

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

Agency # A



ISAAC ANTONIO DIAZ CHANDIAS
Petitioner-Plaintiff

Civ. No. _____

v.

DONALD J. TRUMP, President of the
United States;
KRISTI NOEM,
Secretary, United States Department of
Homeland Security; PAMELA BONDI,
Attorney General of the United States;
TODD M. LYONS, Acting Director, United
States Immigration and Customs
Enforcement;
NICK ANNAN, Director, United States
Immigration and Customs Enforcement
Atlanta Field Office;
MICHAEL BRECKON, Warden of Folkston
Ice Processing Detention Center
in his official capacities,

PETITION FOR WRIT
OF HABEAS CORPUS

Respondents.

INTRODUCTION

1. Petitioner, Isaac Antonio DIAZ CHANDIAS, by and through
Counsel, brings this petition for a writ of habeas corpus to seek enforcement of
his rights as members of the Bond Denial Class certified in *Maldonado Bautista v.*

Santacruz, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.) Petitioner is in the physical custody of Respondents and currently held at the Folkston Ice Processing Detention Center in Folkston, GA. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) have refused to follow the law and abide by the declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz* as well as the Courts ruling within the Order declaring the “DHS Policy unlawful, and further request by virtue of it’s illegality, to vacate the DHS Policy under the APA.”

2. On November 20, 2025, the district court granted partial summary judgment on behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners’ proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners’ Motion for Partial Summary Judgment).

3. The declaratory judgment held that the Bond Denial Class members are detained under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at *11.

4. Nonetheless, the Executive Office for Immigration Review and its subagency the Immigration Court and the Department of Homeland Security (DHS) have blatantly refused to abide by the declaratory relief and have unlawfully ordered that Petitioner be denied the opportunity to be released on bond.

5. Further, Petitioner is eligible for a Bond hearing as a matter of law and individual consideration must be given by the impartial immigration judge as to the merits of his case. § 1226(a)(2).

6. Petitioner, Isaac Antonio DIAZ CHANDIAS, is a member of the Bond Eligible Class, as he:

- a. does not have lawful status in the United States and is currently detained at the Folkston Detention center. He was apprehended by immigration authorities on December 1, 2025;
- b. entered the United States without inspection as an Unaccompanied Alien Child more than 4 years ago; he was apprehended upon arrival, protected as a vulnerable minor by the Office of Refugee Resettlement (ORR) who later sent him to a willing sponsor but the Immigration Judge dismissed his proceedings, in light of his relief, on December 14, 2023 *cf. id.*; and
- c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

7. Petitioner filed for protection from removal under the Special Immigrant Juvenile Status visa (SIJS) and was approved 08/1/2022; through no fault of his own, but due to government backlogs, a visa is not yet available to provide him Legal Permanent Residency. In the meantime, he has been granted Deferred Action and protections from removal and issued an Employment Authorization document (EAD) valid 08/25/23 – 07/27/27.

8. Despite the valid EAD permission, after apprehending Petitioner on December 1, 2025, the DHS placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has refused to provide a copy of any new charging documents despite requesting a copy through various avenues, including during the prior Bond hearing. It is believed Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection.

9. Petitioner was denied a bond on January 20, 2026 by IJ James Crofts sitting at the Immigration Court at 180 Ted Turner Boulevard and appearing virtually who ultimately declared he believed that Petitioner is subject to mandatory detention despite the ACC stating on the record “NO”, when asked by the Immigration Judge if there were any issues of mandatory detention or unavailability of bond.

10. The Court should expeditiously grant this petition as Petitioner's removal proceedings continue forward in Georgia while he is detained and his long time Counsel resides in California where the entirety of his case remains.

11. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a). On December 18, 2025, the court in *Maldonado Bautista* issued a final judgment. Nevertheless, Respondents continue to defy the judgment in that case and continue to subject Petitioner to unlawful detention despite his clear entitlement to consideration for release on bond as a Bond Eligible Class member.

12. Immigration judges have informed class members in bond hearings that they have been instructed by "leadership" that the declaratory judgment in *Maldonado Bautista* is not controlling, even with respect to class members, and that instead IJs remain bound to follow the agency's prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

13. Because Respondents are detaining Petitioner in violation of the final declaratory judgment issued in *Maldonado Bautista*, the Court should accordingly order that within one day, Respondent DHS must release Petitioner.

14. Alternatively, the Court should order Petitioner's release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

JURISDICTION

15. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Folkston Immigration Processing Detention Center in Folkston, GA.

16. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

17. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

18. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493- 500 (1973), venue lies in the United States District Court for the Southern District of Georgia, the judicial district in which Petitioner currently is detained.

19. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the

United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Southern district of Georgia.

REQUIREMENTS OF 28 U.S.C. § 2243

20. The Court should grant the petition for writ of habeas corpus “forthwith,” as the legal issues have already been resolved for class members in *Maldonado Bautista*.

21. Habeas corpus is “perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

22. Petitioner, Isaac Antonio DIAZ CHANDIAZ, is a citizen of Honduras who has been held in immigration detention without bond since December 1, 2025. ICE refuses to set bond, and Petitioner requested review of his custody by an IJ. On January 13, 2026, Petitioner was filed for bond and on January 20, 2026, denied bond by an IJ because the IJ deemed him “not eligible for release on bond under *Matter of Yajure Hurtado*” disregarding the binding

Orders of *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.) Petitioner has resided in the safety of the United States since March 3, 2021 and timely applied for, was granted, and maintains the protection through SIJS process.

23. Respondent Nick Annan is the Director of the Atlanta Field Office of ICE's Enforcement and Removal Operations division. As such Nick Annan is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

24. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

25. Respondent Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

26. Respondent Pamela Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

27. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

28. Respondent Michael Breckon is employed by Core civic as Warden of the Folkston Immigration Processing Detention center, where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

CLAIM FOR RELIEF

Violation of the INA:

Request for Relief Pursuant to *Maldonado Bautista*

29. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

30. As a member of the Bond Eligible Class, Petitioner is entitled to consideration for release on bond under 8 U.S.C. § 1226(a).

31. The order granting partial summary judgment in *Maldonado Bautista* holds that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

32. The order granting class certification in *Maldonado Bautista* further orders that “[w]hen considering this determination with the MSJ Order, the Court extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole.”

33. Respondents are parties to *Maldonado Bautista* and bound by the Court’s declaratory judgment, which has the full “force and effect of a final judgment.” 28 U.S.C. § 2201(a).

34. By denying Petitioner a bond hearing under § 1226(a) and asserting that he is subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's statutory rights under the INA and the Court's judgment in *Maldonado Bautista*.

PRAYER FOR RELIEF

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

- a. Assume jurisdiction over this matter;
- b. Issue a writ of habeas corpus requiring that within one day, Respondents release Petitioner in light of his valid Deferred Action EAD;
- c. Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioner on his own recognize unless they provide a bond hearing under 8 U.S.C. § 1226(a) within seven days;
- d. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- e. Grant any other and further relief that this Court deems just and proper.

DATED this 29th day of January 2026.

/s/ Jason Ferguson

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Exhibit List

Exhibit 1 Bond denial of the Immigration Judge 1/20/26

Exhibit 2 Dismissal of Removal proceedings dated 12/14/23

Exhibit 3 Approval of I-360 classifying Petitioner as a Special
Immigrant Juvenile Priority Date 8/1/22

Exhibit 4 Current Visa Bulletin indicating LPR timelines for Petitioner's
approved status – currently on 3/15/2021

Exhibit 5 Petitioner's Valid EAD /25/23- 7/27/27

VERIFICATION

Pursuant to 28 USC § 2242, the undersigned certifies under penalty of perjury that she has reviewed the foregoing petition and that the facts state therein concerning Petitioner are true and correct based on her knowledge or belief.

Dated: January 29, 2026

Respectfully submitted,

/s/ Jason Ferguson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 7th day of January 2026, I electronically filed the foregoing PETITION FOR WRIT OF HABEAS CORPUS with the clerk of court for the United States District Court for the Southern District of Georgia using the CM/ECF system which automatically serves

Assistant United States Attorney
22 Barnard Street, Suite 300
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Respectfully submitted this 29th day of January, 2026,

/s/ Jason Ferguson

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