

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

Rigoberto MEJIA DISLA, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
JASON STREEVAL, *in his official capacity* )  
*as Warden of Stewart Detention Center, and* )  
GEORGE STERLING, *Field Office Director ICE* )  
*Atlanta Field Office and TODD LYONS, in his* )  
*official capacity as Acting Director of Immigration* )  
*and Customs Enforcement and KRISTI NOEM* )  
*Secretary of Homeland Security,* )  
 )  
Respondents. )

Case No. 4:26-cv-00050

PETITION FOR WRIT  
OF HABEAS CORPUS

A# 

REPLY TO GOVERNMENT'S ABBREVIATED RESPONSE  
TO PETITION AND RESPONSE TO ORDER TO SHOW  
CAUSE

Respondents acknowledge that, if this Court adheres to its statutory analysis in *J.A.M.*, that reasoning controls the outcome here. Doc. 5 at p. 2; *J.A.M. v. Streeval*, No. 4:25-cv-342-CDL-AGH (M.D. Ga. Nov. 1, 2025). Respondents have not offered a workable distinction that would justify a different result: Petitioner is entitled to the same relief *J.A.M.* provides when DHS applies INA § 235(b), 8 U.S.C. § 1225(b), to an interior arrest that should be governed by INA § 236(a), 8 U.S.C. § 1226(a).

Respondents principally reassert two arguments this Court rejected in *J.A.M.*: a jurisdictional objection under 8 U.S.C. § 1252(g) and a statutory-interpretation argument concerning the proper reading of 8 U.S.C. §§ 1225 and

1226, expressly to preserve those issues for later review. Reassertion for preservation does not supply a basis to depart from *J.A.M.*. The petition challenges the legal authority under which DHS is detaining Petitioner and the resulting denial of the bond process Congress provided under § 1226(a); *J.A.M.* already addressed that question.

On the statutory merits, Respondents' own framing underscores why *J.A.M.* controls. They describe §§ 1225 and 1226 as complementary provisions governing pre-final order detention.

Respondents' position would effectively collapse that structure by allowing DHS to treat any noncitizen present without admission as perpetually subject to § 1225(b)(2), even when the person is arrested in the interior and placed into § 1229a proceedings where § 1226(a) is the ordinary detention authority. *J.A.M.* correctly rejects that expansion because it would render § 1226(a)'s bond framework largely illusory for interior arrests.

Respondents rely on *Jennings* for the proposition that § 1225(b)(2) is broader than § 1225(b)(1) and functions as a catchall for applicants for admission not covered by § 1225(b)(1). But *Jennings* does not resolve the antecedent question presented here: whether an individual arrested and processed by DHS under § 1226(a) can retroactively be classified as an applicant for admission for purposes of mandatory detention under § 1225(b)(2). *J.A.M.*'s statutory analysis answers that question in the negative, and the Government has not identified any intervening binding authority

requiring a different conclusion.

The remedy is narrow and administrable. If the Court adheres to *J.A.M.*, Respondents themselves request seven days to arrange an individualized bond hearing under 8 U.S.C. § 1226(a). The Court should grant the writ to that limited extent and order a prompt § 1226(a) bond hearing within the period Respondents propose.

Dated: January 15, 2026

Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that the document to which this certificate is attached has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1 for documents prepared by computer.

/s/ Helen L Parsonage

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