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**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

**WENDY BEATRIZ CARRANZA MARTINEZ,**  
  
**Petitioner,**

**v.**

**JASON STREEVAL, Warden of Stewart Detention  
Center; KRISTEN SULLIVAN, Field Office  
Director of Enforcement and Removal Operations,  
Atlanta Field Office, Immigration and Customs  
Enforcement; TODD M. LYONS, Acting Director,  
U.S. Immigrations & Customs Enforcement;  
KRISTI NOEM, Secretary, U.S. Department of  
Homeland Security; U.S. Department of Homeland  
Security; PAMELA BONDI, U.S. Attorney  
General; and DAREN K. MARGOLIN, Director,  
Executive Office for Immigration Review,**

**Respondents.**

**Case No.:**

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

1 INTRODUCTION

2 1. Petitioner, Wendy Beatriz Carranza Martinez, brings this petition for a writ of  
3 habeas corpus to seek enforcement of Petitioner’s rights as a member of the Bond Eligible Class  
4 certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.).  
5 Petitioner is in the physical custody of Respondents at the Stewart Detention Center in Lumpkin,  
6 Georgia. Petitioner now faces unlawful detention because the Department of Homeland Security  
7 (DHS) and the Executive Office for Immigration Review (EOIR) have refused to abide by the  
8 declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

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

18 3. The declaratory judgment held that the Bond Eligible Class members are detained  
19 under 8 U.S.C. § 1226(a), and thus may not be denied consideration for release on bond under §  
20 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at \*11.

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

5 5. Petitioner is a member of the Bond Eligible Class, as Petitioner:

- 6 a. does not have lawful status in the United States and is currently detained  
7 at the Stewart Detention Center in Lumpkin, Georgia;
- 8 b. was apprehended by immigration authorities on or about December 15,  
9 2025;
- 10 c. entered the United States without inspection approximately 26 years ago  
11 and was not apprehended upon arrival, *cf. id.*; and
- 12 d. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

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14 6. After apprehending Petitioner on or about December 8, 2025, the DHS placed  
15 Petitioner in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as  
16 being inadmissible under 8 U.S.C. §§ 1182(a)(6)(A)(i) and 1182(a)(7)(A)(i)(I), as someone who  
17 entered the United States without inspection.

18 7. The Court should expeditiously grant this petition.

19 8. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full  
20 “force and effect of a final judgment.” 28 U.S.C. § 2201(a). Nevertheless, Respondents continue  
21 to flagrantly defy the judgment in that case and continue to subject Petitioner to unlawful  
22 detention despite Petitioner’s clear entitlement to consideration for release on bond as a Bond  
23 Eligible Class member.  
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1 9. Immigration judges have informed class members in bond hearings that they have  
2 been instructed by “leadership” that the declaratory judgment in *Maldonado Bautista* is not  
3 controlling, even with respect to class members, and that instead immigration judges remain  
4 bound to follow the agency’s prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216  
5 (BIA 2025).

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

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

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12 **JURISDICTION**

13 12. Petitioner is in the physical custody of Respondents. Petitioner is detained at the  
14 Stewart Detention Center in Lumpkin, Georgia.

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

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

2 15. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-  
3 500 (1973), venue lies in the United States District Court for the Middle District of Georgia, the  
4 judicial district in which Petitioner currently is detained.

5 16. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because  
6 Respondents are employees, officers, and agencies of the United States, and because a  
7 substantial part of the events or omissions giving rise to the claims occurred in the Middle  
8 District of Georgia.

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10 **REQUIREMENTS OF 28 U.S.C. § 2243**

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

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

19  
20 **PARTIES**

21 19. Petitioner is a citizen of El Salvador who has been in immigration detention since  
22 on or about December 8, 2025. After Petitioner was detained by ICE, ICE did not set bond.  
23 Petitioner has resided in the United States since 2001.

1           20.     Respondent Jason Streeval is employed by CoreCivic as Warden of the Stewart  
2 Detention Center, where Petitioner is detained. The Warden of the Stewart Detention Center has  
3 immediate physical custody of Petitioner. The Warden of the Stewart Detention Center is sued in  
4 his official capacity.

5           21.     Respondent Kristen Sullivan is the Acting Director of the Atlanta Field Office of  
6 ICE's Enforcement and Removal Operations division. As such, Acting Director Sullivan is  
7 Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. She is  
8 named in her official capacity.

9           22.     Respondent Todd Lyons is the acting Director of U.S. Immigration & Customs  
10 Enforcement (ICE). He is responsible for the administration of ICE and the implementation and  
11 enforcement of the immigration laws, including immigrant detention. As such, Mr. Lyons is a  
12 legal custodian of Petitioner. He is sued in his official capacity.

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

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

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



1 32. Respondents are parties to *Maldonado Bautista* and bound by the Court's  
2 declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C.  
3 § 2201(a).

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

7 34. Assuming, *arguendo*, that *Maldonado Bautista* does not apply, find that Petitioner  
8 is currently detained under § 1226(a) and therefore not subject to mandatory detention as  
9 required by § 1225(b)(2). *See J.A.M. v. Streeval*, No. 4:25-CV-342-CDL, 2025 WL 3050094  
10 (M.D. Ga. Nov. 1, 2025); *P.R.S. v. Streeval*, No. 4:25-CV-330-CDL, 2025 WL 3269947 (M.D.  
11 Ga. Nov. 24, 2025).

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13 **PRAYER FOR RELIEF**

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

- 15 a. Assume jurisdiction over this matter;
- 16 b. Issue a writ of habeas corpus requiring that within one day, Respondents release  
17 Petitioner;
- 18 c. Alternatively, issue a writ of habeas corpus requiring Respondents to release  
19 Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within  
20 seven days;
- 21 d. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act  
22 (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under  
23 law; and  
24

1 e. Grant any other and further relief that this Court deems just and proper.

2  
3 DATED this 29th of January 2026.

4 *//s// Elizabeth Hildebrand Matherne*

5 \_\_\_\_\_  
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14 *Attorney for Petitioner*

**VERIFICATION PURSUANT TO 28 U.S.C. § 2242**

I represent Petitioner, Wendy Beatriz Carranza Martinez, and submit this verification on Petitioner's behalf. I verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 29th day of January 2026.

Respectfully submitted,

*//s// Elizabeth Hildebrand Matherne*

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