UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

Edgar VILLALOBOS MEJIA,

Petitioner,

v.

WARDEN of Folkston ICE Processing Center in their official capacity,.

Respondent.

Case No.: 5:25-cv-00161-LGW-BWC

PETITIONER'S OPPOSITION IN RESPONSE TO RESPONDENT'S MOTION TO DISMISS

Petitioner respectfully submits this Opposition to the Respondent's Motion to Dismiss where they argue that he is precluded from an individualized order granting relief because he is a member of the class in *Maldonado Bautista v. Santacruz Jr et al.*, No. 5:25-cv-01873-SSS-BFM. (Dkt. 7). The Respondent's reliance on the class-certification order in *Maldonado* to deny this Court jurisdiction over the Petitioner's individualized petition for a writ of habeas corpus and an accompanying bond hearing is fundamentally misguided.

Their latest angle highlights an attempt to argue both sides of the law – that detainees are properly subject to mandatory detention pursuant to 8 U.S.C Section 1225(b)(2), while simultaneously presenting a new argument that *Maldonado Bautista*'s class certification bars them from individualized relief before this Court. Further, Immigration judges have informed class members in bond hearings that they have been instructed by "leadership" that the declaratory

judgment in *Maldonado Bautista* is not controlling, even with respect to class members, and that instead IJs remain bound to follow the agency's prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

Petitioner argues that the Respondents' assertion that class certification in *Maldonado Bautista* divests this Court of jurisdiction to hear the Petitioner's individualized habeas claim is misplaced. A petition for a writ of habeas corpus, filed under 28 U.S.C. § 2241, is an inherently individualized challenge to the legality or duration of a person's detention. Tellingly, none of the decisions Respondents cited in their Motion involves a petition for a writ of habeas corpus. *See Dkt. 7.*

The idea that Petitioner can only now be bound by the relief afforded through *Maldonado Bautista* is contrary to the essence of a habeas petition, a form of relief that is immediate by nature. The Supreme Court has long held that habeas corpus is "perhaps the most important writ known to the constitutional law . . . affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). "The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application." *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted). Outside of statutory eligibility, there are no limitations to a detainee seeking habeas corpus relief for unlawful detention.

Petitioner thus respectfully requests that this Court follow its previous decision in *Villa* and the class action lawsuit in *Maldonado* Bautista, grant his habeas petition, and order immediate release from custody, or that a bond hearing be set pursuant to 8 U.S.C. § 1226.

Respectfully submitted this 8th day of December, 2025.

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