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**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA**

EUGENIO ANTONIO MARTINEZ, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 The Warden of the Folkston Detention Center; )  
 DAN JONES, Assistant Field Office Director of )  
 Atlanta Field Office, TODD LYONS, in his )  
 Official capacity as Acting Director of )  
 U.S. Immigration and Customs Enforcement; )  
 KRISTI NOEM, Secretary of the U.S. Department )  
 of Homeland Security; and PAM BONDI, )  
 Attorney General of the United States, )  
 in their official capacities, )  
 )  
 Respondents. )  
 \_\_\_\_\_ )

Case No.

**PETITION FOR WRIT OF  
HABEAS CORPUS AND  
REQUEST FOR  
DECLARATORY RELIEF**

**INTRODUCTION**

1. Petitioner Eugenio Antonio Martinez brings this petition for a writ of habeas corpus to seek enforcement of their 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 at the Folkston Processing Center. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) have refused to abide by the declaratory judgment issued on behalf of the certified class in *Maldonado Bautista v. Santacruz*.

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. On December 18, 2025, the U.S. District Court for the Central District of California entered a final judgment in *Maldonado Bautista*. The final judgment declared class members' detention authority and rights and vacated the federal policy that was being used to deny bond hearings nationwide. Specifically, final judgment accomplished four core things:

- i. Declared the class is detained under INA § 236(a) (8 U.S.C. § 1226(a))—not INA § 235(b)(2) (8 U.S.C. § 1225(b)(2)), meaning the class can be considered for bond eligibility under § 1226(a) and is not subject to mandatory detention under § 1225(b)(2).

- ii. Declared class members are entitled to bond consideration and—if not released by ICE—a custody redetermination (bond) hearing before an immigration judge.
- iii. Vacated DHS’s July 8, 2025 “Interim Guidance Regarding Detention Authority for Applicants for Admission” under the APA as unlawful.
- iv. Entered final judgment on key claims in the Amended Class Complaint and certified them for appeal under Rule 54(b). In other words, the government can appeal, and the litigation may continue—but this judgment is a final, appealable ruling on the central bond-eligibility issue for the class—and therefore binding unless overturned by a higher court.

5. 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.

6. Petitioner Eugenio Antonio Martinez 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 Processing Center. He was apprehended by immigration authorities on September 16, 2025;
- b. entered the United States without inspection over 27 years ago and was not apprehended upon arrival, *cf. id.*; and
- c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

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

8. The Court should expeditiously grant this petition.

9. 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). Nevertheless, Respondents continue to flagrantly 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.

10. 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).

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

12. 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**

13. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Folkston Processing Center.

14. 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).

15. 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

16. 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.

17. 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

18. 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*.

19. 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**

20. Mr. Antonio Martinez is currently detained by Respondents in the Folkston Detention Center.

21. The Warden of Folkston Detention Center is not disclosed online. The person responsible for said institution, where Mr. Antonio Martinez is currently detained under the authority of ICE has direct control over his physical custody. They are sued in their official capacity.

22. Respondent Dan Jones is the acting Director of ICE's Atlanta Field Office, which has jurisdiction over ICE detention facilities in Georgia, including Folkston Detention Center, and thus is Mr. Antonio Martinez's immediate custodian. He is sued in his official capacity.


23. Respondent Todd Lyons is the acting Director of ICE. He is responsible for the administration of ICE and the implementation and enforcement of the immigration laws, including immigrant detention. As such, Mr. Lyons is a legal custodian of Mr. Antonio Martinez. He is sued in his official capacity.

24. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (DHS), which is responsible for the administration of ICE, a subunit of DHS, and the implementation and enforcement of the immigration laws. As such, Mrs. Noem is the ultimate legal custodian of Mr. Antonio Martinez. She is sued in his official capacity.

25. Respondent Pam Bondi is the Attorney General of the United States and head of the Department of Justice, which encompasses the BIA and the Immigration Courts. Mrs. Bondi shares responsibility for the implementation and enforcement of the

immigration laws with Respondent Noem. Mrs. Bondi is a legal custodian of Mr. Antonio Martinez. She is sued in his official capacity.

### **PROCEDURAL HISTORY**

26. Petitioner Mr. Antonio Martinez, originally from Mexico, has been imprisoned in U.S. Immigration and Customs Enforcement (“ICE”) custody since September 16, 2025. He was placed in removal proceedings after the U.S. Department of Homeland Security (“DHS”) issued a Form I-862, Notice to Appear (“NTA”) on September 17, 2025 under Alien Number 

27. On November 5, 2025, Mr. Antonio Martinez filed Form EOIR-42B, Application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents, with the associated filing fee. On November 19, 2025, Mr. Antonio Martinez filed the supporting documents for his Form EOIR-42B case.

28. On November 20, 2025, Mr. Antonio Martinez’s case was set down for an Individual Hearing on January 20, 2026 at 1:00 p.m. at the Lumpkin Immigration Court, in Lumpkin, Georgia.

29. On January 5, 2026 and January 6, 2026, Mr. Antonio Martinez filed additional supporting evidence for his case. On January 9, 2026, Mr. Antonio Martinez filed an amended witness list with the Court. On January 19, 2026, Mr. Antonio Martinez submitted supporting evidence for his case.

30. On January 20, 2026, the Immigration Court denied Mr. Antonio Martinez’s application for cancellation of removal under INA § 240A(b) and granted post-conclusion voluntary departure. The denial was based on hardship alone.

31. Mr. Antonio Martinez was given until February 19, 2026 to appeal his case to the BIA and is in the process of filing his appeal. Despite the substantial evidence of extreme hardship to his wife and his strong family, employment, and community ties, he has remained detained at the Folkston Detention Center since September 2025.

32. On December 5, 2025, a Motion for Custody Redetermination Hearing was filed on Mr. Antonio Martinez's behalf and the case was set down for a hearing on December 16, 2025 at 9:30 a.m. before the Lumpkin Immigration Court. However, counsel withdrew the request on December 16, 2025 due to lack of jurisdiction.

33. On December 18, 2025, counsel filed a subsequent Motion for Custody Redetermination Hearing and the matter was set down for a hearing on January 2, 2026 at 1:00 p.m. before the Lumpkin Immigration Court. On January 2, 2026, the Immigration Judge denied Mr. Antonio Martinez's bond because:

"Lack of jurisdiction: See Matter of Garcia, 28 I&N Dec. 693, 695 (BIA 2023) (explaining that Immigration Judges and the Board are bound to follow the precedent of this Board, the Attorney General, and the circuit court of appeal with jurisdiction over the geographic region where a case occurs.)"

34. Mr. Antonio Martinez poses no danger to the community and no risk of flight. His continued detention serves no legitimate governmental interest and instead inflicts extreme and unnecessary hardship on a United States citizen while undermining fundamental due process protections. Habeas relief is therefore warranted.

35. Mr. Antonio Martinez challenges his prolonged detention as a violation of the Immigration and Nationality Act and the Due Process Clause of the U.S. Constitution. He respectfully requests that this Court order Respondents to show cause why the writ should not be granted within three days and, if necessary, set a hearing on this Petition

within five days of the return, pursuant to 28 U.S.C. § 2243, and grant him a Writ of Habeas Corpus, ordering Respondents to release him or provide him with an individualized bond hearing before an Immigration Judge.

### **STATEMENT OF FACTS**

36. Mr. Eugenio Antonio Martinez is a forty-four (44) year old native and citizen of Mexico, who entered the United States in 1998. Mr. Antonio Martinez fled Mexico after enduring a childhood marked by severe physical and psychological abuse inflicted by his father. He repeatedly assaulted both Mr. Antonio Martinez and his mother, creating a pervasive environment of violence and fear. At the age of sixteen, Mr. Antonio Martinez made the difficult and courageous decision to flee Mexico and migrate to the United States in search of safety and stability.

37. After arriving in the United States, Mr. Antonio Martinez has lived a quiet and peaceful life and has consistently demonstrated that he is a hardworking and responsible member of his community. He has built his livelihood in the United States as a cook, working in multiple restaurants over the years.

38. In 2014, Mr. Martinez married Mrs. Eloisa Martinez-Garcia, a United States citizen, with whom he continues to share a loving and stable marriage. Throughout their relationship, Mr. Antonio Martinez has been the primary source of both financial and emotional support for his wife. Mrs. Martinez-Garcia has a lifelong history of medical issues and is currently facing a serious and progressively disabling knee condition that

requires urgent surgical intervention. She is unable to manage her condition or recovery independently.

39. For more than thirteen years, Mrs. Martinez-Garcia has suffered from chronic and worsening knee problems. When she first sought medical treatment, she was diagnosed with a partially dislocated kneecap and underwent extensive physical therapy, which provided only limited relief. At that time, she was advised that she was not a candidate for surgery. Over the years, however, her condition deteriorated significantly. By March 2025, she required steroid injections every two to three months to manage her pain. The most recent injection, administered in September, provided no relief, prompting her physician to order an MRI.

40. The MRI findings reveal advanced arthrosis affecting multiple compartments of the knee, confirming a severe and chronic condition that substantially limits her ability to walk, stand, and perform basic daily tasks. She experiences persistent swelling, stiffness, and a restricted range of motion, making routine activities difficult without assistance. Her significant joint damage requires surgical intervention, which she has been forced to postpone due to her husband's detention, as his absence leaves her without anyone to assist her during post-surgical recovery.

41. Mrs. Martinez-Garcia's condition has worsened considerably since Mr. Antonio Martinez was detained. Although she urgently requires surgery, she has been compelled to delay the procedure because she must continue working to cover all household expenses on her own. Without Mr. Antonio Martinez present, she has no one to assist her with mobility, daily functioning, transportation, or medical appointments.

42. Since Mr. Antonio Martinez's wife has become solely responsible not only for all financial obligations, but also for managing her household, maintaining employment despite her medical limitations, visiting her husband in detention, and handling all legal matters related to his case. The physical and emotional strain of carrying these responsibilities alone has significantly aggravated her medical condition and placed her at risk of further deterioration. Her knee pain has now progressed to the point that surgery can no longer be postponed, yet she has no one available to assist her during the procedure or throughout the recovery period.

43. Given the severity of Mrs. Martinez-Garcia's medical condition, Mr. Antonio Martinez's continued detention imposes extreme and unnecessary hardship on his United States citizen wife. Historically, Mr. Antonio Martinez has been the individual who assists her during medical procedures, helps with mobility, and provides essential day-to-day care and emotional support. In his absence, she is left without the physical and emotional assistance she urgently requires.

44. Mr. Antonio Martinez's detention has also caused substantial financial hardship. Without his income, Mrs. Martinez-Garcia struggles to meet basic living expenses and maintain stability. Beyond the financial consequences, she suffers profound emotional distress, including fear, loneliness, and uncertainty caused by her husband's prolonged detention. Throughout their marriage, the couple shared responsibility for household tasks, medical care, and daily functioning—responsibilities she is now unable to manage alone due to her worsening physical condition.

45. On January 20, 2026, Mr. Antonio Martinez had individual merits hearings before Immigration Judge at the Lumpkin Immigration Court, during which evidence was presented and testimonies were taken.

46. On the same date, the Immigration Court issued a decision denying Mr. Antonio Martinez's application for cancellation of removal under INA § 240A(b) (EOIR-42B), concluding that he was statutorily ineligible for such relief based on the Court's determination that his United States citizen wife would not suffer the requisite level of extreme hardship. The Court, however, granted post-conclusion voluntary departure. The decision is still appealable.

47. After this, Mr. Antonio Martinez is still detained in Folkston Detention Center, where he has been locked up for the past 5 (five) months. His continued detention is neither necessary nor justified, particularly considering the substantial and well-documented hardship his detention is causing to his United States citizen wife and the realistic possibility that relief under INA § 240A(b) would ultimately be granted upon proper consideration of the evidence.

48. Although the Immigration Court denied Mr. Antonio Martinez's application for cancellation of removal under INA § 240A(b), that denial was based on a finding that his wife did not face the requisite level of extreme hardship. As demonstrated above, however, the record now clearly establishes that Mrs. Martinez-Garcia is suffering from a severe and progressively disabling medical condition that requires urgent surgical intervention and ongoing assistance—assistance that only Mr. Antonio Martinez has historically been able to provide. The hardship caused by his detention is concrete, individualized, and far exceeds the ordinary consequences of removal or detention.

49. The substantial evidence of hardship underscores that Mr. Antonio Martinez detention is unnecessary and disproportionate, particularly where there exists a meaningful possibility that relief may ultimately be granted through reopening, reconsideration, or other appropriate procedural avenues. Courts routinely recognize that continued detention is unjustified where a noncitizen presents a viable path to relief and detention no longer serves a legitimate governmental purpose.

50. Moreover, Mr. Antonio Martinez presents no danger to the community and poses no flight risk. He has lived in the United States for decades, maintained continuous lawful employment for nearly twenty years with the same employer, complied with federal tax obligations since 2001, and has deep family and community ties. His United States citizen wife depends on him for financial stability, medical care, and emotional support. These ties strongly incentivize compliance with all future immigration proceedings and weigh heavily in favor of release.

51. The government's interest in detention is particularly weak in this case. Detention is intended to ensure appearance at proceedings or protect public safety—neither of which is implicated here. Continued detention instead serves only to exacerbate the severe hardship to a United States citizen and to undermine fundamental due process protections. Where detention no longer bears a reasonable relationship to its purported purposes, it becomes punitive and constitutionally impermissible.

52. Mr. Antonio Martinez plans to appeal the Court Order, regarding the denial of the cancellation of removal application given the above. Thus, the case will be pending with the BIA, which can cause additional months of delay in his release, while all of his claims for relief are considered.

53. If the BIA does not rule in Mr. Antonio Martinez's favor, he may appeal to the Eleventh Circuit.

54. Under these circumstances, continued detention is arbitrary and excessive. Release under appropriate conditions would fully satisfy any legitimate governmental interest while preventing the ongoing and irreparable harm to Mr. Antonio Martinez's United States citizen wife.

**CLAIM FOR RELIEF**  
**Violation of the INA:**  
**Request for Relief Pursuant to *Maldonado Bautista***

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

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

57. The final in *Maldonado Bautista* holds that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

58. 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.”

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

60. 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;
- c. Alternatively, issue a writ of habeas corpus requiring Respondents to release Petitioner 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: February 3, 2026

Respectfully submitted,

*/s/ Ashley Beard*

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