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

Juan Josue Bautista Diaz	)	Case No. 5:25-cv-166
Petitioner,	)	
	)	
v.	)	
	)	
WARDEN Folkston Main Detention Center, et. al	)	
Respondents.	)	
	)	

MOTION TO EXPEDITE RULING UNDER 28 U.S.C. § 2243

COMES NOW Petitioner, by and through undersigned counsel, and respectfully moves this Court to expedite its ruling on the pending Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2243, and in support states as follows:

I. Legal Standard

Under 28 U.S.C. § 2243, “[t]he court shall summarily hear and determine the facts, and dispose of the matter as law and justice require.” The statute mandates that habeas petitions be resolved promptly, reflecting Congress’s intent that challenges to unlawful detention receive swift judicial review.

II. Grounds for Expedited Ruling

A. Prolonged Detention Without Statutory Authority

Petitioner has been detained since October 18, 2025 under 8 U.S.C. § 1225(b)(2)(A), which this Court has already determined in *Villa v. Normand*, No. 5:25-cv-89, does not apply to individuals in § 1229a removal proceedings encountered in the interior. Petitioner is similarly situated to the *Villa* petitioners, and Respondents concede that if *Villa* controls, Petitioner is entitled to release or a bond hearing.

B. Controlling Precedent Resolves All Issues

Respondents' arguments mirror those rejected in *Villa*. No factual or legal distinction exists. Further delay serves no purpose other than to prolong unlawful detention.

C. Irreparable Harm from Continued Detention

Each day of detention imposes severe hardship on Petitioner, who has a pending asylum application and strong ties to the community. Continued detention without legal basis violates due process and undermines the statutory scheme.

III. Relief Requested

Petitioner respectfully requests that the Court expedite its ruling on the pending habeas petition pursuant to 28 U.S.C. § 2243; or Alternatively, schedule an immediate hearing to dispose of the matter as law and justice require.

WHEREFORE, Petitioner prays that this Motion be granted and for such other relief as the Court deems just and proper.

Dated: January 4, 2026

Respectfully submitted,

/s/ Michelle M. Reyes*
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