

UNITED STATES DISTRICT COURT

FILED  
U.S. DISTRICT COURT  
SOUTHERN DIST. OF GA. DIV.

SOUTHERN DISTRICT OF GEORGIA

2026 JAN 13 P 2:36

BRUNSWICK DIVISION

CLERK: KTM  
S.D. DIST. OF GA.

**Leurys Cruz,**  
Petitioner,

v.

**Warden, Folkston Processing Center; U.S. Immigration and Customs  
Enforcement (ICE); Attorney General of the United States,**  
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS  
(28 U.S.C. § 2241)

**I. INTRODUCTION**

This case presents a straightforward but urgent constitutional question: whether the federal government may continue to confine a noncitizen in civil immigration detention for months without providing a meaningful opportunity to seek release. Petitioner Leurys Cruz has no criminal convictions, entered the United States under parole, and poses no danger to the community. Yet he remains confined at the Folkston Processing Center without an individualized bond hearing. The Constitution forbids this result.

**II. JURISDICTION AND VENUE**

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody within this District. Venue is proper in the Southern District of Georgia, Brunswick Division, because Petitioner is detained at the Folkston Processing Center located within this Division.

**III. PARTIES**

Petitioner Leurys Cruz is currently detained by U.S. Immigration and Customs Enforcement (ICE) at the Folkston Processing Center. Respondents include the Warden of that facility, ICE, and the Attorney General of the United States, each of whom exercises authority over Petitioner's custody.

#### **IV. FACTUAL BACKGROUND**

Petitioner entered the United States under parole, which constitutes a lawful admission for immigration purposes. He has no criminal convictions and no history of violence. Despite these facts, ICE has detained Petitioner for several months. During this period, ICE has not provided Petitioner with an individualized bond hearing at which the government bears the burden to justify continued detention. The prolonged confinement has inflicted severe emotional and financial hardship on Petitioner's spouse and household, destabilizing their family life without advancing any legitimate government interest.

#### **V. LEGAL FRAMEWORK**

Immigration detention is civil, not punitive. The Due Process Clause of the Fifth Amendment requires that civil detention bear a reasonable relation to its purpose and include adequate procedural safeguards. Prolonged detention without a prompt, individualized bond hearing violates due process because it transforms civil detention into punishment and risks erroneous deprivation of liberty.

#### **VI. CLAIMS FOR RELIEF**

**Claim One – Unconstitutional Prolonged Detention.** Petitioner's months-long detention without an individualized bond hearing violates due process. The government has not demonstrated that continued detention is necessary to prevent flight or danger, nor has it provided a neutral decision-maker to assess those questions.

**Claim Two – Detention Not Reasonably Related to a Legitimate Purpose.** Continued detention without review is excessive and punitive in effect. Where less restrictive alternatives exist and the government has not met its burden, continued confinement is unlawful.

#### **VII. REQUEST FOR RELIEF**

Petitioner respectfully requests that this Court grant the writ and order his immediate release from ICE custody. In the alternative, Petitioner requests an order directing the government to provide an immediate, individualized bond hearing before an Immigration Judge at which ICE bears the burden of proving, by clear and convincing evidence, that continued detention is necessary.

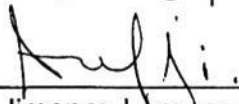
**VIII. NO JURY DEMAND**

Petitioner does not request a jury trial.

**IX. DECLARATION**

I declare under penalty of perjury that the foregoing is true and correct. Petitioner is unable to sign this petition due to restrictions related to immigration detention. I submit this petition as his Next Friend.

Executed on: January 12, 2026



---

Anel Rosio Jimenez Lorenzo  
Next Friend of Petitioner Leurys Cruz  
Pro Se

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

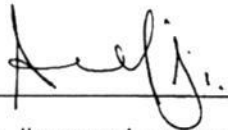
**DECLARATION OF ANEL ROSIO JIMENEZ LORENZO**

I, Anel Rosio Jimenez Lorenzo, hereby declare as follows:

1. I am over the age of eighteen (18), competent to testify, and make this declaration based on my personal knowledge.
2. I am the lawful spouse of Leury Cruz, who is currently detained by U.S. Immigration and Customs Enforcement at the Folkston Processing Center in Folkston, Georgia.
3. I submit this declaration in support of my husband's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging the legality of his continued immigration detention.
4. My husband has no criminal convictions and has never posed a danger to the community.
5. Since his detention, our household has suffered significant emotional, mental, and financial hardship.
6. His prolonged detention has caused stress, anxiety, and instability, affecting my daily life and overall well-being.
7. My husband has strong family and community ties and is willing to comply with any conditions of release imposed by the Court.
8. I respectfully request that the Court grant his release from detention or, in the alternative, order an immediate individualized bond hearing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 12, 2026



\_\_\_\_\_  
Anel Rosio Jimenez Lorenzo

Spouse of Petitioner Leury Cruz

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

EXHIBIT LIST

(In Support of Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241)

Petitioner, through his Next Friend, respectfully submits the following exhibits in support of the Petition for Writ of Habeas Corpus:

**Exhibit A** – Proof of ICE Custody

ICE Detainee Locator System printout confirming that Petitioner, Leurys Cruz, is currently in the custody of U.S. Immigration and Customs Enforcement and detained at the Folkston Processing Center in Folkston, Georgia.

**Exhibit B** – Copy of Petitioner's Passport

Copy of Petitioner's passport submitted for identification purposes and to confirm Petitioner's identity.

**Exhibit C** – Evidence of Lawful Parole Entry

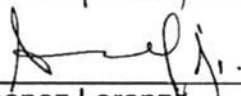
Documentation reflecting that Petitioner entered the United States under parole, including parole paperwork or ICE records acknowledging parole status.

**Exhibit D** – ICE Reporting Notice Leading to Detention

Written notice or letter issued by U.S. Immigration and Customs Enforcement instructing Petitioner to report to ICE on a specified date, at which time he voluntarily complied and was taken into custody and detained.


Petitioner reserves the right to supplement this record as necessary.

Date: January 12, 2026

  
\_\_\_\_\_  
Anel Rosio Jimenez Lorenzo  
Next Friend of Petitioner Leurys Cruz  
Pro Se



# U.S. Immigration and Customs Enforcement

 [Main Menu](#)

[< BACK TO RESULTS](#)

## Facility Page

Detention Information For:

**LEURYS CRUZ**

Country of Birth: Dominican Republic

A-Number: 

Current Detention Facility:

Folkston D Ray ICE Processing Center

3262 HWY 252 East

NA

Folkston , GA 31537

Visitor Information: (912) 496-6242

[MORE INFORMATION >](#)



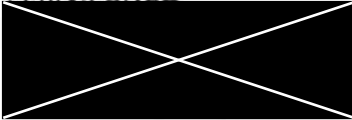
CONTROL Name (Last, First, Middle) <small>CROSS, LEONYS</small>						
Birthdate [REDACTED]		Age 27	Marital Status <input checked="" type="checkbox"/> Single <input type="checkbox"/> Separated		<input type="checkbox"/> Widowed <input type="checkbox"/> Married <input type="checkbox"/> Divorced	[REDACTED]
Sex M	Hair BLK	Eyes BLK	Complexion BLK	Height 70	Weight 170	Scars or Marks
U.S. Address/Mail (Number) (Street) (City) (State) (ZIP CODE) [REDACTED]						
Alien's Telephone # [REDACTED]			Date of Action 12/17/2022		Location Code EGS	
City, Province (State) and Country of Birth DOMINICAN REPUBLIC, DOMINICAN REPUBLIC				Country of Citizenship DOMINICAN REPUBLIC		
Date, Place, Time, and Manner of Last Entry/Attempted Entry 12/15/2022, 0800, 4 mile(s) S of EGF, PMA (AF00T)				Status at Entry PMA Mexico		
Foreign Address/Residence (Number, Street, City, Province (State), Country) DOMINICAN REPUBLIC						
Method of Location/Apprehension PB UNKNOWN			(A/Near) EAGLE PASS, TX		Date & Hour 12/15/2022 0815	

U.S. DEPARTMENT OF HOMELAND SECURITY  
**PAROLED**  
 Until: 2/15/2023  
 Purpose: 212(a)(5)  
 12/17/2022 DRT G4  
(Date) (Location) (Officer)  
 U.S. DEPARTMENT OF HOMELAND SECURITY

Department of Homeland Security  
US Immigration and Customs Enforcement  
970 Broad St, 11<sup>th</sup> floor  
Newark, New Jersey 07102



Lourys CRUZ



File#



Date: 08/25/2025

Please come to the office shown below at the time and place indicated in connection with an official matter:

Office Location	970 Broad St, 11 <sup>th</sup> floor Newark, New Jersey 07102
Date and Hour	September 20, 2025 at 8am
Ask for	Deportation Officer
Reason for appointment	Reporting
Bring with you	All paperwork issued by Immigration & Customs Enforcement

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU.

**Warning:** Failure to report may result in the issuance of a warrant for your arrest and cause you to be classified as fugitive. Appearance dates generally will not be re-scheduled unless you are able to establish that exceptional circumstances prevent you from reporting on the date set forth above. The term "Exceptional Circumstances" such as your serious illness or the serious illness or death of your spouse, child, or parent, but not including less compelling circumstances beyond your Control.

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

**I. PLAINTIFFS**

Leurys Cruz (Petitioner)

**II. DEFENDANTS**

Warden, Folkston Processing Center; U.S. Immigration and Customs Enforcement (ICE); Attorney General of the United States

**III. BASIS OF JURISDICTION**

Federal Question (28 U.S.C. § 2241)

**IV. NATURE OF SUIT**

530 – Habeas Corpus

**V. ORIGIN**

Original Proceeding

**VI. CAUSE OF ACTION**


28 U.S.C. § 2241 – Unlawful Immigration Detention

**VII. RELIEF REQUESTED**

Immediate release from ICE detention, or in the alternative, an individualized bond hearing before an Immigration Judge.

**VIII. RELATED CASES**

No related cases

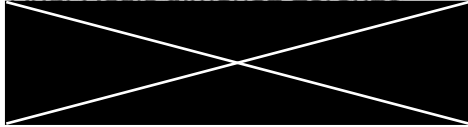


---

Anel Rosio Jimenez Lorenzo  
Next Friend of Petitioner Leurys Cruz  
Pro Se

Date: January 12, 2026

Anel Rosio Jimenez Lorenzo



Date: January 12, 2026

Clerk of Court  
U.S. District Court  
Southern District of Georgia  
Brunswick Division  
801 Gloucester Street  
Brunswick, GA 31520

**Re: Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)**

Dear Clerk of Court:

Please find enclosed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, submitted on behalf of Petitioner Leurys Cruz, who is currently detained by U.S. Immigration and Customs Enforcement at the Folkston Processing Center. Petitioner is unable to sign the petition due to restrictions related to immigration detention, and the petition is therefore submitted by his spouse as Next Friend.

Also enclosed are the completed Civil Cover Sheet, a supporting declaration, and the required filing fee or motion to proceed in forma pauperis. Kindly file the enclosed documents accordingly.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anel Rosio Jimenez Lorenzo'.

---

Anel Rosio Jimenez Lorenzo  
Next Friend of Petitioner Leurys Cruz  
Pro Se