

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the

EDGAR TRINIDAD MARTINEZ CASARES

Petitioner

v.

TERENCE DICKERSON, WARDEN, STEWART
DETENTION CENTER et al.

Respondent

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


Case No.

4:26-cv-225
(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: EDGAR TRINIDAD MARTINEZ CASARES
 (b) Other names you have used: _____
2. Place of confinement:
 (a) Name of institution: STEWART DETENTION CENTER
 (b) Address: 146 Cca ROAD, LUMPKIN GEORGIA 31815

 (c) Your identification number: 
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): N/A

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): N/A

6. Provide more information about the decision or action you are challenging:
- (a) Name and location of the agency or court: STEWART DETENTION CENTER/ STEWART IMMIGRATION COURT, 146 Cca Rd, LUMPKIN, GEORGIA 31815
- (b) Docket number, case number, or opinion number: [REDACTED]
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
DENIAL OF BOND
- (d) Date of the decision or action: _____

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: STEWART IMMIGRATION COURT

(2) Date of filing: 12/15/2025

(3) Docket number, case number, or opinion number: [REDACTED]

(4) Result: DENIED

(5) Date of result: 12/18/2025

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: DENIAL WAS DUE TO IMMGRATION JUDGES "LACK OFR JURISDICTION" TO CONDUCT OR HEAR BOND HEARING, BASED ON CONTROLLING JUDGE- MENT FROM BIA XXX. JUDGEMENT HAS NOT BEEN SET ASIDE OR STAYED AT THIS TIME.

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: STEWART IMMIGRATION COURT

(2) Date of filing: 12/15/2025

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

(4) Result: DENIED

(5) Date of result: 01/11/2026

(6) Issues raised: PETITIONER SIMULTANIOUSLY FILED A MOTION TO ADMINISTRATIVELY CLOSE THE RE-CALENDERING OF THE 1998 DEPORTATION PROCESS BASED ON (1) A USCIS PENDING I-589 FILED IN 1997, WHICH REMAINS UNRESOLVE AND (2) A 02/2025 FILING OF I-130 FAMILY BASED PETITION FOR ADJUSTMENT OF STATUS. THE IJ ON THE CASE DENIED THE MOTION, DID NOT ALLOW PETITIONER TO ADDRESS THE MERITS OR MISTAKES MADE BY DHS IN OPPOSITION. INSTEAD IJ INSISTED THAT AN I-601 WAIVER SHOULD HAVE BEEN FILED, WHEN IT IS PROCEDURALLY INCORRECT WHEN I-130 HAS NOT BEEN ADJUDICATED.

(b) If you answered "No," explain why you did not file a second appeal: SAME REASONS AS STATED FOR THE FIRST 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: N/A

(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: IT IS NOT REQUIRED, IT IS A WASTE OF THE PETITIONERS RESOURCES AND IT WILL NOT LEAD TO TANGIBLE SUCCESS. MOREOVER IT DOES NOT ACHIEVE THE RESULT OF GETTING THE PETITIONER OUR OF JAIL.

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: N/A

(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: N/A

(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: _____

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

Yes

No

If "Yes," provide:

(a) Date you were taken into immigration custody: _____

(b) Date of the removal or reinstatement order: _____

(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: _____
 - (2) Case number: _____
 - (3) Result: _____
 - (4) Date of result: _____
 - (5) Issues raised: _____
- _____
- _____
- _____

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

Yes No

If "Yes," provide:

- (1) Name of court: N/A
 - (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: N/A
 - (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: _____
- _____
- _____
- _____

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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: VIOLATION OF THE FOURTH AMENDMENT OF THE US CONSTITUTION

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

CIVIL IMMIGRATION DETENTION PREDICATED ON AN UNLAWFUL TRAFFIC STOP VIOLATES THE 4TH AMENDMENT & CANNOT WITHSTAND CHALLENG. TRAFFIC STOPS MUST BE SUPPORTED BY REASONABLE SUSPICION OR PROBABLE CAUSE. THE BODY-CAM FOOTAGE ESTABLISHES NO VIOLATIONS OR ARTICULABLE FACTS SUPPORTING THE STOP. IT WAS UNCONSTITUTIONAL. EVIDENCE & CONSEQUENCES FLOWING FROM THIS ACT ARE TAINTED UNDER 4TH AMENDMENT EXCLUSIONARY RULE.

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

Yes No

GROUND TWO: VIOLATION OF THE FIFTH AMENDMENT OF THE US CONSTITUTION

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

PETITION REMAINS IN PROLONGED DETENTION, DESPITE OVERWHELMING EVIDENCE THAT HE POSES NO DANGER AND NO FLIGHT RISK. THIS FORM OF DETENTION IS ARBITRARY AND PUNITIVE IN NATURE. CIVIL DETENTION MUST BEAR A REASONABLE RELATION TO ITS PURPOSE. IN THE PRESENT CASE DETENTION SERVES NO LEGITIMATE GOVERNMENTAL INTEREST AND VIOLATES SUBSTANTIVE AND PROCEDURAL DUE PROCESS.

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

Yes No

GROUND THREE: PETITIONER IS UNLAWFULLY DETAINED UNDER INA § 236 (A)

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

(1) UNDER INA § 236(A) THE PETITIONER IS NOT SUBJECT TO MANDATORY DETENTION
(2) CONTINUED DETENTION WITHOUT RELEASE ON BOND OR CONDITIONAL PAROLE VIOLATES DUE PROCESS

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

Yes No

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GROUND FOUR: N/A

(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: THE PETITIONER IS NOT AWARE OF ANY GROUNDS NOT ADDRESSED IN FILINGS.

Request for Relief

15. State exactly what you want the court to do: WRITE OF HABEAS CORPUS FOR IMMEDIATE RELEASE FROM ICE CUSTODY, ALTERNATIVELY, CONDITIONAL PAROLE OR MINIMAL BOND, ORDER EMERGENCY HEARING, SUBMISSION OF VIDEO EVIDENCE: POLICE-CAM VIDEO DETAILING 09/21/2025 ARREST, DECLARE ARREST & CONTINUED DETENTION VIOLATION OF THE FOURTH AND FIFTH AMENDMENTS OF US CONSTITUTION, RETAIN JURISDICTION TO ENFORCE COMPLIANCE W/ ORDER & ANY OTHER RELIEF COURT DEEMS PROPER & JUST.

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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: 01/16/2026

Edward M. T.

Signature of Petitioner

02/05/26

Alexander Chitlik

Signature of Attorney or other authorized person, if any