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

Amenda EDMOND,

Petitioner,

v.

Jason STREEVAL, Warden of Stewart
Detention Center, in his official capacity;
George STERLING, Deputy Field Office
Director of the Atlanta Field Office, U.S.
Immigration and Customs Enforcement; Todd
LYONS, in his official capacity as acting
Director of U.S. Immigration and Customs
Enforcement, Kristi NOEM, in her official
capacity as Secretary of the U.S. Department
of Homeland Security, and Pamela BONDI,
in her official capacity as Attorney General,


Respondents.

HEARING REQUESTED

Case No.:

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

INTRODUCTION

1. Petitioner Amenda Edmond (A ) is a native and citizen of Haiti who was paroled into the country to seek asylum from Haiti in July 2022.¹ On December 24, 2024, Ms. Edmond was granted Temporary Protected Status (“TPS”) for Haiti. This grant of TPS is valid through February 3, 2026, the date that TPS for Haiti expires due to Respondent Noem’s decision to terminate TPS for Haiti. *See* Temporary Protected Status Designated Country: Haiti, United States Citizenship and Immigration Services, <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti>.

2. Despite the Immigration and Nationality Act’s mandate that any individual granted TPS “shall not be detained by the Attorney General on the basis of the alien’s immigration status in the United States,” 8 U.S.C. § 1254a(d)(4), Ms. Edmond is currently detained at the Stewart Detention Center after a conviction for a minor traffic offense. Ms. Edmond currently has TPS status, and Respondents have made no attempt to revoke her TPS status, nor could they based on one misdemeanor conviction.

3. Respondents’ detention of Ms. Edmond plainly violates the Immigration and Nationality Act’s (“INA”) mandate against the detention of TPS holders on the basis of their immigration status. Respondents’ detention of Ms. Edmond also violates her due process rights

¹ Petitioner concedes she is an “arriving alien,” as she is classified in her Notice to Appear, so she is statutorily ineligible for release on bond. *See* Exhibit A; 8 U.S.C. § 1225(b)(2)(A). Because she was paroled into the country at a port of entry and did not enter unlawfully, she is not within the set of individuals that Respondents have been consistently mischaracterizing as “applicants for admission” who are eligible for habeas relief pursuant to this Court’s decision in *J.A.M. v. Streeval*, No. 25-cv-342, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025). Nevertheless, as discussed herein, Petitioner cannot be detained based on her active TPS status.

under the Fifth Amendment by unlawfully detaining her without any meaningful way to challenge her detention, as she is not eligible for bond as a so-called “arriving alien.”

JURISDICTION AND VENUE

4. Ms. Edmond is currently in the physical custody of Respondents at the Stewart Detention Center in Lumpkin, Georgia.

5. This Court has jurisdiction under 28 U.S.C. § 2241 (*habeas corpus*), 28 U.S.C. § 1331 (*federal question*), 28 U.S.C. § 1651 (*All Writs Act*), 28 U.S.C. §§ 2201–2202 (*Declaratory Judgment Act*), 5 U.S.C. § 702 (*APA*), and Article I, Section 9, Clause 2 of the United States Constitution (*Suspension Clause*). Ms. Edmond is presently in custody under color of the authority of the United States and challenges her custody as in violation of the Constitution, laws, or treaties of the United States.

6. Federal district courts have jurisdiction under § 2241 to hear habeas claims by individuals challenging the lawfulness of their detention by ICE. See, e.g., *Zadydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003). The Supreme Court has repeatedly upheld such jurisdiction, most recently in *Jennings v. Rodriguez*, 583 U.S. 281, 292–96 (2018).

7. Venue is proper in the Middle District of Georgia, Columbus Division, pursuant to 28 U.S.C. §§ 1391 and 2241(d), because Petitioner is detained within this District at the Stewart Detention Center.

PARTIES

8. Petitioner Amenda Edmond is a native and citizen of Haiti unlawfully detained at the Stewart Detention Center in Lumpkin, Georgia. ICE has held her in custody since around August 2025 after she was convicted of a minor traffic offense.

9. Respondent Jason Streeval is the warden of the Stewart Detention Center and

controls the detention center where Petitioner is confined under the authority of ICE. Mr. Streeval has direct physical custody of Petitioner and is her immediate custodian. Mr. Streeval is sued in his official capacity.

10. Respondent George Sterling is the Acting Director of ICE's Atlanta Field Office, which has jurisdiction over ICE detention facilities in Georgia, including the Stewart Detention Center. He exercises authority over Petitioner's detention and is sued in his official capacity.

11. Respondent Todd Lyons is the Acting Director of ICE. He is responsible for the overall administration of ICE and for the implementation and enforcement of the immigration laws, including immigrant detention. As such, Mr. Lyons is a legal custodian of Petitioner. He is sued in his official capacity.

12. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (DHS). DHS is responsible for the administration of ICE, a component agency, and for the implementation and enforcement of the immigration laws. As such, Secretary Noem is a legal custodian of Petitioner. She is sued in her official capacity.

13. Respondent Pamela Bondi is the Attorney General of the United States and head of the Department of Justice, which encompasses the Board of Immigration Appeals (BIA) and the Immigration Courts. The Attorney General shares responsibility for the implementation and enforcement of the immigration laws with Respondents Lyons and Noem. Attorney General Bondi is a legal custodian of Petitioner and is sued in her official capacity.

FACTS

14. Petitioner Amenda Edmond is a native and citizen of Haiti who was paroled into the United States in July 2022 to seek asylum. *See* Exhibit A, Notice to Appear. On December 24, 2024, Ms. Edmond was granted TPS for Haiti, which is currently valid through the expiration

of TPS for Haiti on February 3, 2026. *See* Exhibit B, TPS Approval Notice. In March 2025, Ms. Edmond was convicted of a minor traffic offense, for which she paid a fine and was sentenced to probation. *See* Exhibit C, Copy of Criminal Disposition. In August 2025, Ms. Edmond's parole was revoked, and she was ordered "to be released to ICE." *See* Exhibit D, Request for Warrant Dismissal. She has been detained at the Stewart Detention Center since this date.

15. Despite her criminal history, Ms. Edmond's TPS remains in full force, and Respondents have made no effort to revoke her TPS, nor could they because she has not been convicted of a felony or two misdemeanors. *See* 8 U.S.C. § 1254a(c)(2)(B)(i) (stating that any individual with a felony or two or more misdemeanors is ineligible for TPS).

16. Nevertheless, Ms. Edmond remains unlawfully detained by Respondents despite her active TPS status.

LEGAL FRAMEWORK

17. Temporary Protected Status provides a form of humanitarian relief to individuals from certain countries. *Sanchez v. Mayorkas*, 593 U.S. 409, 412 (2021). A grant of TPS gives temporary protection against deportation and provides authorization for the individual to work lawfully in the United States. *See* INA § 244(a), 8 U.S.C. § 1254a(a).

18. Under INA § 244, 8 U.S.C. 1254a, any individual "provided temporary protected status under this section shall not be detained by the Attorney General on the basis of the alien's immigration status in the United States." *Id.* § 1254a(d)(4). Respondents have done just that, as there is no other basis for detaining Petitioner given her active TPS status.

19. Any individual with a felony or two or more misdemeanors is statutorily ineligible for TPS. *See* 8 U.S.C. § 1254a(c)(2)(B)(i) (stating that any individual with a felony or two or more misdemeanors is ineligible for TPS).

20. Other district courts have recognized that habeas petitioners with valid TPS cannot be detained during pending immigration proceedings. *See, e.g., Rojas v. Venegas*, No. 1:25-cv-00056, 2025 WL 996421, at *1 (S.D. Tex. Apr. 2, 2025); *Sanchez Puentes v. Garite*, No. 25-cv-00127, 780 F. Supp. 3d 682, 697-98 (W.D. Tex. Apr. 25, 2025).

21. Individuals who DHS classifies as so-called “arriving aliens” who are paroled into the country at a port of entry are statutorily ineligible to seek bond while their removal proceedings are pending. *See* 1225(b)(2)(A).

CLAIMS FOR RELIEF

COUNT I

Violation of 8 U.S.C. 1254a Unlawful Denial of TPS Recipient

22. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

23. The INA makes clear that no TPS recipient may be detained while in active TPS status. Petitioner is a current TPS recipient from Haiti, and therefore her detention is unlawful. There is no indication that Respondents have revoked Petitioner’s TPS, nor could they because she does not have two or more misdemeanor convictions or a felony conviction.

24. Respondents’ decision to detain Ms. Edmond is patently in violation of the INA.

COUNT II

Violation of the Fifth Amendment Due Process

25. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

26. Under the Fifth Amendment of the Constitution, no person shall be deprived of liberty without due process of law. Freedom from imprisonment and government custody lies at the core of the liberty protected by the Due Process Clause. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). The protections of the Due Process Clause extend to all persons within the United States, regardless of immigration status. *Id.* at 693.

27. Respondents' detention of Ms. Edmond without the possibility of release despite her current TPS status violates her due process rights under the Fifth Amendment. She cannot otherwise seek a bond hearing because she was paroled into the country, so she is an "arriving alien" that otherwise would have to remain detained while her removal proceedings are pending if she did not otherwise have valid TPS status. *See* 8 U.S.C. § 1225(b)(2)(A).

PRAYER FOR RELIEF

WHEREFORE, Petitioner Amenda Edmond prays that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Order Respondents to show cause why the writ should not be granted within **three days**, pursuant to 28 U.S.C. § 2243;
3. Grant a writ of habeas corpus ordering the immediate release of Ms. Edmond pursuant to her active TPS status;
4. Expedite consideration of this action pursuant to 28 U.S.C. § 1657 because it is an action brought under chapter 153 (habeas corpus) of Title 28;
5. In the event the Court determines a genuine dispute of material fact exists regarding Petitioner's entitlement to habeas relief, schedule an evidentiary hearing pursuant to 28 U.S.C. § 2243;
6. Enter preliminary and permanent injunctive relief enjoining Respondents from further

unlawful detention of Petitioner;

7. Declare that Petitioner's detention violates the INA;
8. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
9. Award reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412; and
10. Grant such further relief as this Court deems just and proper.

Dated: December 19, 2025

Respectfully submitted,

/s/ Thomas Evans

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