

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

REC'D APR 12 2026
MD09-MAC

ARISTIDES RODRIGUEZ CRUZ,
Petitioner,
by and through his spouse and next friend,
SHAUNTEL BAKER,

v.


Case No. _____

**U.S. DEPARTMENT OF HOMELAND SECURITY;
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
ATLANTA ICE FIELD OFFICE DIRECTOR;
WARDEN, IRWIN COUNTY DETENTION CENTER,**

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

Respondents.

I. INTRODUCTION

Petitioner Aristides Rodriguez Cruz (A# ) respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. §2241. Petitioner is currently detained by ICE at Irwin County Detention Center in Ocilla, Georgia. Petitioner challenges the legality of his detention because his continued detention violates the Due Process Clause of the Fifth Amendment.

Petitioner Aristides Rodriguez Cruz is unable to sign or meaningfully access the courts to prepare this petition due to his current immigration detention, as well as his limited access to legal materials and language barriers, which substantially impair his ability to pursue this action on his own. Accordingly, this petition is filed on his behalf by Shauntel Baker, the Petitioner's lawful spouse and Next Friend, who is dedicated to pursuing this action in his best interests, pursuant to 28 U.S.C. § 2241 and *Whitmore v. Arkansas*, 495 U.S. 149, 161 (1990).

II. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is held in immigration custody and challenges the lawfulness of that detention. Venue is proper in this district because Petitioner is physically detained within the Middle District of Georgia.

III. FACTUAL BACKGROUND

A. Petitioner's History of Full Compliance

1. Aristides Rodriguez Cruz has lived in the United States for approximately three years. Throughout that time, he has fully complied with every requirement placed on him by immigration authorities. He appeared at every scheduled ICE check-in and has been present at all of his assigned immigration court hearings.
2. On March 12, 2026, Mr. Cruz voluntarily appeared at his annual ICE check-in located at the ICE field office in Charlotte, North Carolina. On that day, instead of being given the opportunity to complete regular check-in protocol, ICE detained him. No hearing took place. No judge reviewed his case. No individualized assessment was made. He was subsequently transported from Charlotte, NC to the Irwin County Detention Center in Ocilla, Georgia, where he remains held today.
3. At the time of his detention, Mr. Cruz's next immigration court hearing was scheduled for February 1, 2027.

B. Petitioner's Family Ties in the United States

4. Mr. Cruz is married to Shauntel Baker, a United States Citizen, who is the Next Friend filing this petition and who has filed a Form I-130 Petition for Alien Relative on his behalf.

That petition is currently pending. Mr. Cruz also has a pending asylum application before the immigration court.

5. Mr. Cruz has three (3) United States Citizen siblings. Together with his U.S. citizen spouse and pending I-130 petition, these ties to the United States weigh strongly against any finding that he poses a flight risk.
6. Mr. Cruz has no criminal history of any kind.

C. Petitioner's Medical Condition

7. Mr. Cruz requires daily medication to prevent Deep Vein Thrombosis (DVT), a condition that can lead to life-threatening complications including blood clots and pulmonary embolism.
8. Since his detention on March 12, 2026, Mr. Cruz has missed at least two (2) doses of his prescribed anticoagulation medication. Each missed dose significantly increases the risk of a fatal clot. Interruptions in taking this medication can turn into a medical crisis.

D. Disruption of Active Workers' Compensation Case for Traumatic Head Injury

9. Before his detention, Mr. Cruz had an active Workers' Compensation case arising from a serious work-related traumatic head injury and associated neck injury. At the time of his detention on March 12, 2026, the case remained open, and he had medical appointments scheduled that same week for ongoing treatment. Traumatic head and neck injuries require careful, continuous follow-up care because symptoms and complications can develop or worsen without proper medical attention.
10. These missed appointments cannot be remedied. Each gap in treatment creates a gap in the medical record, may be used against him in his Workers' Compensation proceedings, and

means he is going without medically necessary monitoring and care. The risk of undetected or worsening complications is real and increases with each missed appointment.

11. Mr. Cruz is unable to meet with his Workers' Compensation attorney, undergo required specialist evaluations, or obtain medically necessary ongoing treatment because he is detained hundreds of miles from his home at Irwin County Detention Center in Ocilla, Georgia, following his transfer from Charlotte, North Carolina. The legal, medical, and financial harm resulting from his continued detention is irreparable and increases with each passing day.

IV. LEGAL CLAIMS

A. Detention Without a Bond Hearing Violates the Fifth Amendment

12. The Fifth Amendment to the United States Constitution says that no person shall be deprived of liberty without due process of law. The Constitution requires that before someone is detained, the government must follow a fair process.
13. Mr. Cruz was detained without any hearing or review. No Immigration Judge decided whether he is dangerous or likely to flee. He was detained simply for attending his scheduled check-in.
14. The United States Supreme Court has confirmed that civil immigration detention cannot be arbitrary. *Zadvydas v. Davis*, 533 U.S. 678 (2001). Courts across the country have held that detaining someone without an individualized bond hearing — where the government must prove that detention is necessary — violates the Constitution. Mr. Cruz has received no such hearing.

B. There Is No Justification for Continued Detention

15. To justify continued detention, the government must demonstrate that an individual poses either a danger to the community or a risk of flight. It cannot do so with respect to Mr. Cruz.
16. Mr. Cruz does not pose a danger to the community. He has no criminal history and has lived peacefully in the United States for approximately three years.
17. Mr. Cruz is not a flight risk. He voluntarily appeared for his scheduled check-in in Charlotte, North Carolina, where he was detained, and he has every incentive to remain in the United States and comply with all legal requirements.

C. Failure to Provide Medical Care Violates the Constitution

18. When the government detains a person, it takes responsibility for that person's health. Failing to provide necessary medical care to a detained person — especially when that person has known serious conditions like DVT and injuries from a traumatic head injury — is unconstitutional. *Estelle v. Gamble*, 429 U.S. 97 (1976). Mr. Cruz has serious, documented, life-threatening and life-altering conditions. He has missed medication doses and medical appointments since being detained. This Court should act immediately.

V. REQUEST FOR RELIEF

WHEREFORE, Petitioner Aristides Rodriguez Cruz respectfully requests that this Court:

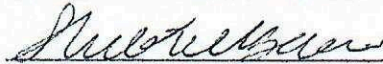
- (1) Issue a Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from detention, including under reasonable supervision such as an ankle monitor if necessary;

- (2) Or, in the alternative, provide an individualized bond hearing before an Immigration Judge; and
- (3) Grant any other relief the Court deems just and proper.

VI. VERIFICATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. I understand that making a false statement to a federal court is a serious crime.

Executed on: March 26, 2026



Shauntel Baker

Spouse and Next Friend of Petitioner

