

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

STEPHANE PARDOUE,	:	
	:	
Petitioner,	:	
	:	Case No. 4:25-CV-113-CDL-AGH
v.	:	28 U.S.C. § 2241
	:	
WARDEN, STEWART DETENTION CENTER,	:	
	:	
	:	
Respondent.	:	

MOTION FOR ORDER FOR BOND HEARING

On March 24, 2025, the Court received Petitioner’s petition for a writ of habeas corpus (“Petition”). ECF No. 1. On April 14, 2025, the Court ordered Respondent to respond to the Petition. ECF No. 7. Petitioner has since filed seven additional documents purporting to supplement the factual allegations or legal arguments raised in the Petition. ECF Nos. 8, 9, 11, 14, 15, 16, 17. On May 2, 2025, Respondent moved for a 21-day extension to respond to the Petition. ECF No. 12. On the same day, the Court granted Respondent’s motion. ECF No. 13. For the reasons stated herein, Respondent respectfully requests that the Court (1) issue an order for Petitioner to appear before an immigration judge (“IJ”) for a bond hearing and individualized bond determination pursuant to 8 U.S.C. § 1226(a) and the applicable regulations within twenty-one (21) days, and (2) stay further briefing on the Petition until the IJ makes an individualized bond determination.

BACKGROUND

Petitioner is a native and citizen of France. Bush Decl. ¶ 3 & Ex. A. On October 16, 2024, Petitioner arrived at the Fort Lauderdale-Hollywood International Airport in Fort Lauderdale,

Florida via a flight from the Dominican Republic. *Id.* ¶ 4 & Ex. A. He presented a French passport and requested admission into the United States pursuant to the Visa Waiver Program (“VWP”), 8 U.S.C. § 1187. *Id.* ¶ 4 & Ex. A. However, during inspection with Customs and Border Protection (“CBP”), Petitioner indicated that he intended to seek employment in the United States. *Id.* ¶ 5 & Exs. A, B. Based on this indication, he was refused admission into the United States pursuant to the VWP. *Id.* ¶ 5 & Ex. A. Before Petitioner boarded a return flight to the Dominican Republic, he indicated his intent to seek relief from removal. *Id.* ¶ 6 & Ex. A. He was processed as a VWP refusal and referred to an IJ for proceedings on his requested relief from removal. Bush Decl. ¶ 6 & Exs. A, C. Petitioner was released from CBP custody on October 17, 2024. *Id.* ¶ 6.

On January 13, 2025, ICE/ERO encountered Petitioner in Atlanta, Georgia, and he entered ICE/ERO custody. *Id.* ¶ 7 & Ex. D. Petitioner requested a custody redetermination (or bond) from the IJ, and on March 6, 2025, the IJ denied bond for lack of jurisdiction. *Id.* ¶ 8 & Ex. E. On March 11, 2025, the Department of Homeland Security (“DHS”) filed a corrected referral with the IJ. *Id.* ¶ 9 & Ex. F. Petitioner again requested bond, and on April 2, 2025, the IJ issued a written decision denying bond for lack of jurisdiction. *Id.* ¶ 10 & Ex. G. On April 28, 2025, the IJ denied Petitioner’s application for relief from removal, and Petitioner reserved appeal. Bush Decl. ¶ 11 & Ex. H. On May 2, 2025, the IJ issued a corrected order denying Petitioner’s application for relief from removal, and Petitioner again reserved appeal. *Id.* ¶ 12 & Ex. I. On May 20, 2025, the Board of Immigration Appeals (“BIA”) received Petitioner’s appeal of the IJ’s order. *Id.* ¶ 12 & Ex. J.

To the extent Petitioner becomes subject to a final order of removal, there is a significant likelihood of his removal in the reasonably foreseeable future. ICE/ERO maintains positive diplomatic and working relationships with France. *Id.* ¶ 13. ICE/ERO is in possession of

Petitioner's French passport, which remains valid through January 11, 2033. *Id.* ¶ 13 & Ex. K. ICE/ERO is able to remove Petitioner to French based on his French passport. *Id.* ¶ 13.

ARGUMENT

The Petition and Petitioner's various supplements are unclear and difficult to follow. Liberally construing the filings, Petitioner appears to raise four claims. First, he asserts he is entitled to a bond hearing before an immigration judge to contest his continued detention. Pet. 6, ECF No. 1; Pet'r's Resp. to Ct. Order 2, 4, ECF No. 8; Pet'r's 1st Br. 2-3, ECF No. 9; Pet'r's 2d Br. 3, ECF No. 11; Pet'r's 3d Br. 2, ECF No. 14; Pet'r's 6th Br. 1, 3, ECF No. 17. Second, Petitioner claims he was wrongfully refused admission under the VWP. Pet. 6; Pet'r's Resp. to Ct. Order 1-2; Pet'r's 1st Br. 1-2; Pet'r's 2d Br. 1-2; Pet'r's 3d Br. 3; Pet'r's 4th Br. 3, ECF No. 15; Pet'r's 5th Br. 3, ECF No. 16. Third, Petitioner asserts ICE/ERO should not have arrested him. Pet. 7. Fourth, he argues he is entitled to relief from removal. Pet'r's 3d Br. 1-2.

Respondent respectfully requests that the Court issue an order for Petitioner to appear before an IJ for an individualized bond hearing and ruling on bond pursuant to 8 U.S.C. § 1226(a), 8 C.F.R. § 236.1, and 8 C.F.R. § 1003.19 within twenty-one (21) days. As explained above, at Petitioner's prior bond hearings, the IJ has denied bond for lack of jurisdiction without making an individualized determination pursuant to the applicable regulations. Bush Decl. ¶¶ 8, 10 & Exs. E, G. Petitioner's receipt of a bond hearing would substantially alter any analysis of Petitioner's first claim. If the Court issues an order for the IJ to conduct a bond hearing, Respondent respectfully requests that the Court stay further briefing on the Petition until the conclusion of that bond hearing. Respondent will submit either a status update or a comprehensive response to the Petition within seven (7) days from the date that hearing concludes.

CONCLUSION

For the foregoing reasons, Respondent respectfully requests that the Court (1) issue an order for Petitioner to appear before an IJ for a bond hearing and individualized bond determination pursuant to 8 U.S.C. § 1226(a) and the applicable regulations within twenty-one (21) days, and (2) stay further briefing on the Petition until the IJ makes an individualized bond determination.

Respectfully submitted this 23rd day of May, 2025.

C. SHANELLE BOOKER
ACTING UNITED STATES ATTORNEY


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CERTIFICATE OF SERVICE

This is to certify that I have this date filed the Motion for Order for Bond Hearing with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

N/A

I further certify that I have this date mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non-CM/ECF participants:

Stephane Pardoue
A# 
Stewart Detention Center
P.O. Box 248
Lumpkin, GA 31815

This 23rd day of May, 2025.

BY: s/ Roger C. Grantham, Jr.
ROGER C. GRANTHAM, JR.
Assistant United States Attorney