

UNITED STATES DISTRICT COURT

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MDGA-VAL

MIDDLE DISTRICT OF GEORGIA

VALDOSTA DIVISION

AMY TOOKE, as Next Friend of

RENZO ZUNIGA MACCHIAVELLO (A# )

Petitioner,

v.

KRISTI NOEM, Secretary, U.S. Department of Homeland Security;

TODD M. LYONS, Senior Official Performing the Duties of the Director, U.S.
Immigration and Customs Enforcement;

WARDEN, IRWIN COUNTY DETENTION CENTER;

Respondents.

Civil Action No.: _____

EMERGENCY MOTION FOR STAY OF REMOVAL

COMES NOW Petitioner Amy Tooke, as Next Friend of Renzo Zuniga Macchiavello, and respectfully moves this Honorable Court for an Order staying removal pursuant to the Court's habeas jurisdiction under 28 U.S.C. § 2241 and its authority under the All Writs Act, 28 U.S.C. § 1651.

I. INTRODUCTION

Mr. Zuniga is currently detained at Irwin County Detention Center in Ocilla, Georgia. His removal from the United States while his Petition for Writ of Habeas Corpus remains pending would cause immediate and irreparable harm and would undermine this Court's

jurisdiction to adjudicate the constitutional claims raised.

II. LEGAL STANDARD

A stay of removal is warranted where the movant demonstrates: (1) a likelihood of success on the merits; (2) irreparable harm absent a stay; (3) that the balance of equities favors relief; and (4) that a stay serves the public interest. See *Nken v. Holder*, 556 U.S. 418 (2009).

III. ARGUMENT

1. Likelihood of Success on the Merits: The pending habeas petition raises substantial constitutional questions regarding prolonged civil detention, lack of adequate bond hearing procedures, excessive force during arrest, and unconstitutional conditions of confinement.
2. Irreparable Harm: Removal would permanently separate Mr. Zuniga from his spouse and community, jeopardize his pending asylum-related claims, and potentially moot this Court's jurisdiction before meaningful review can occur.
3. Balance of Equities: Maintaining the status quo pending adjudication imposes minimal burden on the Government compared to the severe liberty and safety consequences Mr. Zuniga faces if removed.
4. Public Interest: The public interest strongly favors constitutional compliance and meaningful judicial review before an individual is removed from the United States.

IV. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

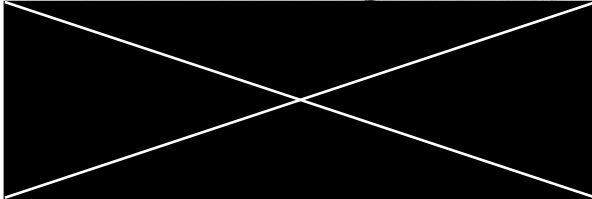
- A. Issue an Order staying the removal of Renzo Zuniga Macchiavello while this habeas action is pending;
- B. Prohibit removal to Peru or any third country without prior notice and Court authorization;
- C. Grant any other relief deemed just and proper.

Respectfully submitted,



AMY TOOKE

Next Friend for Renzo Zuniga Macchiavello



Date: FEB. 24, 2026