

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

ADJOA OPAREBEA AMANOR
AKROFI,

Petitioner,

v.

LADEON FRANCIS, Field Office
Director of Enforcement and Removal
Operations, ATLANTA Field Office,
TODD LYONS, in his official capacity
as Acting director of Immigration and
Customs Enforcement;
Immigration and Customs Enforcement;
KRISTI NOEM, Secretary, U.S.
Department of Homeland Security; U.S.
DEPARTMENT OF HOMELAND
SECURITY;
PAMELA BONDI, U.S. Attorney
General; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW;
JASON STREEVAL, Warden of
STEWART DETENTION CENTER,

Respondents.

Case No. 26-cv-356

**PETITION FOR WRIT OF
HABEAS CORPUS**

INTRODUCTION

1. This case challenges the unlawful re-detention of Petitioner, ADJOA AMANOR AKROFI, who entered the United States in August 2023 from Ghana to seek Asylum. She was apprehended shortly after her entry but was released while she pursued her removal proceedings.

2. In the years since her release, Petitioner submitted an Asylum application, lawfully worked, complied with all her ICE check-ins, complied with all her immigration court hearings, and timely filed her appeal on October 13, 2025.

3. On July 22, 2025, during one of her ICE check-ins an ankle monitor was placed on the Petitioner.

4. On September 15th, 2025, the Petitioner presented herself for her removal hearing and the Immigration Judge ultimately denied her petition with an appeal to be filed by October 15, 2025.

5. On October 12, 2025, ICE agents abruptly and without notice arrested and detained the Petitioner. The Petitioner had already filed her appeal but it did not process into the system until October 13, 2025.

6. She was then transferred to the STEWART DETENTION CENTER where she remains to this day.

7. Immigration records show that at the time of her arrest, immigration officers were aware of that Petitioner was a Ghana national within the appeal window timeframe.

8. Prior to re-detaining her on October 12th, 2025, Respondents did not provide Petitioner with any written notice explaining the basis for the revocation of her release. Nor did they provide a hearing before a neutral decisionmaker where ICE was

1 required to justify the basis for re-detention or explain why Petitioner is a Fight risk or
2 danger to the community.

3 9. As this Court has previously held, due process demands a hearing *prior* to
4 the government's decision to terminate a person's liberty. *See Grayden v. Rhodes*, 345 F.3d
5 1225 (11th Cir. 2003).

6 10. By failing to provide such a hearing, Respondents have violated
7 Petitioner's constitutional right to due process.

8 11. Accordingly, this court should grant the instant petition for a writ of habeas
9 corpus and order her immediate release.

10 JURISDICTION

11 12. Petitioner is in the physical custody of Respondents. Petitioner is detained at the
12 STEWART DETENTION CENTER in LUMPKIN, GEORGIA.

13 13. This action arises under the Constitution of the United States and the Immigration and
14 Nationality Act (INA), 8 U.S.C. § 1101 et seq.

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

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

20 VENUE

21 16. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493- 500
22 (1973), venue lies in the United States District Court for the MIDDLE DISTRICT OF
23 GEORGIA, the judicial district in which Petitioner currently is detained.

1 17. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents
2 are employees, officers, and agencies of the United States, and because a substantial part
3 of the events or omissions giving rise to the claims occurred in the MIDDLE DISTRICT
4 OF GEORGIA.

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

6 18. The Court must grant the petition for writ of habeas corpus or order Respondents to show
7 cause “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an
8 order to show cause is issued, Respondents must file a return “within three days unless for
9 good cause additional time, not exceeding twenty days, is allowed.” *Id.*

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

16 **PARTIES**

17 20. Petitioner ADJOA AMANOR AKROFI is a citizen of Ghana who has been in immigration
18 detention since the 12th of October 2025. Petitioner is currently detained at the Stewart
19 Detention Center.

20 21. Respondent FRANCIS LADEON is the Director of the Atlanta Field Office of ICE’s
21 Enforcement and Removal Operations division; however, on information and belief, the
22 DHS is rotating their Field Office Director without publishing a schedule of rotation. As
23 such, Francis Ladeon or his unknown, unannounced provisional replacement is Petitioner’s

1 immediate custodian and is responsible for Petitioner's detention and removal. He or his
2 acting counterpart is named in his or her official capacity.

3 22. Respondent Todd Lyons is named in his official capacity as the Acting Director of the
4 Immigration and Customs Enforcement ("ICE"). As the senior Official Performing the
5 duties of the Director of ICE, he is responsible for the administration and enforcement of
6 the immigration laws of the United States; routinely transacts business in the Southern
7 District of Georgia; is legally responsible for any effort to detain Petitioner; and as such is
8 a custodian of the Petitioner. His address is ICE, Office of the Principal Legal Advisor, 500
9 12th St. SW, Mail Stop 5900, Washington DC 20536-5900.

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

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

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

20 26. Respondent Executive Office for Immigration Review (EOIR) is the federal agency
21 responsible for implementing and enforcing the INA in removal proceedings, including for
22 custody redeterminations in bond hearings.

1 27. Respondent, Warden Jason Streeval is, is employed by the private, for-profit detention
2 corporation contracted by the Government as an agent to confine immigrants at Stewart
3 Detention Center, where Petitioner is detained. He has immediate physical custody of
4 Petitioner. He is sued in his official capacity.

5 LEGAL FRAMEWORK

6 28. Due process requires that if DHS seeks to re-arrest a person like Petitioner—an individual
7 who has lived in the United States without incident after DHS first released her, submitted
8 applications for protection from removal, and otherwise complied with the terms of her
9 release—the government must afford a hearing before a neutral decisionmaker to
10 determine whether any re-detention is justified, and whether the person is a flight risk or
11 danger to the community.

12 29. “Freedom from imprisonment—from government custody, detention, or other forms of
13 physical restraint—lies at the heart of the liberty protected by the Due Process Clause.”
14 *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

15 30. Consistent with this principle, individuals released on parole or other forms of conditional
16 release have a liberty interest in their “continued liberty.” *See Morrissey v. Brewer*, 408
17 U.S. 471, 482 (1972).

18 31. Such liberty is protected by the Fifth Amendment because, “although indeterminate, [it]
19 includes many of the core values of unqualified liberty,” such as the ability to be gainfully
20 employed and live with family, “and its termination inflicts a ‘grievous loss’ on the
21 [released individual] and often on others.” *Id.*

22 32. To protect against arbitrary re-detention and to ensure the right to liberty, due process
23 requires “adequate procedural protections” that test whether the government’s asserted

1 justification for a noncitizen's physical confinement "outweighs the individual's
2 constitutionally protected interest in avoiding physical restraint." *Zadvydas*, 533 U.S. at
3 690 (citation modified).

4 33. Due process thus guarantees notice and an individualized hearing before a neutral
5 decisionmaker to assess danger or flight risk before the revocation of an individual's
6 release. *See Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) ("The fundamental requisite of
7 due process of law is the opportunity to be heard . . . at a meaningful time in a meaningful
8 manner." (citation modified)); *see also*, e.g., *Morrissey*, 408 U.S. at 485 (requiring
9 "preliminary hearing to determine whether there is probable cause or reasonable ground to
10 believe that the arrested parolee has committed . . . a violation of parole conditions" and
11 that such determination be made "by someone not directly involved in the case" (citation
12 modified)).

13 34. Several courts, including this one, have recognized that these principles apply with respect
14 to the re-detention of the many noncitizens that DHS has arbitrarily begun taking back into
15 custody, often after such persons have been released for months and years. *See E.P.P. v*
16 *Warden, Stewart Detention Center, et al.*, 4:26-cv-046 (CDL) (M.D. Ga Jan. 14, 1992);
17 *L.C.C. v. Warden, Stewart Detention Center, et al.*, 4:26-cv-139 (CDL), (Jan. 29, 2026);
18 *JAM v. Streeval*, No. 4:25-cv-342 (CDL), 2025 WL 3050094 (Nov. 1, 2025).

19 FACTS

20 35. Petitioner, Mrs. Adjoa AMANOR AKROFI ("Mrs. Amanor") is a 48 year old citizen and
21 national of Ghana.

22 36. Mrs. Amanor fled Ghana seeking asylum and related protections from persecution in the
23 United States.

1 37. On August 5, 2023, Mrs. Amanor entered the United States and was apprehended by U.S.
2 Customs and Border Patrol (CBP).

3 38. After passing a credible fear interview (CFI), Mrs. Amanor was issued a Notice to
4 Appear on August 31, 2023. She was scheduled to appear at the Eloy Detention Center
5 Immigration Court In Eloy Arizona on September 15, 2023.

6 39. On September 6, 2023, Mrs. Amanor was granted parole and released from detention
7 with instructions to regularly report to ICE throughout the pendency of her immigration
8 court case. *See Exhibit 1, Parole Documents.*

9 40. Following her release, Mrs. Amanor timely filed asylum application ahead of the one
10 year deadline of her date of entry.

11 41. On September 15, 2025, Mrs. Amanor appeared for her Individual Merits Hearing. The
12 IJ denied her Asylum Application. Mrs. Amanor reserved appeal, and the appeal was to
13 be filed on or before October 15, 2025.

14 42. On October 13, 2025, Mrs. Amanor timely filed an appeal of the IJ's decision. This
15 appeal remains pending as of this petition.

16 43. On October 12, 2025, Mrs. Amanor was arrested and detained by DHS without notice
17 despite having timely filed her appeal and not violated the terms of her release. She was
18 subsequently transported to the Stewart Detention Center.

19 44. Mrs. Amanor has no criminal record in the United States or any other country.

20 45. Moreover, Mrs. Amanor has built a strong network of support in her time in the United
21 States. She has a United States Citizen spouse and a Lawful Permanent Resident sister.

22 46. Prior to Mrs. Amanor's re-arrest, Mrs. Amanor did not receive written notice of the reason
23 for her re-detention.

1 47. Prior to Mrs. Amanor's re-arrest, ICE did not assess whether Mrs. Amanor presented a
2 flight risk or danger to the community, or whether her re-arrest was justified for some other
3 reason.

4 48. Prior to Mrs. Amanor's re-arrest, she was not afforded a hearing before a neutral
5 decisionmaker to determine if her re-detention is justified.

6 49. As a result, Mrs. Amanor remains in detention. Without relief from this court, she faces
7 the prospect of months, or even years, in immigration custody, separated from her family
8 and community while her appeal of her removal proceedings remains pending.

9 **CLAIMS FOR RELIEF**

10 **COUNT I**

11 **Violation of Fifth Amendment Right to Due Process**

12 **Judicial Due Process**

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

15 51. Due process does not permit the government to re-detain Petitioners and strip them of their
16 liberty without written notice and a pre-deprivation hearing before a neutral decisionmaker
17 to determine whether re-detention is warranted based on danger or flight risk. *See*
18 *Morrissey*, 408 U.S. at 487–88. Such written notice and a hearing must occur prior to any
19 re-detention

20 52. Respondents revoked Petitioner's release and deprived her of liberty without providing
21 written notice and a meaningful opportunity to be heard by a neutral decisionmaker prior
22 to her re-detention. The government's detention of Petitioner without a bond

1 redetermination hearing to determine whether she is a flight risk or danger to others violates
2 her right to due process.

3 53. Accordingly, Petitioner's re-detention violates the Due Process Clause of the Fifth
4 Amendment.

5 **PRAYER FOR RELIEF**

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

- 7 a. Assume jurisdiction over this matter;
- 8 b. Issue an Order to Show Cause ordering Respondents to show cause within three
9 days as to why this Petition should not be granted as required by 28 U.S.C. §
10 2243, and ordering that they not transfer Petitioners out of this district during the
11 pendency of the court's adjudication of this petition;
- 12 c. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioners from
13 custody immediately and permanently enjoining their re-detention during the
14 pendency of their removal proceeding absent written notice and a hearing prior to
15 re-detention where Respondents must prove by clear and convincing evidence that
16 each Petitioner is a flight risk or danger to the community and that no alternatives
17 to detention would mitigate those risks;
- 18 d. Declare that the re-detention of Petitioners while removal proceedings are
19 ongoing without first providing an individualized determination before a neutral
20 decisionmaker violates the Due Process Clause of the Fifth Amendment
- 21 e. 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

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

DATED this 6th of March 2026.

/s/ Peter Tadeo, Esq.

Peter Tadeo, Esq.

Attorney for Petitioner

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Attorney for Petitioner

28 U.S.C. § 2242 VERIFICATION STATEMENT

I am submitting this verification on behalf of the Petitioner because I am the
Petitioner's attorney. I have discussed with Petitioner's family members and have reviewed various
documents for Petitioner. On the basis of those discussions, I hereby verify that I have reviewed
the foregoing Petition and that the facts and statements made in this Petition and Complaint are
true and correct to the best of my knowledge or belief pursuant to 28 USC § 2242.

DATED this 6th of March 2026.

/s/ Peter Tadeo, Esq.
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