

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DISTRICT COURT
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PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241

EMERGENCY PETITION FOR IMMEDIATE RELEASE
OR, IN THE ALTERNATIVE, FOR CONSTITUTIONALLY ADEQUATE BOND
HEARING

PETITIONER:

Francisco Antonio Molina Lovo

A-Number: A

Date of Birth:

Nationality: Nicaraguan

Detention Facility: Folkston Main Detention Facility

Folkston, GA 31537

NEXT FRIEND:

Mayerli Laguna Lovo

Date of Birth:

Nationality: Nicaraguan

Address:

Phone:

Email:

I. JURISDICTION, VENUE, AND STATUTORY AUTHORITY

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is currently in federal immigration custody within the territorial jurisdiction of the Southern District of Georgia. Venue is proper in the Waycross Division because Petitioner is detained at Folkston Main Detention Facility. This Court retains authority to remedy ongoing constitutional violations arising from unlawful detention, medical neglect, and conditions of confinement.

Filing Fee Pd. #400003186

II. NEXT FRIEND STANDING

Petitioner is unable to meaningfully litigate his own case due to prolonged detention, serious medical conditions, and severe psychological deterioration. His sister, Mayerli Laguna Lovo, has a significant relationship with Petitioner and is dedicated to his best interests, satisfying the requirements for Next Friend standing under *Whitmore v. Arkansas*, 495 U.S. 149 (1990).

III. FACTUAL BACKGROUND AND PROCEDURAL HISTORY

Petitioner entered the United States on December 29, 2022 and promptly sought protection through asylum proceedings. His application remains pending, and the government itself authorized Petitioner to work lawfully in the United States through 2028, acknowledging his compliance and low risk profile.

On October 12, 2025, Petitioner was involved in a minor traffic accident involving only his own vehicle. No injuries, no property damage to others, and no criminal conduct were alleged. Nevertheless, local authorities transferred Petitioner to ICE custody, initiating prolonged civil detention despite the absence of any danger to the community.

IV. SERIOUS MEDICAL CONDITIONS AND DELIBERATE INDIFFERENCE

Petitioner suffers from neurocysticercosis, a parasitic infection of the brain requiring constant neurological monitoring, imaging, and specialized treatment. Failure to monitor this condition creates a substantial risk of seizures, permanent neurological damage, or death. Despite this known condition, detention officials have failed to provide consistent or adequate medical care.

Additionally, Petitioner suffers from a serious knee injury that limits mobility and causes chronic pain. Requests for orthopedic evaluation and treatment have been ignored, compounding his suffering and further evidencing deliberate indifference.

V. UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT

Petitioner has endured extreme deprivation of food and water, including periods exceeding one week without access to potable water or basic hygiene. Such conditions shock the conscience and violate substantive due process.

Petitioner has also been subjected to repeated racial and xenophobic verbal abuse by detention staff, creating a hostile and psychologically abusive environment that has caused severe anxiety, depression, and significant weight loss.

VI. PROLONGED AND PUNITIVE CIVIL DETENTION

Immigration detention is civil, not punitive. Yet Petitioner's detention has become punitive in effect and duration, violating the Fifth Amendment. See *Zadvydas v. Davis*, 533 U.S. 678 (2001). Continued detention without an individualized assessment of danger or flight risk violates due process.

VII. LACK OF FLIGHT RISK AND DANGER

Petitioner has no serious criminal history, strong family ties in the United States, a pending asylum claim, and a valid employment authorization. These factors conclusively demonstrate that Petitioner is neither a danger to the community nor a flight risk.

VIII. RISK OF IRREPARABLE HARM AND UNLAWFUL REMOVAL

Petitioner reasonably fears summary removal or transfer to a third country without due process, which would irreparably harm his asylum claim and expose him to grave danger. Emergency judicial intervention is required to preserve this Court's jurisdiction.

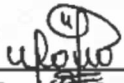
IX. RELIEF REQUESTED

Petitioner respectfully requests that this Court:

1. Grant the Petition for Writ of Habeas Corpus;
2. Order Petitioner's immediate release from custody;
3. Alternatively, order a prompt and constitutionally adequate bond hearing;
4. Enjoin removal, transfer, or third-country deportation;
5. Grant any further relief the Court deems just and proper.

X. DECLARATION AND SIGNATURE

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



Mayerli Laguna Lovo

Next Friend for Francisco Antonio Molina Lovo

Date: 02/27/2026

Carey Chandler
General Manager
Yusen Logistics



11/29/2025

To Whom It May Concern,

I am writing on behalf of Francisco Molina, whom I had the privilege of supervising for two years while he worked as an Inventory Control Specialist at Yusen Logistics. During the time Francisco worked under my management, he proved himself to be one of the most reliable and hardworking employees I have ever had on my team.

Francisco consistently demonstrated a strong work ethic and an exceptional level of professionalism. He took great pride in his responsibilities, managed inventory with remarkable accuracy, and often went above and beyond what was expected of him. He was also someone I could always count on—he rarely missed a shift, consistently arrived early, and was the type of employee who stepped up whenever the job demanded it.

In addition to his outstanding job performance, Francisco played a major role in supporting and developing newer staff members. He frequently trained and coached other employees, always doing so with patience, kindness, and a positive attitude. His upbeat demeanor and willingness to help others contributed greatly to the overall morale and teamwork within our workplace.

Outside of work, Francisco has always shown strong family values. He took care of his two younger brothers and was known for helping others in the community, including giving rides to coworkers who did not have transportation. These actions were never done for recognition—they simply reflect the type of person Francisco is at his core: caring, dependable, and compassionate.

I wholeheartedly believe that Francisco is capable of learning from this situation and moving forward in a productive, positive direction. Based on the character he demonstrated throughout his employment with me, I respectfully ask that you take this letter into consideration when reviewing his circumstances. I truly believe he has much to contribute to his family, workplace, and community if given the opportunity.

Should you need any additional information, please feel free to contact me at  or 

Thank you for your time and thoughtful consideration.

Sincerely,
Carey Chandler

gc



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

Payment Receipt

A payment has been processed for the following case before the Executive Office for Immigration Review.

For cases before the Immigration Court, please contact the Court that is currently hearing your case for questions regarding payment. For cases before the Board of Immigration Appeals (BIA), please contact the BIA Clerk's Office for questions regarding payment at (703) 605-1007.

A copy of this receipt must be included with the application, motion, or appeal that is filed with the Immigration Court or the BIA Clerk's Office. Failure to include a receipt showing proof of payment will result in rejection of the filing.

A-Number: [REDACTED]

Payment Tracking ID: [REDACTED]

Payment Processed On: 10/20/2025 4:03:23 PM EST

Filing Type: Court - I-589, Application for Asylum (Initial Fee)

Payment Type: PLASTIC_CARD

Payment Amount: \$100.00

Save or print this receipt immediately. A copy will not be sent via email. The tracking ID is required to retrieve a duplicate receipt.

*Please note there is an annual fee for all asylum applications, which is due on the anniversary of each calendar year that an alien's asylum application remains pending; no fee-waiver or reduction in fee is permitted. This fee must be paid timely; failure to pay within 30 days of the anniversary due date will likely result in pretermission of the asylum application and an order of removal. This will be the only notice that the alien will receive regarding this annual payment requirement. Payment of this fee can be made at <https://epay.coir.justice.gov/index>.

Current annual fee amounts can be found at www.justice.gov/coir/types-appeals-motions-and-required-fees.

AFFIDAVIT OF SPONSOR

West Palm Beach, Florida
January 15, 2026

To Whom It May Concern,

I, Oscar Danilo Amaya, born on [REDACTED], residing at [REDACTED] West Palm Beach, FL 33413, phone number [REDACTED] hereby declare under oath that I am a citizen of the United States.

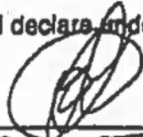
I hereby state that I will be the sponsor of my nephew Francisco Antonio Molina Lovo in his immigration process and in connection with his matter before the Immigration Court and/or ICE.

I confirm that I am willing and able to provide financial support to Francisco Antonio Molina Lovo if necessary throughout the duration of his immigration process.

I understand that Francisco Antonio Molina Lovo must attend all court hearings and comply with all requirements established by the Immigration Court and ICE, and I commit to helping ensure compliance with these obligations.

I believe that Francisco Antonio Molina Lovo does not represent a flight risk, as he intends to continue his asylum process in a lawful and responsible manner and has complied with all court appointments since his arrival in the United States.

I declare under penalty of perjury that the information contained in this affidavit is true and correct.

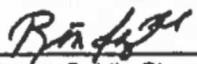

Sponsor Signature

1-17-26

Oscar Danilo Amaya

SWORN AND SUBSCRIBED BEFORE ME

In the City of Browards, State of Florida,
on this 15th day of JANUARY, 2026.


Notary Public Signature

Notary Name: Prudenzia M. Fazio

Commission No.: HH 410829

My commission expires: 08/18/2027



PRUDENZIA M. FAZIO
MY COMMISSION # HH 410829
EXPIRES: August 18, 2027

U.S. Department of Homeland Security
Immigration and Customs Enforcement

Additional Charges of Inadmissibility/Deportability

- In: ☒ Removal proceedings under section 240 of the Immigration and Nationality Act
☐ Deportation proceedings commenced prior to April 1, 1997 under former section 242 of the Immigration and Nationality Act

In the Matter of:

Alien/Respondent MOLINA-LOVO, FRANCISCO

File  Address 3026 HWY 252 E PO BOX 248
FOLKSTON, GA 31537

There is/are hereby lodged against you the additional charge(s) that you are subject to being taken into custody and deported or removed from the United States pursuant to the following provision(s) of law:

Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act, as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality if such document is required under the regulations issued by the Attorney General under section 211(a) of the Act.

In support of the additional charge(s) there is submitted the following factual allegation(s) ☒ In addition to ☐ in lieu of those set forth in the original charging document:

5. At that time, you did not have a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document.

Dated: 11/14/2025



(Signature of ICE Counsel)

Additional allegations (continued):**Notice to Respondent**

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this Notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. If you wish to have the testimony of any witness considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the charging document and that you are inadmissible or deportable on the charges contained in the charging document. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government.

You will be advised by the immigration judge before whom you appear, of any relief from removal for which you may appear eligible including the privilege of departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Certificate of Service

This charging document was served on the respondent (through parent if applicable) by me, on 11/14/2025 in the following manner and in compliance with section 239(a)(1)(F) of the Act:

☐ in person ☐ by certified mail, return receipt requested ☒ by regular mail ☐ ECAS

to: 3026 HWY 252 E PO BOX 248 FOLKSTON, GA 31537

(Alien's address)

☐ The alien was provided oral notice in the _____ language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.



Assistant Chief Counsel

(Signature of respondent if personally served)

(Signature and title of officer)

FULL POWER OF ATTORNEY

BE IT ACKNOWLEDGED that I, Francisco Molina Lovo, the undersigned, residing at
Detainee Printed Name

P.O. Box 248 Folkton, GA 31537 do hereby grant a
Facility Address

Full Power of Attorney to Oscar Danilo Amaya of
Full Name

[Redacted]
Address Phone

Signed this 17th day of November, 2015

[Signature]
Detainee Signature

A
Detainee Alien #

(NOTARY SEAL & SIGNATURE)



[Signature] 11/12/15
Notary Signature Date of Notarization

2/26
Notary Expiration Date

FULL POWER OF ATTORNEY

BE IT ACKNOWLEDGED that I, Francisco Molina Lora, the undersigned, residing at
Detainee Printed Name

P.O. Box 248 Folkston, GA 31537 do hereby grant a
Facility Address

Full Power of Attorney to Oscar Danilo Amaya of
Full Name

[Redacted]
Address Phone

Signed this 17th day of November, 2015

[Signature]
Detainee Signature

[Redacted]
Detainee Alien #

(READER STATE BELOW)



[Signature] 11/17/25
Notary Signature/Date of Notarization

2/26
Notary Expiration Date



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
CHARLOTTE IMMIGRATION COURT

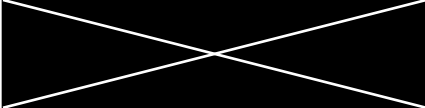
Respondent Name:

MOLINA-LOVO, FRANCISCO

To:

MOLINA-LOVO, FRANCISCO

C/O Francisco Molina



A-Number:



Riders:

In Removal Proceedings

Date:

04/18/2023

ORDER OF THE IMMIGRATION JUDGE

Upon due consideration of ☒ Respondent's ☐ the Department of Homeland Security's motion for change of venue filed in this manner, and having been satisfied that the non-moving party was accorded notice and an opportunity to respond, for the following reason(s) the immigration court hereby orders that the motion for CHANGE OF VENUE is:

- ☒ GRANTED, as the requirements of 8 C.F.R. § 1003.20(b) have been met.
Venue is changed to Atlanta, GA

Respondent's new address is:



SAVANNAH, GA 31408

Respondent's new attorney/representative (if any) is

- ☐ DENIED, as no good cause shown has been shown. *See* 8 C.F.R. § 1003.20(b).
- ☐ DENIED, as no fixed address including city, state, and zip code, where Respondent may be reached for further hearing notification was provided. *See* 8 C.F.R. § 1003.20(c).
- ☐ Other / Further explanation

Maria Lopez Enrriquez

Immigration Judge: LOPEZ-ENRIQUEZ, MARIA 04/18/2023

Certificate of Service

This document was served:

Via: ☒ Mail ☐ Personal Service ☐ Electronic Service

To: ☒ Noncitizen ☐ Noncitizen c/o custodial officer ☐ Noncitizen's atty/rep. ☐ DHS

Respondent Name : MOLINA-LOVO, FRANCISCO | A-Number : 

Riders:

Date: 04/18/2023 By: Diaz, Milagros , Court Staff

Upload on: 11/21/2022 at 9:48 AM (Eastern Time) Base City: CHL

Departamento de Justicia de los Estados Unidos

Formulario para Cambio de Dirección/Información de Contacto

Oficina Ejecutiva de Revisión de Casos de Inmigración

Tribunal de Inmigración

Instrucciones: para completar este formulario, rellene todos los espacios en blanco, incluyendo la constancia de notificación que certifica que usted le ha enviado una copia al Departamento de Seguridad Nacional (DHS). Después de rellenar los espacios en blanco y de firmar la declaración y la constancia de notificación, usted deberá enviar el formulario por vía electrónica, por correo, o entregarlo en persona. Si lo envía por vía electrónica, use el portal para comparecencias, <https://respondentaccess.eoir.dhs.gov>. Si lo envía un abogado o un representante plenamente acreditado, deberán enviarlo a través del portal de casos, <https://portal.eoir.dhs.gov>. Si lo hace por correo, siga las instrucciones de la página dos. Usted deberá enviar una copia de este formulario por separado por cada individuo que esté en un proceso de inmigración (o sea, se deberá presentar un formulario por cada persona que tenga un caso pendiente ante el tribunal de Inmigración y se vea afectada por ese cambio de dirección o teléfono).

Usted deberá presentar este formulario ante el tribunal de Inmigración dentro de los cinco días hábiles del cambio de dirección o teléfono o de haber recibido el documento acusatorio (Notificación de Comparecencia) con información incorrecta. El tribunal de Inmigración enviará toda correspondencia oficial (por ej.: fecha, hora y lugar de las audiencias) a la dirección que usted facilite. El tribunal de Inmigración solo hará cambios de dirección y número de teléfono en su expediente de EOIR al recibir este formulario; el tribunal no cambiará su dirección o número de teléfono en base a una dirección o número de teléfono que se encuentre en los escritos, pedimentos, u otras comunicaciones con el tribunal. Si usted no se presenta a alguna audiencia ante un juez de Inmigración cuando se le ha entregado o se le ha enviado por correo una notificación de audiencia u otra correspondencia oficial a la dirección que usted facilitó, el Departamento de Seguridad Nacional (DHS) podría arrestarlo. Además, el juez de Inmigración podría llevar a cabo la audiencia en su ausencia y emitir una orden de expulsión, deportación o exclusión en su contra. Si el juez emite dicho orden, usted no reunirá los requisitos para ciertos beneficios inmigratorios que impiden su expulsión, de conformidad con la Ley de Nacionalidad e Inmigración, a saber:

• Si usted está en procesos de expulsión: usted quedará sujeto a una orden de expulsión por un período de 10 años a partir de la fecha de emisión de dicha orden. Además, no reunirá los requisitos para la salida voluntaria, la cancelación de la expulsión, la legalización de su situación inmigratoria o el cambio de estatus.

• Si usted en procesos de deportación: usted quedará sujeto a una orden de deportación por un período de 5 años a partir de la fecha de emisión de dicha orden. Además, no reunirá los requisitos para la salida voluntaria, la cancelación de la expulsión, la legalización de su situación inmigratoria o el cambio de estatus.

• Si usted está bajo un proceso de exclusión: no podrá considerar que ha desistido de su solicitud para ser admitido a los EE.UU.

Nombre (Apellido, Nombre, Segundo Nombre): Name - Last, First, Middle, Suffix (if applicable): MOLINA- LOVO, Francisco		Número de Extranjero (Número A): A-Number:
Mi dirección y teléfono anteriores eran: Former address and telephone number: 		Mi dirección y teléfono actuales son: New address and telephone number: Francisco Molina "A cargo de" otra persona, (si es pertinente) "In care of" other person (if any)
Número; Calle; Apartamento (si es pertinente) Number; Street; Apartment (if any) DURHAM NC, 27703 , USA Ciudad, Estado, y Código Postal; País (si no es EE.UU.) City, State, and Zip Code; Country (if other than U.S.)		Número; Calle; Apartamento (si es pertinente) Number; Street; Apartment (if any) SAVANNAH GA, 31408 , USA Ciudad, Estado, y Código Postal; País (si no es EE.UU.) City, State, and Zip Code; Country (if other than U.S.)
+1 Número de teléfono (incluya el prefijo del país si no es en EE.UU.) Phone number (include country code if other than U.S.)		 Número de teléfono (incluya el prefijo del país si no es en EE.UU.) Phone number (include country code if other than U.S.)
 Correo electrónico Email address		 Correo electrónico Email address

Yo, declaro bajo pena de perjurio, conforme al título 28 del Código de los EE.UU., artículo 1746, que soy la persona arriba mencionada asociada con el número de registro de extranjero arriba mencionado, y que la información contenida en este formulario es verdadera y correcta a mi leal saber y entender.

FIRME AQUI →

X Francisco Molina Lovo

11/21/2022

Firma

Fecha

CONSTANCIA DE NOTIFICACIÓN

Yo, (nombre) Francisco Molina Lovo

, envié por correo o entregué una copia de este formulario de Cambio de Dirección el día (date) 11/21/2022

a la Oficina del Asesor Jurídico Principal del DHS, Agencia de Inmigración y Control de Aduanas- ICE, ubicada en:

DHS/ICE Office of Chief Counsel - 5701 Executive Ctr Dr., Ste 300, Charlotte, NC, 28212

(Indicar si será entregado por vía electrónica/por correo electrónico, en persona, o por correo (Proporcionar Número y Calle, Ciudad, Estado, Código Postal))

Al firmar, concuerdo en presentar una copia de este formulario de cambio de dirección a la Oficina del Asesor Jurídico Principal del DHS, Agencia de Inmigración y Control de Aduanas-ICE en el local que he seleccionado anteriormente. Entiendo que puedo presentarle una copia a DHS sea por vía electrónica usando el portal DHS eService (inscríbese en <https://respondentaccess.eoir.dhs.gov>), por correo o en persona.

FIRME AQUI →

.. Francisco Molina Lovo