitioner is presently incarcerated.
63. Every additional day of detention constitutes an additional deprivation of liberty.
64. Petitioner faces the possibility of remaining incarcerated while his asylum proceedings continue and while his next scheduled immigration court hearing remains months away.
65. Petitioner respectfully requests that this matter be treated as an emergency because the challenged restraint is ongoing.
66. Petitioner requests that Respondents be ordered to respond on an expedited basis.
67. Petitioner further requests that the Court order Respondents to produce the records establishing the statutory and factual basis for Petitioner's detention.
68. These records should include Petitioner's custody determination, Notice to Appear, immigration charging documents, custody records, bond determination, ICE detention records, and any other document relied upon to justify Petitioner's continued detention.

IX. REQUEST FOR IMMEDIATE RELEASE

69. Petitioner respectfully requests immediate release.
70. Alternatively, if the Court determines that immediate unconditional release is not presently appropriate, Petitioner requests an expedited individualized bond hearing before an Immigration Judge or other lawful decision-maker.
71. Petitioner further requests that the Government bear whatever burden is required by applicable law to establish that continued detention is justified.
72. Petitioner requests that the hearing occur as soon as practicable rather than allowing detention to continue for months without meaningful review.
73. If the Government cannot establish lawful authority for continued detention, Petitioner requests immediate release.

X. REQUEST FOR ORDER TO SHOW CAUSE

74. Petitioner respectfully requests that this Court issue an Order to Show Cause directing Respondents to explain:

a. the exact statutory authority for Petitioner's detention;

b. the factual basis for continued detention;

c. whether Petitioner has been denied bond or custody redetermination;

d. whether Petitioner is eligible for release under 8 U.S.C. § 1226(a);

e. whether the Government contends that Petitioner is subject to mandatory detention;

f. the basis for any claim that Petitioner presents a danger to the community;

g. the basis for any claim that Petitioner presents a flight risk; and

h. why reasonable alternatives to detention are insufficient.

XI. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

A. Accept jurisdiction over this Petition;

B. Issue an emergency Order to Show Cause;

C. Require Respondents to identify the statutory and factual basis for Petitioner's detention;

D. Order Respondents to produce Petitioner's detention and custody records;

E. Grant the Petition for Writ of Habeas Corpus;

F. Order Petitioner's immediate release from ICE custody;

G. Alternatively, order an expedited individualized bond/custody redetermination hearing;

H. Require consideration of reasonable alternatives to detention;

I. Order release if Respondents cannot establish lawful grounds for continued detention;

J. Grant a Temporary Restraining Order and other emergency relief requested in the accompanying motion;

K. Expedite consideration of this matter because Petitioner remains incarcerated;

L. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

GUILLERMO ANTONIO GUEVARA MEDINA
A[redacted]
Petitioner, Pro Se
Butler County Correctional Complex
705 Hanover Street
Hamilton, Ohio 45011

VERIFICATION

I, Guillermo Antonio Guevara Medina, declare under penalty of perjury that the foregoing facts are true and correct to the best of my knowledge and belief.

Executed on August 20, 2026.

Guillermo Antonio Guevara Medina

GUILLERMO ANTONIO GUEVARA MEDINA
A-[redacted]