

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

YORDAN ROMAY VALDES

A# [REDACTED]
Petitioner.

CASE No: 4:25-CV-333-CDL-CHW

v.

PAM BONDI

Attorney General;

KRISTI NOEM

Secretary of Department of

Homeland Security;

HOMER BRYSON

U.S. ICE Field Office Director For

The Middle District of Georgia

Field Office, and Warden JASON STREEVAL

of Immigration Detention Facility.

Respondent(s)

TRAVERSE IN OPPOSITION TO DHS
OBJECTION FOR HABEAS CORPUS RELIEF
28 U.S.C. §22414

Petitioner, YORDAN ROMAY VALDES, hereby petitions this Court with a traverse in opposition to DHS objection due to petitioners Writ of Habeas Corpus to remedy Petitioner's unlawful detention by Respondents, and to enjoin Petitioner's continued unlawful detention by the Respondents. In support of this petition and complaint for injunctive relief, Petitioner alleges as follows:

Respondents claim that petitioner fails to state a claim under Zadvydas because petitioner is premature due to not being detained beyond six months since he most recently entered ICE/ERO custody. This objection is erroneous and will be clarified for future interpretation of law. Petitioner was ordered removed on 1-25-2018 and completed ~~94~~ 94-days detained and was released on supervision where he was reporting regularly for years and then detained again on ~~October 14, 2025~~ ^{July} October 14, 2025 where DHS/ICE decided to continue his detention w/o notice to him.

In the recent decision on October 2, 2025 of Perez v. Noem, 2025 U.S. Dist. LEXIS 195132 2:25-cv-00429-JES-NPM as the 11th Circuit recognized, The Court rejected the Governments argument that Godines Perez's petition was premature. finding that the six-month period begins when the removal period becomes final, not at arrest. The Court reasoned that this interpretation aligns with Zadvydas's purpose of preventing indefinite detention. "[t]he Supreme Court's" stated rationale for establishing a presumptively reasonable "6-Month period for detention pending removal supports our conclusion that

this period commences at the beginning of the removal period Akinwale v. Ashcroft 287 F. 3d 1050, 1052 n.3(11th Cir.2002) **not at the new date of detention**. Also see Gozo v. Napolitano, 309 F. App'x 344, 346 (11th Cir. 2009)

If read in it's totality it would agree that, The Court's application of Zadvydas does not-as the Government argues-start **“an imaginary detention clock [,]”** nor does it require the Government **“to justify a decade and a half detention”** in the case mentioned (Doc #17 at 4).

Petitioner has been detained beyond the “six month period” and the six month detention period expired long before he filed his Habeas Corpus petition.

Respondents also argue that petitioner argues out-of-circuit case law and again this is erroneous as petitioner states the case of Perez v. Noem, 2025 U.S. Dist. LEXIS 195132 2:25-cv-00429-JES-NPM in the 11th Circuit on page 3 #14 and also states other cases in this circuit like Zavvar v. Scott, 2025 U.S. Dist and there is also other cases such as Akinwale v. Ashcroft, 287 F. 3d 1050, 1052(11th Cir.2002) here respondent failed to properly read and understand the cases mentioned and the proper analysis stated by courts in this circuit and district.

The Respondents also state erroneous findings of cases in this court that have not been dismissed but are still pending and should prevail granting Habeas relief once this court comes to the same interpretation given by the 11th circuit and other Circuits as well.

In addition to these improper claims the Respondents also claim that petitioner fails to meet his evidentiary burden to “provide evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.” The petitioner re alleges his claim and states the same statement on page 3 #6 of his Habeas Corpus petition that **“It is known that Cuba will not accept petitioner nor will it agree to repatriation as he is a political refugee.”** Also See page 4 #17 **“This has even been stated by his deportation officer”, “That Cuba did not accept Petitioner”**

Petitioner is also submitting documents from DHS OIG Report, Appendix D, pp. 7-8 where it states that Cuba is listed as **“Uncooperative”** for deportation purposes, and **removal is not reasonably foreseeable. (See Exhibits attached)** DHS OIG Report, Appendix D, pp. 7-8 and OIG19-28 Pg 29

Again as mentioned previously on page 2 #4 DHS/ICE has never informed the petitioner **if/or** why it decided to continue his detention. Like Zavvar v. Scott, 2025 U.S. Dist LEXIS 175897 Respondents have not been able to obtain any travel documents or find a country to accept him, not to mention that he has never been given notice of which Country they have tried to get to accept him. He

is entitled to “**Seek Fear based relief from that Country**”, which would require additional proceedings as well. **CF. Guzman Chavez**, 594 U.S. At 537. ICE's Headquarters Post-order Detention Unit (“HQPDU”) **has not** informed Petitioner that it would release or continue to keep him in custody despite having been detained for over 6-months after a final order of removal. The custody review regulations do not provide for appeal from a HQPDU custody review decision. See 8 C.F.R. §241.4(d). **Especially when it has never been made or given to the Petitioner.**

SEE EXHIBITS ATTACHED

Exhibit A DHS OIG Report, Appendix D, Pg. 7-8 *A1, A2, A3*

Exhibit B OIG 19-28 Pg 29

Exhibit C *Motion for Judicial Notice and Memorandum of Law in Support of Construction custody Pursuant to 28 U.S.C. § 2241 (6 pages)*

CERTIFICATE OF OATH


I Swear under Penalty of Perjury from the United States of America if this Motion is found to be false, frivolous, or made in bad faith. I also swear that this motion is true to the best of my knowledge.

I further state that this motion is not a copy of a motion that has been ruled on nor has it been deposed of by this Court.

I Swear that this motion has been prepared by **me /or** read to me in a language that I understand and everything that is said in the following motion is true.

Person who assisted in preparing motion for Petitioner:

x Jidier Saavedra Jidier Saavedra November 25-2025

x 

November- 25, 2025

YORDAN ROMAY VALDES



Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

CERTIFICATE OF SERVICE

I **Swear**, that a true and correct copy of the following Motion has been placed in the hands of an institution official to be furnished and forwarded by first class mail to the following parties listed below on November 25, 2025

1. U.S. DISTRICT COURT

For the Middle District of Georgia

Columbus Division

P.O. BOX 124

Columbus, GA 31902

2. Office Of Chief Counsel DHS/ICE

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

x

November 25, 2025

YORDAN ROMAY VALDES

DETAINED 

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815