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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

DANIA HERNÁNDEZ RÍOS,
Petitioner (Pro Se),

v.

Civil Action No.: _____

JASON STREEVAL, et al.,
Respondents.

**EMERGENCY MOTION FOR IMMEDIATE RELIEF
(INCLUDING TEMPORARY RESTRAINING ORDER)
(IMMEDIATE RELEASE OR, IN THE ALTERNATIVE, ORDER REQUIRING
TRANSPORTATION/ESCORT TO USCIS ASC BIOMETRICS ON 12/31/2025)**

Petitioner Dania Hernández Ríos, pro se, respectfully moves for emergency relief, including a Temporary Restraining Order, because she will suffer imminent and irreparable harm absent immediate court intervention.

I. EMERGENCY RELIEF REQUESTED

1. Primary Relief Requested: An order directing ICE to immediately release Petitioner from Stewart Detention Center under reasonable conditions so she can attend mandatory USCIS

ASC biometrics on December 31, 2025 and prepare for her Immigration Court hearing on January 8, 2026.

2. Alternative Relief Requested: If the Court does not order release, Petitioner requests an order requiring ICE to transport/escort Petitioner to the USCIS ASC biometrics appointment on December 31, 2025 and to provide written confirmation of logistics immediately.

II. WHY THIS IS AN EMERGENCY

3. Petitioner has a mandatory USCIS ASC biometrics appointment on December 31, 2025. Petitioner cannot travel to the ASC while detained unless ICE transports/escorts her or releases her.

4. Petitioner has been detained since June 3, 2025 without an individualized bond hearing or comparable custody hearing providing a meaningful opportunity to challenge continued detention.

5. Petitioner has an Immigration Court hearing on January 8, 2026 before Immigration Judge Jerrica A. Harness, and continued detention materially impairs her ability to prepare pro se.

6. Petitioner has repeatedly sought administrative action (release, transport to biometrics, or written custody determination). ICE has not provided timely substantive relief.

III. LEGAL STANDARD FOR TRO / EMERGENCY INJUNCTIVE RELIEF

7. Emergency relief is appropriate where the movant shows:

- (1) substantial likelihood of success on the merits;
- (2) irreparable injury absent relief;
- (3) the balance of equities favors relief; and
- (4) relief serves the public interest.

IV. ARGUMENT

A. Substantial Likelihood of Success (Due Process)

8. Petitioner challenges prolonged civil immigration detention without constitutionally adequate individualized custody process. The Fifth Amendment imposes limits on prolonged civil detention without meaningful procedures and individualized findings.

9. *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018), did not foreclose as-applied constitutional challenges to prolonged detention without adequate process. Petitioner's challenge is as-applied.

10. Petitioner has no criminal history, is not dangerous, and is actively pursuing lawful relief. Continued detention without meaningful process is unlawful as applied here.

B. Irreparable Harm

11. Petitioner will suffer irreparable harm without immediate relief because:

- a. Petitioner will miss mandatory USCIS biometrics on December 31, 2025 unless ICE transports/escorts her or releases her;
- b. Continued detention materially prejudices preparation for Immigration Court proceedings while pro se; and
- c. Each additional day of unconstitutional civil detention is irreparable constitutional injury.

C. Balance of Equities

12. The equities strongly favor Petitioner. Petitioner faces loss of critical rights and deadlines. The government can address any appearance concerns through reasonable conditions of release or by transporting Petitioner to biometrics.

D. Public Interest

13. The public interest favors constitutional compliance, orderly adjudication of asylum and court proceedings, and allowing an asylum applicant to comply with DHS/USCIS requirements and prepare for hearing.

V. REQUEST FOR IMMEDIATE ACTION

14. Petitioner respectfully requests immediate action due to the December 31, 2025 biometrics deadline.

15. Petitioner requests that the Court consider this motion immediately, grant relief without awaiting a full response if necessary, or set an emergency hearing immediately.

VI. DECLARATION UNDER PENALTY OF PERJURY (28 U.S.C. § 1746)

I, Dania Hernández Ríos, declare under penalty of perjury:

1. I am 22 years old, a citizen of Mexico, and I am detained at Stewart Detention Center in Lumpkin, Georgia.

2. I have been detained since June 3, 2025 and have not received an individualized bond hearing or constitutionally adequate custody hearing.
3. I have a USCIS ASC biometrics appointment scheduled for December 31, 2025, and I cannot attend unless ICE transports/escorts me or releases me.
4. I have an Immigration Court hearing scheduled for January 8, 2026 at 10:00 AM before Immigration Judge Jerrica A. Harness.
5. I have no criminal record, I am not a danger, and I will comply with all conditions of release and appear for all required proceedings.

Executed on December 30, 2025, at Lumpkin, Georgia.



/s/ Dania Hernández Ríos

Dania Hernández Ríos, Petitioner Pro Se

A# 

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