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JAN 02 2026

LF 026 (Rev. 11/19) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the Northern District of Georgia

By  KEVIN P. WEIMER, Clerk
Deputy Clerk

JOSE LUIS VALLADOLID CUBILLAS

Petitioner

v.


MERRICK B. GARLAND, ATTORNEY GENERAL
OF THE UNITED STATES

*Respondent (name of warden or authorized person having custody
of petitioner)*

Case No. **1:26-CV-0021**
(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: JOSE LUIS VALLADOLID CUBILLAS
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: FOLKSTON MAIN DETENTION CENTER
(b) Address: 3026 GA-252 E. FOLKSTON, GA 31537.
- (c) Your identification number: PASSPORT 
3. Are you currently being held on orders by:
 Federal authorities State authorities Other - explain: _____
4. Are you currently:
 A pretrial detainee (waiting for trial on criminal charges)
 Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
 Being held on an immigration charge
 Other (explain): _____


Decision or Action You Are Challenging

5. What are you challenging in this petition:
 How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): _____

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: _____
Office of the Chief Clerk, 5107 Leesburg Pike, Suite 2000, Falls Church, VA 22041.
- (b) Docket number, case number, or opinion number: 
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Removal proceedings
- (d) Date of the decision or action: 10/07/2025


Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- Yes No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: _____
5107 Leesburg Pike, Suite 2000, Falls Church, VA 22041
- (2) Date of filing: 11/05/2025
- (3) Docket number, case number, or opinion number: 
- (4) Result: pending
- (5) Date of result: _____
- (6) Issues raised: _____

Prolonged ICE detention without a prompt individualized bond hearing; due process violations related to continued detention.

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes No

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If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

N/A

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

Yes No


If "Yes," provide:

- (a) Date you were taken into immigration custody: 10/25/2025
- (b) Date of the removal or reinstatement order: 10/07/2025
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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If "Yes," provide:

- (1) Date of filing: 11/05/2025
- (2) Case number: 
- (3) Result: pending
- (4) Date of result:
- (5) Issues raised: Jose Luis Valladolid Cubillas was detained while his appeal was pending.

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court:
- (2) Date of filing:
- (3) Case number:
- (4) Result:
- (5) Date of result:
- (6) Issues raised:

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes No

If "Yes," provide:

- (a) Kind of petition, motion, or application:
- (b) Name of the authority, agency, or court:
- (c) Date of filing:
- (d) Docket number, case number, or opinion number:
- (e) Result:
- (f) Date of result:
- (g) Issues raised:

LF 026 (Rev. 11/19) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Prolonged immigration detention without a bond hearing violates due process.

(a) Supporting facts (Be brief. Do not cite cases or law.):

I have been detained since October 25, 2025 at Folkdton Main Detetion Center. I have been detained for almost 2 months. I have not received a bond hearing. I have strong community ties and a release plan at Atlanta, GA.

(b) Did you present Ground One in all appeals that were available to you?

Yes No

GROUND TWO: Fraud / fake representative facts

(a) Supporting facts (Be brief. Do not cite cases or law.):

Prior to receiving the removal order, Valladolid relied on a fraudulent immigration organization who claimed to be authorized to represent him. He paid approximately \$6,000 (via Zelle). He later learned that this organization did not file the promised applications or take action in his case. At his real immigration court hearing on , he discovered that no meaningful filings had been made on his behalf, which contributed to the issuance of a removal order. He is now pursuing legitimate legal remedies (including motion to appeal) and has supporting evidence of the fraud (fake documents, emails, etc).

(b) Did you present Ground Two in all appeals that were available to you?

Yes No

GROUND THREE: I have a spouse and child who depends on me

(a) Supporting facts (Be brief. Do not cite cases or law.):

I have a spouse, Sofia Todora Fretel Mejia, and a minor child, M [REDACTED] age 3, who depend on me for daily financial support and emotional care. Since my detention, my family has suffered severe hardship, including difficulty meeting basic expenses and emotional distress.

(b) Did you present Ground Three in all appeals that were available to you?

Yes No

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GROUND FOUR: _____

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

Yes No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

At the moment that the first appeal was presented, I was not under custody of ICE.

Request for Relief

15. State exactly what you want the court to do: _____

I respectfully request that the Court order Respondents to provide me with a prompt individualized bond (custody) hearing before an Immigration Judge within 14 days, at which the Government must justify continued detention. In the alternative, if a bond hearing is not provided within that time, I request the Court order my release under appropriate conditions of supervision.

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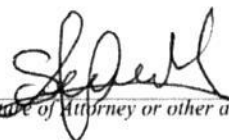
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 12/23/2025

Signature of Petitioner



Signature of Attorney or other authorized person, if any

PROOF OF SERVICE

I, Sofia Teodoro Fretel Mejia, declare under penalty of perjury that on the date indicated below, I served a true and correct copy of the following document:

"Explanatory Letter in Support of Habeas Corpus Petition for Jose Luis Valladolid Cubillas,



by delivering or mailing said document to the following parties:

1. Clerk of Court

United States District Court for the Northern District of Georgia
75 Ted Turner Dr NW #2211,
Atlanta, GA 30303

2. U.S. Attorney's Office for the District of Georgia

Richard B. Russell Federal Building at 75 Ted Turner Drive SW, Suite 600,
Atlanta, GA 30303-3309

3. Folkston ICE Processing Centre

3026 GA-252 E,
Folkston, GA 31537

I declare that the foregoing is true and correct to the best of my knowledge.

Executed on: 12/26/2025


A handwritten signature in black ink, appearing to read 'Sofia Teodoro Fretel Mejia'.

Sofia Teodoro Fretel Mejia

**EXPLANATORY LETTER IN SUPPORT OF HABEAS
CORPUS PETITION**

Date:

To the Honorable United States District Court for the District of Georgia

RE: Habeas Corpus Petition on behalf of
Jose Luis Valladolid Cubillas, 
Submitted by his wife, Sofia Teodoro Fretel Mejia

Dear Honorable Court:

My name is Sofia Teodoro Fretel Mejia, and I respectfully submit this explanatory letter in support of the Habeas Corpus Petition filed on behalf of Jose Luis Valladolid Cubillas, who is currently detained by ICE at the Folkston Main Detention Center in Folkston, Georgia. The purpose of this letter is to provide additional context regarding the Petitioner's circumstances and to explain why his immediate release or, at minimum, a custody redetermination (bond) hearing is both justified and necessary.

1. Physical and Emotional Deterioration of the Petitioner

Since his detention on October 25, 2025, Mr. Valladolid Cubillas has experienced significant deterioration in his physical and emotional well-being. Despite multiple requests, he has not received adequate and timely medical attention. His continued confinement, without appropriate care, creates a substantial risk to his health and raises serious due process concerns.

2. Full Compliance With Immigration Supervision and Demonstrated Good Faith

Before his detention, Mr. Valladolid Cubillas consistently complied with immigration requirements. He remained enrolled in and compliant with the ISAP program (Intensive Supervision Appearance Program) and followed all instructions given to him. His history of compliance shows he is willing and able to appear as required and obey supervision conditions.

In addition, he made substantial efforts to obtain lawful guidance and resolve his immigration situation responsibly. Unfortunately, while seeking legal assistance, he was defrauded by an organization that falsely claimed to provide legitimate legal representation. He paid a significant amount of money, believing they were qualified attorneys and relying on their false promises that he would "receive his green card soon." This fraud harmed his ability to secure legitimate counsel and meaningfully navigate his case, despite his clear intent to comply with the law.

3. Fraudulent Misrepresentations That Prejudiced His Ability to Seek Relief

The fraudulent organization went beyond charging money—they actively deceived Mr. Valladolid Cubillas and our family with fabricated claims and staged communications designed to make him believe his case was progressing successfully. They even made him

believe he participated in a video call with an immigration judge and that he had won his asylum case, which was false. These misrepresentations caused severe confusion, emotional distress, and significant prejudice to his ability to properly seek real legal help and prepare his case.

To support these statements, I am attaching affidavits, proof of the Zelle payments made to this fraudulent organization, and copies of the fake documentation the association sent to us.

4. Procedural History and Ongoing Detention Without Timely Review

When Mr. Valladolid Cubillas attended his first court hearing, he received a removal (deportation) order. However, he filed his appeal on time and submitted all evidence available to him in support of his case. Despite these timely actions, he remains detained, and his case has not been reviewed or resolved within a reasonable timeframe. Prolonged detention while his appeal and evidence remain pending—without meaningful review—creates a serious fairness and due process concern.

5. Lack of Criminal History, Strong Community Ties, and Family Hardship

The Petitioner has no criminal history and has demonstrated consistent compliance with supervision requirements. He also has strong family ties in the United States, including a wife and a minor child who depend on him both financially and emotionally. His continued detention is causing significant hardship to his household, destabilizing the family's finances and negatively affecting the emotional well-being of his child. These circumstances further support that he is not a danger to the community and not a flight risk, and that continued detention is unnecessary.

6. Less Restrictive Alternatives Are Available

ICE has effective alternatives to detention, including electronic monitoring, regular check-ins, and orders of supervision. Mr. Valladolid Cubillas is fully willing to comply with any conditions ordered by this Honorable Court or required by ICE. These less restrictive measures can ensure his appearance and compliance without unnecessary confinement.

7. Barriers to Accessing the Legal System

Mr. Valladolid Cubillas faces serious barriers, including language limitations, restricted access to legal resources while detained, and emotional distress that impairs his ability to effectively advocate for himself. I am providing support so he can communicate clearly, present his documentation, and pursue relief through the proper legal process.

8. Respectful Request to the Court

In light of the facts described above, I respectfully request that this Honorable Court:

Order Mr. Valladolid Cubillas's immediate release from ICE custody; or, in the alternative,

Grant a prompt custody redetermination (bond) hearing before a neutral judge; and

Ensure he receives appropriate medical evaluation and treatment while his case remains pending, and that his claims and evidence receive timely review.

Thank you for your time and consideration, and for your continued commitment to protecting the constitutional rights of individuals held in civil detention.

Respectfully,



Sofia Teodoro Fretel Mejia
Wife of the Petitioner

Phone: 

PROOF OF SERVICE

I, Sofia Teodoro Fretel Mejia, declare under penalty of perjury that on the date indicated below, I served a true and correct copy of the following document:

"Explanatory Letter in Support of Habeas Corpus Petition for Jose Luis Valladolid Cubillas,

~~XXXXXXXXXX~~

by delivering or mailing said document to the following parties:

1. Clerk of Court

United States District Court for the Northern District of Georgia

75 Ted Turner Dr NW #2211,

Atlanta, GA 30303

2. U.S. Attorney's Office for the District of Georgia

Richard B. Russell Federal Building at 75 Ted Turner Drive SW, Suite 600,

Atlanta, GA 30303-3309

3. Folkston ICE Processing Centre

3026 GA-252 E,

Folkston, GA 31537

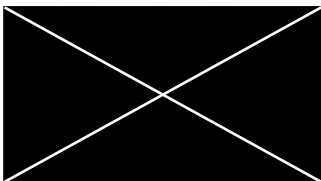
I declare that the foregoing is true and correct to the best of my knowledge.

Executed on:



Sofia Teodoro Fretel Mejia

Manuel F. Holguin



December 4, 2025

To Whom It May Concern:

I, Manuel F. Holguin, hereby certify that I know José Luis Valladolid, with whom I had the opportunity to work during his employment at Federal Building Services.

During the time I knew and worked with José Luis Valladolid, I observed exemplary behavior and a respectful, responsible, and committed attitude. I can attest that he is a person of good moral character, with solid values, a respectful nature, and a kind disposition toward others.

In his professional duties at Federal Building Services, José Luis consistently demonstrated reliability, cooperation, and strong work ethics, maintaining a positive and professional demeanor at all times. On a personal level, he conducted himself with honesty, integrity, and genuine consideration for others.

I make this statement voluntarily and based on my direct experience with José Luis Valladolid, with the intention of providing a truthful and sincere reference regarding his conduct and character.

I remain available to provide any additional information that may be required.

Sincerely,

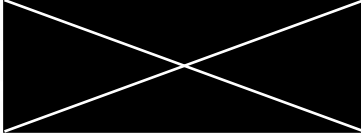
Manuel F. Holguin

A handwritten signature in black ink, appearing to be 'M. F. Holguin', written over the printed name.

A handwritten signature in black ink, appearing to be 'Rajesh Kolagani', written over the printed name.

Rajesh Kolagani
NOTARY PUBLIC
FORSYTH COUNTY, GEORGIA
My Commission Expires
10/03/2028

Jose Luis Montes



To Whom It May Concern,

My name is Jose Luis Montes, and I want to say that I know Jose Luis Valladolid. I had the chance to work with him when he was employed at Local Tab restaurant in Buford GA. During that time, I saw how he is a good person and a hard worker. He always showed respect to everyone and did his job with responsibility and commitment.

Mr. Valladolid is a man with good morals and strong values. He treats people kindly and is always willing to help others. At work, he was very reliable and worked well with the team. He never complained and always kept a positive attitude. His work ethic is strong, and he takes pride in doing things the right way.

Outside of work, Mr. Valladolid is honest and cares about people. He is the kind of person who makes the community better. I believe he is an asset to his family, his friends, and to this country. People like him make a difference.

I am writing this letter because I want to support him. I know him personally, and I can say with confidence that he is a good man. If you need more information, I am happy to help.

Sincerely,

Jose L. Montes 12-18-2025
Jose Luis Montes



Notarize & sign on 12/18/2025
Juliet Taylor - Notary

To Whom It May Concern,

My name is Jose Angel Ramirez Martinez. I am writing this letter in support and recommendation of Mr. Jose Luis Valladolid, whom I had the opportunity to know and work with for approximately eight months.

During the time I have known Mr. Valladolid, he has consistently demonstrated outstanding moral character, responsibility, and a positive attitude. He has always shown respect toward others and has been a person of good intentions, offering helpful advice and motivation to those around him. His conduct has reflected integrity, reliability, and a sincere commitment to personal growth and family values.

Mr. Valladolid has been a positive influence on my life and on the people within his circle. He strives to improve himself and encourages others to do the same. I firmly believe that he deserves the opportunity to continue contributing positively to his family and community.

Based on my personal experience, I respectfully recommend Jose Luis Valladolid without reservation. I am confident that he will continue to demonstrate good moral character and responsibility in all aspects of his life.

Thank you for your time and consideration.

Sincerely,

Jose Angel Ramirez Martinez

— Versión en Español —

A quien corresponda:

Mi nombre es Jose Angel Ramirez Martinez y por medio de la presente me permito recomendar ampliamente al Sr. Jose Luis Valladolid, a quien conozco y con quien trabajé aproximadamente durante ocho meses.

Durante el tiempo que he conocido al Sr. Valladolid, ha demostrado ser una persona de excelente carácter moral, responsable y con una actitud siempre positiva. Se ha conducido con respeto hacia los demás, mostrando buenas intenciones y brindando consejos y apoyo a quienes lo rodean. Su comportamiento refleja valores sólidos, compromiso con su familia y deseo constante de superación personal.

El Sr. Jose Luis Valladolid ha sido una influencia positiva tanto para mí como para las personas con quienes interactúa. Considero firmemente que merece una oportunidad para continuar siendo un apoyo para su familia y aportar de manera positiva a su comunidad.

Por lo anterior, recomiendo al Sr. Jose Luis Valladolid de manera amplia y sin reserva alguna, con la plena confianza de que continuará demostrando buena conducta, responsabilidad y valores éticos.

Quedo a su disposición para cualquier información adicional.

Atentamente,

Jose Angel Ramirez Martinez



Acknowledgment by Individual

State of GEORGIA County of GWINNETT

On this 12 day of DECEMBER, 2020. Before me, MINA BIBEROVIC
Name of Notary Public

the undersigned Notary Public, personally appeared
JOSE A RAMIREZ MARTINEZ

Name of Signer(s)

- Proved to me on the oath of _____
- Personally known to me _____
- Proved to me on the basis of satisfactory evidence GA DL [REDACTED]
(Description of ID)

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed it.



Biberovic Mina
(Signature of Notary Public)

My commission expires April 24, 2028

For Bank Purposes Only
Description of Attached Document

Type or Title of Document
FOR IMMIGRATION HOLD

Document Date 12/12/2025 Number of Pages 01

Signer(s) Other Than Named Above _____

Account Number (if applicable) _____

Optional: A thumbprint is only needed if state statutes require a thumbprint.

Right Thumbprint of Signer
Top of thumb here

ZELLE PAYMENTS



Approval of the first consular court

USCIS

Department of Homeland Security
U.S. Citizenship and Immigration Services

Approval of consular court interview

JOSE LUIS VALLADOLID CUBILLAS, After confirming the interview, I formally inform you that the process for your application for waiver of grounds of inadmissibility has been completed. We have met all the requirements established by the immigration authorities, submitted the corresponding documentation, and completed each stage of the procedure.

Following due review and approval by Immigration, I am pleased to inform you that your case has been successfully approved. The only remaining requirement is payment of the consular fee of **\$ 3,700 USD**. It was agreed that payment would be made in two installments: the first within **48 hours**, and the second on **September 19**. This payment is required to proceed with validation.

Therefore, we consider the waiver process closed and that everything is in order according to applicable immigration regulations. You may be eligible for this process.

If you do not respond to this request within the established deadline, your case will be considered abandoned, which will generate a negative report in the system and jeopardize your immigration history in the United States.

The requested requirement must be submitted by **September 19, 2025, at 5:00 PM**.

USCIS will not notify or contact you via WhatsApp, text messages, or any other means. To prevent scams or bribes, you will only be notified by email or postal mail.



Confirmation Collection

USCIS
0257449

Department of Homeland Security
U.S. Citizenship and Immigration Services

Collection of Data Confirmation Approval

It is certified that the collection made by **JOSE LUIS VALLADOLID CUBILLAS** of nationality **PERUVIAN**, for an amount of **\$ 940 USD**.

This payment corresponds to **Approval Consul**

The collection has been received and processed correctly.



Confirmation Collection of Biometric Services

Given Name (First Name)	Middle Name (if any)	Family Name (Last Name)
JOSE	LUIS	VALLADOLID CUBILLAS



Authorization for Banking Transactions

Department of Homeland Security
U.S. Citizenship and Immigrations Services

USCIS
OMB No. 1615-0024
Expires 12/10/2027

HOW TO CARRY OUT CORRESPONDENCE

1. Confirm that your data is correct
2. Confirm the "Applicant/Petitioner/Requestor Information," "Authorized Official Billing Information," and "Authorized Bank Information" sections and confirm the authorization. NOTE: The request must be issued directly to a U.S. bank.
3. Attach proof of payment detailing approval of consular fees and administrative costs to your application.

NOTE: If you do not provide the requested information, USCIS and your financial institution may not accept the payment. USCIS cannot process payments without an authorized signature.

We recommend that you print or save a copy of the completed required payment voucher for future review and your records.

By completing this transaction, you agree that you have paid for a government service and that the filing fee, biometric services fee, and all related financial transactions are final and nonrefundable, regardless of any action USCIS takes with respect to the application, petition, or request. You must pay all fees in the exact amount. USCIS will debit your account for the amount you authorize below.

Applicant's/Petitioner's/Requester's Information (Full Legal Name)		
Given name (First Name) JOSE	Middle Name (if any) LUIS	Family Name (Last Name) VALLADOLID CUBILLAS
Official With Immigration Powers Authorized by USCIS		
Given Name CRISTHIAM	Middle Name	Family Name ARIZA
Banking Information For The Transaction		
AUTHORIZED BANK	ACCOUNT NUMBER	ZELLE
[REDACTED]		
CITY OR TOWN	ROUTE NUMBER	
[REDACTED]		
Specification Of The Required Payment		
COMPOSITION OF THE TARIFF		SUMMARY OF CHARGES
Consular Fees and Administrative Costs		\$ 940,00 USD

Expiration Date 05 / 10 / 2025

