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

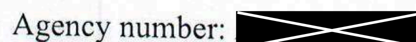
Wegahta SOLOMON,

Petitioner

v.

Jason STREEVAL, Warden, Stewart Detention Center
Respondent

Civil Action No. ________________

Agency number: 

HEARING REQUESTED

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

1. Petitioner Wegahta[1] Solomon ("Petitioner" or "Mr. Solomon") is a citizen of Eritrea who is currently detained at Stewart Detention Center ("Stewart").[2] (Exhibit A – ICE Detainee Locator). He has been in the custody of Immigration & Customs Enforcement ("ICE") for more than six (6) months, since on or about April 24, 2025.

2. Mr. Solomon entered the United States ("U.S.") at a Port of Entry on or about December 15, 2017. The Department of Homeland Security ("DHS") personally served Mr. Solomon with a Notice to Appear ("NTA") on January 30, 2018, before filing the NTA with the Houston Immigration Court the next day. DHS charged Mr. Solomon under 212(a)(7)(A)(i)(I) of

[1] Petitioner's name is legally spelled "Wegahta Solomon." ICE has Petitioner's name spelled as "Wegahta Solomon" while the Executive Office for Immigration Review ("EOIR") has Petitioner's name spelled as "Weghata Solomon." Petitioner's Counsel will address Petitioner's name as "Wegahta Solomon." Please note that Department of Homeland Security ("DHS") Form I-200 lists "Weghata Solomon Tekie" as an alias.

[2] Eritrea became a country after Mr. Solomon was born. Therefore, he was born in what was then Ethiopia, but there seems to be no dispute that he is a citizen of Eritrea.

the Immigration and Nationality Act ("INA").

3. Mr. Solomon had a Master Hearing on March 23, 2018, before an Immigration Judge ("IJ"), and later filed Form I-589, Application for Asylum and for Withholding of Removal with the Houston Immigration Court on April 25, 2018. Mr. Solomon testified at his Individual Hearing on June 26, 2018, and an IJ denied his application for relief and ordered removal on July 24, 2018. Mr. Solomon did not appeal, so the order became administratively final on August 24, 2018. (Exhibit C – Written Decision and Orders of the Immigration Judge).

4. From the time Mr. Solomon entered the U.S. to when he was released under an Order of Supervision ("OSUP") on or about January 7, 2019, he was in DHS custody. (Exhibit D – ICE Order of Supervision). Mr. Solomon complied with all requirements under his OSUP, including reporting to ICE for check-ins.

5. ICE then failed to remove Mr. Solomon for nearly seven (7) years, eventually taking him into custody on or around April 24, 2025. (Exhibit E – DHS Warrant for Arrest of Alien; Exhibit F – DHS Notice of Custody Determination). Since then, ICE has continued to prove unable to effectuate Mr. Solomon's removal, despite presumably requesting travel documents from Eritrea nearly seven (7) years ago. As described in greater detail below, Mr. Solomon spoke with a member of the Eritrean embassy in either May or June of 2025, provided all necessary information, and has not heard anything back as to a travel document. (Exhibit M – Petitioner's Declaration).

6. Mr. Solomon has now been detained for more than six (6) months post-order, awaiting for ICE to effectuate his removal to Eritrea, and there is no significant likelihood that he will be removed in the reasonably foreseeable future. Mr. Solomon's detention, post-removal-order, has become unconstitutionally prolonged under the framework set out in *Zadvydas v. Davis*,

533 U.S. 678 (2001). He therefore challenges his prolonged and indefinite detention as a violation of the Immigration and Nationality Act ("INA") and the Due Process Clause.

7. Mr. Solomon respectfully requests that this Court grant him a Writ of Habeas Corpus, ordering Respondent to release him from custody.

JURISDICTION AND VENUE

8. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 1651 (All Writs Act), 28 U.S.C. §§ 2201-02 (declaratory relief), and art. I. sec. 9, cl. 2 of the U.S. Constitution (Suspension Clause), as Mr. Solomon is presently in custody under or by color of the authority of the United States, and he challenges his custody as in violation of the Constitution, laws, or treaties of the United States.

9. The federal district courts have jurisdiction under 28 U.S.C. § 2241 to hear habeas claims by individuals challenging the lawfulness of their detention by ICE. *See, e.g., Zadvydas*, 533 U.S. 678; *Demore v. Kim*, 538 U.S. 510 (2003). In *Jennings v. Rodriguez*, 138 S. Ct. 830, 839-41 (2018), the United States Supreme Court reiterated the federal courts' jurisdiction to review such claims.

10. Venue is proper in the Middle District of Georgia, Columbus Division, pursuant to 28 U.S.C. §§ 1391 and 2241(d) because Mr. Solomon is detained at the Stewart Detention Center in Lumpkin, Georgia.

PARTIES

11. Petitioner Mr. Solomon is an Eritrean citizen currently detained by Respondent Jason Streeval at the Stewart Detention Center. (Exhibit A – ICE Detainee Locator). He was previously detained in Texas while he was in removal proceedings. An IJ at the Houston Immigration Court ordered him removed to Eritrea on or about July 24, 2018. (Exhibit C – Written

Decision and Orders of the Immigration Judge). He did not appeal, rendering the removal order administratively final on or about August 24, 2018. After being released under an OSUP in early 2019, Mr. Solomon was re-detained and has now been continuously detained by Respondent since approximately April 24, 2025, all post order. (Exhibit E – DHS Warrant for Arrest of Alien; Exhibit F – DHS Notice of Custody Determination).

12. Respondent Jason Streeval is sued in his official capacity as the Warden of Stewart Detention Center. Pursuant to a contract with ICE, Warden Streeval is responsible for the operation of the Stewart Detention Center, where Mr. Solomon is detained. Thus, Warden Streeval has control over Mr. Solomon as his immediate custodian.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

13. "[W]here Congress does not say there is a jurisdictional bar, there is none." *Santiago-Lugo v. Warden*, 785 F.3d 467, 473 (11th Cir. 2015). "Congress knows how to limit courts' subject matter jurisdiction to decide § 2241 petitions when it wishes to do so. The fact that it did not limit courts' subject matter jurisdiction to decide unexhausted § 2241 claims compels the conclusion that any failure of [the respondent] to exhaust administrative remedies is not a jurisdictional defect." *Id.* at 474.

14. In the absence of a statutorily mandated exhaustion requirement, whether to apply a common law exhaustion requirement is a decision subject to sound judicial discretion, considering congressional intent and any applicable statutory scheme. *See McCarthy v. Madigan*, 503 U.S. 140, 144 (1992); *see also Richardson v. Reno*, 162 F.3d 1338, 1374 (11th Cir. 1998); *Yahweh v. U.S. Parole Comm'n*, 158 F. Supp. 2d 1332, 1341 (S.D. Fla. 2001).

15. Here, there is no reason to require exhaustion as Mr. Solomon has no meaningful administrative remedy to request. Mr. Solomon's prolonged detention raises constitutional issues.

"[A] petitioner need not exhaust [their] administrative remedies 'where the administrative remedy will not provide relief commensurate with the claim.'" *Boz v. United States*, 248 F.3d 1299, 1300 (11th Cir. 2001) (quoting *Haitian Refugee Ctr., Inc. v. Nelson*, 872 F.2d 1555, 1561 (11th Cir. 1989)). Thus, "[b]ecause the BIA does not have the power to decide constitutional claims—like the validity of a federal statute— . . . certain due process claims need not be administratively exhausted." *Warsame v. U.S. Att'y Gen.*, 796 F. App'x. 993, 1006 (11th Cir. 2020). *See also Haitian Refugee Ctr., Inc*, 872 F.2d at 1561, *aff'd sub nom. McNary v. Haitian Refugee Ctr., Inc.*, 498 U.S. 479 (1991) (exhaustion had "no bearing" where petitioner made a constitutional challenge to procedures adopted by the INS); *Matter of G-K-*, 26 I&N Dec. 88, 96-97 (BIA 2013) ("Neither the [BIA] nor the Immigration Judges have the authority to rule on the constitutionality of the statutes we administer, so we lack jurisdiction to address [challenges to their constitutionality].").

16. Thus, this Court has jurisdiction over Mr. Solomon's § 2241 action because exhaustion of administrative remedies is not required, and his petition raises constitutional issues that cannot be addressed administratively.

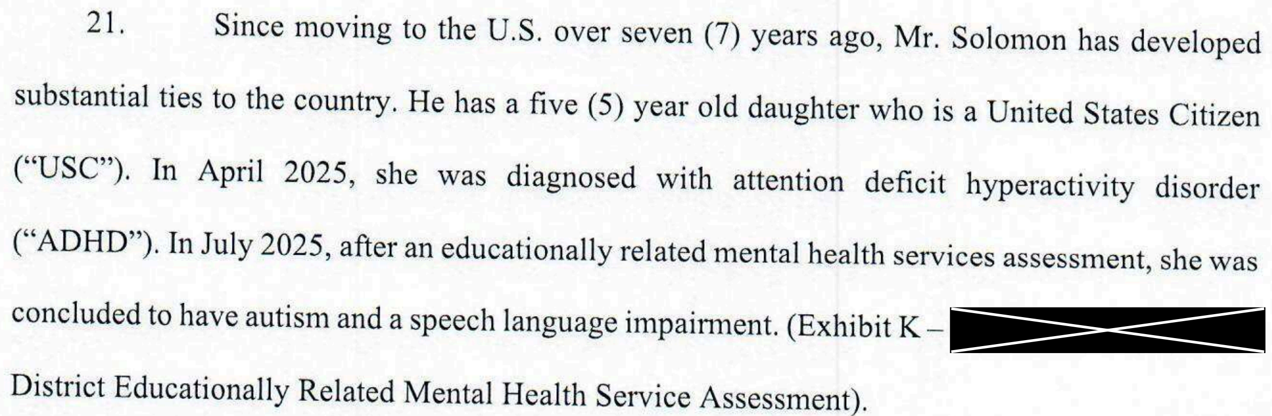
STATEMENT OF FACTS

17. Mr. Solomon has been detained continuously by ICE since about April 24, 2025, for more than six (6) months. (Exhibit B – ICE Detainee Locator). He has had a final removal order from nearly seven (7) years ago, yet ICE has been unable to remove him and likely will remain unable to do so.

18. Mr. Solomon is a forty-one (41) year old citizen of Eritrea. He entered the U.S. at a Port of Entry on or about December 15, 2017, and has not left since his sole entrance over eight (8) years ago.

19. After presenting himself at a POE, he was in DHS custody until early January 2019. He was placed in removal proceedings after DHS filed an NTA with the Houston Immigration Court. Thereafter, Mr. Solomon filed Form I-589, Application for Asylum and for Withholding of Removal with the Houston Immigration Court on April 25, 2018. An IJ denied his asylum application and ordered removal on July 24, 2018. (Exhibit C – Written Decision and Orders of the Immigration Judge). He did not appeal the decision, rendering the decision final on August 24, 2018.

20. Mr. Solomon was released by ICE on or about January 7, 2019, more than four (4) months after his removal order became final. (Exhibit D – ICE Order of Supervision). Thereafter, Mr. Solomon was on supervised release for approximately six (6) years before he was re-detained and taken into custody by ICE on or around April 24, 2025. (Exhibit E – DHS Warrant for Arrest of Alien; Exhibit F – DHS Notice of Custody Determination).

21. Since moving to the U.S. over seven (7) years ago, Mr. Solomon has developed substantial ties to the country. He has a five (5) year old daughter who is a United States Citizen ("USC"). In April 2025, she was diagnosed with attention deficit hyperactivity disorder ("ADHD"). In July 2025, after an educationally related mental health services assessment, she was concluded to have autism and a speech language impairment. (Exhibit K –  District Educationally Related Mental Health Service Assessment).

22. Mr. Solomon is in a long-term relationship with his partner, who is a U.S. Lawful Permanent Resident ("LPR") and the mother of Mr. Solomon's minor daughter. (Exhibit L – Letter of Support – Winta Tesfazgi). He is the primary provider and caregiver for his family with whom he resided with in Oakland, California before his detention.

23. Mr. Solomon worked tirelessly at as an Owner Operator to

support his family. Since his detention, his family has struggled emotionally and financially. Furthermore, Mr. Solomon's daughter is struggling mentally, as she does not understand why her father is not at home with her and believes she has been abandoned.

24. Mr. Solomon is also an active community member, including a member of the [redacted] Church, attending weekly services for over six (6) years. (Exhibit L – Letter of Support – Head Priest [redacted].

25. Mr. Solomon has minimal criminal history which only consists of minor traffic citations. (Exhibit H – City and County of San Francisco Automated Enforcement Traffic Violation; Exhibit I – Superior Court of California County of San Francisco Own Recognizance Agreement to Appear in Lieu of Posting Bail).

26. Mr. Solomon was arrested in Banks County, GA, on or about April 20, 2025, and was charged with (1) driving without headlights and (2) driving with a license that was either suspended or revoked. (Exhibit G – Bank's County Sherrif Office Incident Report). Mr. Solomon has maintained that his California driver's license was not suspended as the trucking company he was employed at would not have let employees drive company vehicles with a suspended license. Mr. Solomon's Commercial Driver License issued by California has an expiration date of January 10, 2026. (Exhibit A – Petitioner's California Driver License).

27. While in custody at the Banks County Jail, ICE placed a hold on Mr. Solomon and he was transferred to ICE custody on or about April 24, 2025, and transferred to Stewart Detention Center in Lumpkin, Georgia where remains today. (Exhibit B – ICE Detainee Locator; Exhibit E – DHS Warrant for Arrest of Alien; Exhibit F – DHS Notice of Custody Determination).

28. Mr. Solomon does not have a national identity card, nor a passport. In 2018 while in ICE custody, Mr. Solomon applied for a travel document from the Eritrean Embassy. He had an

interview with the Eritrean Embassy at that time but has never received anything to this date.

29. Mr. Solomon states that approximately twenty (20) days after he arrived at Stewart in 2025, he spoke with the Eritrean embassy in his native language, Tigrinya, for approximately thirty (30) minutes. (Exhibit M – Petitioner's Declaration). He answered all of their questions, such as his name, date of birth, place of birth, information about his parents, and other information. Since then, on or about May or June 2025, he has not heard anything from the embassy or from ICE.

30. Since his arrival at Stewart, Mr. Solomon has presented with anxiety disorder, depressive disorder, and post-traumatic stress disorder ("PTSD"). (Exhibit J – Petitioner's Medical Records from Stewart). Mr. Solomon also suffered from issues with sleeping before detention and was taking a prescribed medication for it.

31. Mr. Solomon lacks documentation of the results of any subsequent administrative custody reviews and does not know if any such reviews were ever carried out.

32. If released from detention, Mr. Solomon will return to his home in Oakland, California to reside with his family, including his long-term partner and daughter. (Exhibit L – Letters of Support – Birhan Wolday, Weldemichael Daniel, and Muluken Kebo). Mr. Solomon plans to comply with all conditions of release.

LEGAL FRAMEWORK

33. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause [of the Fifth Amendment] protects." *Zadvydas*, 533 U.S. at 690.

34. The Due Process Clause requires that the deprivation of Mr. Solomon's liberty be narrowly tailored to serve a compelling government interest. *See Reno v. Flores*, 507 U.S. 292,

301-02 (1993) (holding that due process "forbids the government to infringe certain 'fundamental' liberty interests . . . unless the infringement is narrowly tailored to serve a compelling state interest"). As the Supreme Court held in *Zadvydas*, indefinite detention raises a "serious constitutional problem" and runs afoul of the Due Process Clause. 533 U.S. at 690.

35. 8 U.S.C. § 1231 governs the detention and removal of noncitizens, like Mr. Solomon, who have been ordered removed. Section 1231(a)(2) authorizes a 90-day period of mandatory post-final-removal-order detention, during which ICE is supposed to effectuate removal. This 90-day period is known as the "removal period" and generally starts once a final order of removal has been entered or, as here, on the date of release from criminal custody. *See* § 1231(a)(1)(B).

36. Those who are not removed within the 90-day removal period should be released under conditions of supervision, such as periodic reporting and other reasonable restrictions. *See* § 1231(a)(3). The Government may continue to detain certain noncitizens beyond the 90-day removal period if they have been ordered removed on inadmissibility grounds after violating nonimmigrant status or conditions of entry, or on grounds stemming from criminal convictions, or security concerns, or if they have been determined to be a danger or flight risk. *See* § 1231(a)(6). If these groups of noncitizens are released, they are also subject to the supervision terms set forth in § 1231(a)(3). *Id.*

37. In *Zadvydas*, the Supreme Court held that § 1231(a)(6), when "read in light of the Constitution's demands, limits [a noncitizen]'s post-removal-period detention to a period reasonably necessary to bring about that alien's removal from the United States." 533 U.S. at 689. A "habeas court must [first] ask whether the detention in question exceeds a period reasonably necessary to secure removal." *Id.* at 699. "[O]nce removal is no longer reasonably foreseeable,

continued detention is no longer authorized." *Id.* At that point, the individual must be released because his continued detention would violate both the statute and the Due Process Clause of the Constitution. *Id.*

38. In determining a period reasonably necessary to effectuate removal, the *Zadvydas* Court adopted a "presumptively reasonable period of detention" of six months, inclusive of the 90-day removal period. *Id.* at 701. "After this six-month period, once the [noncitizen] provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." *Id.* Thus, after six months, the Government bears the burden of disproving a detained person's "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Clark v. Martinez*, 543 U.S. 371, 386 (2005) (granting habeas relief to Cuban petitioners whose detention lasted beyond six months post-removal-order and whose removal to Cuba was not reasonably foreseeable); *see also Adu v. Bickham*, No. 7:18-cv-103-WLS-MSH, 2018 WL 6495068 (M.D. Ga. Dec. 10, 2018) (R&R recommending release under *Zadvydas*).

39. A noncitizen who has been detained beyond the presumptive six-month period should be released if the Government is unable to present documented confirmation that removal is likely to occur in the reasonably foreseeable future. *Clark*, 543 U.S. at 386; *see also McKenzie v. Gillis*, No. 5:19-cv-139, 2020 WL 5536510, at *3 (S.D. Miss. July 30, 2020) ("Six months have passed since [the ICE Deportation Officer] stated that Petitioner's removal was imminent. Yet, Petitioner remains in ICE custody, and nothing in [the Supervisory Detention and Deportation Officer's] declaration demonstrates that Petitioner will be removed anytime soon. Neither ICE's belief that Petitioner will be removed, nor the information provided by Respondent satisfy the Government's burden to rebut Petitioner's showing that he will not be removed in the foreseeable

future."), *report and recommendation adopted*, 2020 WL 5535367 (S.D. Miss. Sept. 15, 2020).

40. Release is the proper remedy for unconstitutionally prolonged post-removal-order detention. *See Zadvydas*, 533 U.S. at 699–700 (explaining that supervised release is the appropriate relief when "the detention in question exceeds a period reasonably necessary to secure removal" because at that point, detention is "no longer authorized by statute").

41. Mr. Solomon's detention fits squarely within the *Zadvydas* framework. His removal order became final in July 2018. He has been continuously detained at Stewart since on or about April 24, 2025, all post order. To Petitioner's knowledge, nothing suspended or tolled the removal period. Nothing has suspended or tolled the removal period since he has been detained.

42. Therefore, Mr. Solomon is subject to permissive post-removal-order detention under 8 U.S.C. § 1231(a)(6) and his claim is ripe for court review.

43. "[F]or detention to remain reasonable, as the period of post-removal confinement grows, what counts as the 'reasonably foreseeable future' conversely would have to shrink." *Zadvydas*, 533 U.S. at 701. ICE has had over seven (7) years to try to remove Mr. Solomon since his removal order became final, and it has failed to do so.

44. Removal "seems a remote possibility at best." *Zadvydas*, 533 U.S. at 690. Thus, Mr. Solomon's continued detention violates the implicit requirement in 8 U.S.C. § 1231(a)(6) that detention may not become unreasonably prolonged. In addition, his continued detention does not serve a legitimate government purpose and lacks sufficient procedural protections in violation of the Due Process Clause.

45. Eritrea has historically been referred to as a "recalcitrant" country, otherwise

referred to as "uncooperative," for refusing to timely accept repatriations.[3] As a result, the U.S. government issued sanctions against Eritrea.[4] As of 2017, DHS estimated that around 700 Eritrean citizens lived in the U.S. with a final order of removal.[5] Despite the classification, Eritrea has accepted some of its citizens.[6] In 2024, for example, ICE removed thirty-four (34) people to Eritrea.[7] However, it is not clear how many Eritrean nationals now reside in the U.S. post order, and therefore cannot provide a percentage or number of requests the Eritrean government either refused or did not answer.

46. On June 4, 2025, President Trump issued an Executive Order, restricting travel to the U.S. for people of different countries.[8] Eritrea is one of the twelve countries to "fully restrict and limit the entry of nationals."[9] The section about Eritrea in the Executive Order specifically states, "Eritrea has historically refused to accept back its removable nationals."[10] Hence, the U.S. government has publicly announced since Petitioner has been detained that Eritrea does not accept its own citizens, prolonging his detention indefinitely.

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[3] *Immigration: "Recalcitrant" Countries and the Use of Visa Sanctions to Encourage Cooperation with Alien Removals* (CRS Report No. IF11025), (updated July 10, 2020), https://www.congress.gov/crs_external_products/IF/PDF/IF11025/IF11025.7.pdf

[4] *Id.*

[5] *Id.*

[6] ICE Annual Report: 2024, *Department of Homeland Security*, https://www.ice.gov/doclib/eoy/iceAnnualReportFY2024.pdf

[7] *Id.*

[8] Exec. Order 14161 (2025), https://www.whitehouse.gov/presidential-actions/2025/06/restricting-the-entry-of-foreign-nationals-to-protect-the-united-states-from-foreign-terrorists-and-other-national-security-and-public-safety-threats/

[9] *Id.*

[10] *Id.*

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. § 1231(a)(6)

47. Mr. Solomon realleges and incorporates by reference each and every allegation contained above.

48. Mr. Solomon is detained pursuant to the discretionary, post-removal-order detention provision, § 1231(a)(6), because more than ninety (90) days have elapsed since his removal order became administratively final and he has not done anything to impede his removal or toll the removal period. See 8 U.S.C. § 1231(a); 8 C.F.R. § 1241.1.

49. Section 1231(a)(6) contains an implicit temporal limitation of six (6) months, after which detention is no longer presumptively reasonable. *Zadvydas*, 533 U.S. at 701. After that point, if the habeas petitioner "provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing," and due process "requires ordering [the p]etitioner released." *Adu*, 2018 WL 6495068, at *2-3 (quoting *Zadvydas*, 533 U.S. at 701).

50. Mr. Solomon's detention under §1231 is no longer presumptively reasonable because he has been continuously detained pursuant to a final removal order for over six (6) months.

51. Mr. Solomon's cooperation with ICE's removal efforts and ICE's inability to obtain travel documents after requesting them are evidence that there is no significant likelihood of removal in the reasonably foreseeable future.

52. ICE has made no indication that it is making or will make progress in securing Mr.

Solomon's removal. Mr. Solomon could remain detained for several months or even years beyond the six (6) months recognized as reasonably necessary to effectuate removal in *Zadvydas*.

53. Nor is there any "sufficiently strong special justification" for Mr. Solomon's prolonged detention beyond the six (6) month limit. *See Zadvydas*, 533 U.S. at 690-91 (requiring a showing of dangerousness accompanied by some other "special circumstance" to justify continued detention when removal is not significantly likely in the reasonably foreseeable future).

54. Thus, Mr. Solomon's detention violates § 1231, and he is entitled to immediate release from custody.

SECOND CLAIM FOR RELIEF

VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION

55. Mr. Solomon realleges and incorporates by reference each and every allegation contained above.

56. The Due Process Clause of the Fifth Amendment forbids the Government from depriving any person of liberty without due process of law. U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty" that the Due Process Clause protects. *Zadvydas*, 533 U.S. at 690.

57. Civil immigration detention following issuance of a final removal order violates due process if it is not reasonably related to its statutory purpose of effectuating removal. *See id.* at 690 (citing *Jackson v. Indiana*, 406 U.S. 715, 738 (1972)); *id.* at 697. When removal is not reasonably foreseeable, detention is no longer reasonably related to that purpose. *Id.* at 699.

58. Prolonged civil detention also violates procedural due process unless it is accompanied by strong procedural protections to guard against the erroneous deprivation of

liberty. *Id.* at 690-91; *Foucha v. Louisiana*, 504 U.S. 71, 81-83 (1992); *Kansas v. Hendricks*, 521 U.S. 346, 364-69 (1997); *United States v. Salerno*, 481 U.S. 739, 750-752 (1987).

59. Mr. Solomon has been detained continuously for more than six (6) months since he has been transferred to ICE custody in April 2025. He is likely to be detained indefinitely absent intervention from this Court. His detention is no longer reasonably related to the primary statutory purpose of ensuring his imminent removal.

60. Moreover, any pro forma internal post-order custody reviews ICE conducted in Mr. Solomon's case do not meet the minimum procedural safeguards required by due process. *See Diouf v. Napolitano*, 634 F.3d 1081, 1092 (9th Cir. 2011).

61. Thus, Mr. Solomon's detention violates both substantive and procedural due process.

62. As a result, Mr. Solomon is entitled to immediate release from custody.

PRAYER FOR RELIEF

WHEREFORE Petitioner requests that the Court grant the following relief:

a. Assume jurisdiction over this matter;

b. Order Respondent to show cause why a writ of habeas corpus should not be granted "within three (3) days unless for good cause additional time, not exceeding twenty (20) days, is allowed," that Petitioner be afforded one (1) week to file a response to Respondents' return, and set a hearing on this Petition within one (1) week after Petitioner's response is due, pursuant to 28 U.S.C. § 2243;

c. Order that as part of their filing showing cause why the Petition should not be granted, Respondents provide all documents relevant to efforts made to obtain travel documents for Mr. Solomon, which Mr. Solomon does not have access to;

d. Expedite consideration of this action pursuant to 28 U.S.C. § 1657 because it is an action brought under Chapter 153 (habeas corpus) of Title 28;

e. In the event that this Court determines that a genuine dispute of material fact exists regarding the likelihood of removal to Eritrea in the reasonably foreseeable

future, schedule an evidentiary hearing pursuant to 28 U.S.C. § 2243. *Singh v. U.S. Attorney Gen.*, 945 F.3d 1310, 1315-16 (11th Cir. 2019);

f. Grant a writ of habeas corpus ordering Respondent to immediately release Mr. Solomon from their custody;

g. Enter preliminary and permanent injunctive relief enjoining Respondent from further unlawful detention of Mr. Solomon;

h. Declare that Mr. Solomon's detention without a bond hearing violates the Immigration and Nationality Act;

i. Declare that Mr. Solomon's detention violates the Due Process Clause of the Fifth Amendment;

j. Enjoin Respondent from transferring Mr. Solomon outside of this judicial district pending litigation of this matter;

k. Award reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412; and

l. Grant such further relief as this Court deems just and proper.

Dated: March 25, 2026

Respectfully submitted,

/s/ Matthew O. Boles
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Counsel for Petitioner

Verification

I declare under penalty of perjury that the facts set forth in the foregoing Verified Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

/s/ Matthew O. Boles

Date: March 25, 2026