

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

UNITED STATES DISTRICT COURT
for the

DUDLEY ANDERSON SALES-DOMINGO

A# 

Petitioner

v.

WARDEN, STEWART DETENTION CENTER

Respondent

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

Case No. _____

(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: DUDLEY ANDERSON SALES-DOMINGO
(b) Other names you have used: same
2. Place of confinement:
(a) Name of institution: WARDEN, STEWART DETENTION CENTER
(b) Address: Stewart Detention Center, Lumpkin, Georgia
(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): _____

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)

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

- ☐ 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): _____

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: Stewart Immigration Court, Lumpkin, Georgia
(b) Docket number, case number, or opinion number: [REDACTED]
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Immigration Judge determined lack of bond jurisdiction and denied bond hearing.

(d) Date of the decision or action: 02/02/2026

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: Board of Immigration Appeals (BIA)

(2) Date of filing: 02/04/2026

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

(4) Result: Pending

(5) Date of result: _____

(6) Issues raised: Lack of bond jurisdiction under INA §235(b).

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(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 second 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: _____

(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: _____

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

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

If "Yes," provide:

(1) Name of court: _____

(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: _____

(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: 02/04/2026

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

(c) Did you file an appeal with the Board of Immigration Appeals? _____

☒ Yes

☐ No

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

If "Yes," provide:

(1) Date of filing: 02/04/2026

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: Improper denial of bond jurisdiction.

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

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(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: _____

(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: _____

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

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: Petitioner is not an arriving alien. The Notice to Appear states that he is an alien present in the United States who has not been admitted or paroled. He is in full removal proceedings. Detention authority should arise under INA §236(a), not INA §235(b). The Immigration Judge erred in finding lack of bond jurisdiction

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

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

☒ Yes

☐ No

GROUND TWO: Petitioner has been detained since November 28, 2025 without an individualized bond hearing. Denial of any bond review violates due process.

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

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

☒ Yes

☐ No

GROUND THREE: Petitioner is not subject to mandatory detention and has no qualifying criminal convictions. Continued detention without bond authority is unlawful.

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

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

☒ Yes

☐ No

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

GROUND FOUR:

Petitioner requests that the Court order Respondents to maintain him within this Court's jurisdiction during the pendency of this case to prevent interference with judicial review.

(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: Ground Four concerns relief available only in federal court and therefore
was not presented in immigration proceedings.

Request for Relief

15. State exactly what you want the court to do: Declare that Petitioner's detention is governed by INA §236(a);
order an individualized bond hearing before an Immigration Judge; order that Petitioner not be transferred outside this
Court's jurisdiction during the pendency of this case; and grant any other appropriate relief.

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

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: 02/23/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

In the Matter of:

File No. Alien No. A#

DUDLEY ANDERSON SALES-DOMINGO

In Removal Proceedings

v. Civil Action No. _____

WARDEN, STEWART DETENTION CENTER,
in his official capacity;
ALEJANDRO MAYORKAS, Secretary of Homeland Security;
TROY MILLER, Acting Director of U.S. Immigration and Customs Enforcement,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

I. JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody within the territorial jurisdiction of this Court at the Stewart Detention Center in Lumpkin, Georgia.

II. PARTIES

Petitioner Dudley Anderson Sales-Domingo is a native and citizen of Guatemala currently detained at Stewart Detention Center, Lumpkin, Georgia.

Respondent Warden is the immediate custodian of Petitioner.

Respondent Secretary of Homeland Security oversees immigration detention.

Respondent Director of ICE is responsible for the enforcement of immigration custody determinations.

III. CUSTODY STATUS

Petitioner has been detained since November 28, 2025.

On February 2, 2026, the Immigration Judge determined that he lacked jurisdiction to conduct a bond hearing, citing Matter of Yajure Hurtado.

Petitioner timely appealed that determination to the Board of Immigration Appeals.

Petitioner remains detained without access to an individualized bond hearing.

IV. FACTUAL BACKGROUND

1. Petitioner entered the United States in or around 2018 near Lukeville, Arizona, without inspection.
2. At the time of entry, Petitioner was approximately fourteen (14) years old.
3. Petitioner was not apprehended at a port of entry and was not processed as an arriving alien.
4. Petitioner was not placed in expedited removal proceedings at the time of entry.
5. On November 28, 2025, Petitioner was arrested and later served with a Notice to Appear.
6. The Notice to Appear expressly states that Petitioner is "an alien present in the United States who has not been admitted or paroled," and does not classify him as an arriving alien.
7. Petitioner is currently in full removal proceedings under INA §240.
8. On February 2, 2026, the Immigration Judge concluded that he lacked bond jurisdiction.
9. Petitioner has no criminal history.
10. Petitioner has strong family ties and community support, as evidenced by attached declarations.

V. GROUNDS FOR RELIEF

GROUND ONE

Improper Statutory Classification Under INA §235(b)

Petitioner is being detained under an improper statutory authority.

Petitioner entered the United States in 2018 as a minor, without inspection. He was not apprehended at a port of entry and was not processed as an arriving alien. He was not placed in expedited removal proceedings.

The Notice to Appear explicitly states that Petitioner is “an alien present in the United States who has not been admitted or paroled,” and does not designate him as an arriving alien.

Petitioner is currently in full removal proceedings under INA §240 (8 U.S.C. §1229a).

Under these circumstances, detention authority arises under INA §236(a), not INA §235(b).

By applying INA §235(b) and concluding that bond jurisdiction does not exist, the Immigration Judge relied on an improper statutory classification.

Because Petitioner is not an arriving alien and was not in a process of admission at the time of arrest, his continued detention under INA §235(b) is unlawful.

GROUND TWO

Denial of Individualized Bond Hearing Violates Due Process

The Fifth Amendment guarantees that civil detention must comport with due process.

Petitioner has been detained since November 28, 2025.

On February 2, 2026, the Immigration Judge concluded that he lacked jurisdiction to conduct a bond hearing, thereby denying Petitioner any individualized review of custody.

Petitioner has no criminal history and poses no danger to the community.

By denying Petitioner any opportunity for an individualized bond hearing based solely on a statutory interpretation, the government has subjected him to mandatory civil detention without procedural safeguards.

Such detention, without individualized assessment, violates the Due Process Clause of the Fifth Amendment.

GROUND THREE

Unlawful Mandatory Detention Without Statutory Basis

Mandatory detention is strictly limited to circumstances expressly authorized by statute.

Petitioner:

- Is not an arriving alien.
- Was not apprehended at the border.
- Was not placed in expedited removal.
- Is not subject to reinstatement of a prior removal order.
- Has no criminal convictions triggering INA §236(c).

There is no statutory basis for mandatory detention in this case.

The government's reliance on INA §235(b) to justify continued detention is legally erroneous and exceeds statutory authority.

GROUND FOUR

Detention of a Former Minor Entrant Raises Additional Due Process Concerns

Petitioner entered the United States as a minor.

He was approximately fourteen (14) years old at the time of entry.

He was not processed as an arriving alien, nor was he placed in expedited removal at that time.

The government cannot retroactively reclassify his years-old presence as an admission process under INA §235(b).

The application of mandatory detention provisions to an individual who entered as a minor and was not treated as an arriving alien raises serious constitutional concerns.

VI. REQUEST FOR RELIEF

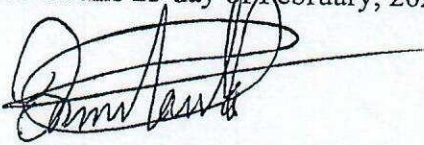
WHEREFORE, Petitioner respectfully requests that this Court:

1. Declare that Petitioner's detention is governed by INA §236(a), not INA §235(b);
2. Order Respondents to provide Petitioner with an individualized bond hearing before an Immigration Judge;
3. Order Respondents to maintain Petitioner within the jurisdiction of this Court during the pendency of this habeas action;
4. Grant such other and further relief as this Court deems just and proper.

VII. DECLARATION

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 23 day of February, 2026.

A handwritten signature in black ink, appearing to read "Dudley Anderson Sales-Domingo", with a long horizontal line extending to the right.

DUDLEY ANDERSON SALES-DOMINGO

A#

Stewart Detention Center
Lumpkin, Georgia