

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

UNITED STATES DISTRICT COURT

for the
Middle District of Georgia

Yean Marcos Soto Lugo
By Next Friend
Keyla Genao Castillo

Petitioner

v.

Warden, Stewart Detention Center, et al.

Case No. _____

(Supplied by Clerk of Court)

Respondent

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

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Yean Marcos Soto Lugo
(b) Other names you have used: NONE
2. Place of confinement:
(a) Name of institution: Stewart Detention Center, et al.
(b) Address: 146 CCA Rd, Lumpkin, GA 31815
(c) Your identification number: A [REDACTED]
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)

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- ☐ 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: U.S. Immigration and Customs Enforcement (ICE)Stewart Detention Center, Lumpkin, Georgia.

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

I challenge my immigration detention, denial of bond, and lack of due process after being detained at a routine ICE check-in despite having a pending asylum case.

(d) Date of the decision or action: 12/04/2025**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: _____

(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 appeal: Administrative remedies were not pursued because they are inadequate, unavailable, and futile given ongoing immigration detention, lack of meaningful bond process, and risk of imminent removal.

8. **Second appeal**

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

☐ Yes ☒ No

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(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: Further administrative appeals were not filed because remedies are inadequate, unavailable, and futile given ongoing detention, lack of meaningful review, and risk of imminent removal.

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: No further appeals were filed because administrative remedies are inadequate and futile.

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

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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: Not applicable. Petitioner is not challenging a criminal 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: 12/04/2025

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

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

☐ Yes

☒ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(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: _____

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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: Unlawful and arbitrary immigration detention in violation of due process.

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

I was detained by ICE after appearing at a routine check-in despite compliance and a pending asylum case. No individualized justification for detention was provided.

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

☐ Yes

☒ No

GROUND TWO: Denial of a meaningful bond hearing and procedural due process.

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

I was denied bond without a meaningful opportunity to be heard, present evidence, or challenge the basis for detention.

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

☐ Yes

☒ No

GROUND THREE: Unconstitutional conditions of confinement and punitive detention.

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

I have been subjected to inadequate food, lack of medical care, and abusive treatment, causing physical and mental harm.

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

☐ Yes

☒ No

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GROUND FOUR: Risk of removal, transfer, and irreparable harm without judicial review.

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

I face risk of sudden deportation or transfer before my case is reviewed, which would cause irreparable harm and prevent access to the courts.

(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: Grounds were not presented in prior appeals because administrative remedies are inadequate, unavailable, and futile given ongoing detention, lack of meaningful process, and risk of imminent removal.

Request for Relief

15. State exactly what you want the court to do: I request immediate release from detention or, alternatively, an individualized bond hearing. I also request protection from transfer or removal while this petition is pending.

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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: 04/10/2026

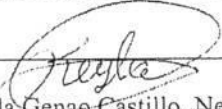
Keyla Genao Castillo (Next Friend)

Signature of Petitioner

Signature of Attorney or other authorized person, if any

Corpus; and that the facts stated therein are true and correct to the best of my knowledge, information, and belief based on my communications with Petitioner and the information presently available to me.

Executed on 4/15/26, 2026.



Keyla Genao Castillo, Next Friend

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Petition was served by mail and/or other authorized means on the appropriate federal respondents and the United States Attorney on 4/15/26, 2026.



Keyla Genao Castillo, Next Friend

KEYLA GENAO CASTILLO,

as Next Friend of

YEAN MARCOS SOTO

LUGO,

Petitioner,

v.

Civil Action No. _____

Petition for Writ of Habeas

Corpus

Under 28 U.S.C. § 2241

Emergency Request for

Immediate

Custody Review, Release, and

Ancillary Injunctive Relief

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

WARDEN, STEWART DETENTION CENTER; ACTING FIELD OFFICE DIRECTOR, ICE ERO ATLANTA;
SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY; and other appropriate federal custodial
officers, Respondents.

Petitioner, through Next Friend Keyla Genao Castillo, respectfully petitions for a writ of habeas corpus under 28 U.S.C. § 2241 and seeks immediate federal intervention to end ongoing unlawful civil detention, to prevent retaliatory transfer or summary deportation, and to restore the basic process the Constitution guarantees before liberty is taken away.

PRELIMINARY STATEMENT

1. This case arises from the civil detention of Yean Marcos Soto Lugo, a young Venezuelan asylum seeker who appeared exactly where the government required him to appear, complied with immigration supervision, maintained a pending protection case, and nevertheless was seized at a routine ICE reporting appointment without a judicial warrant, without a contemporaneous showing of probable cause, and without any individualized finding that continued confinement was necessary to prevent flight or danger.
2. The Constitution does not permit the government to convert an orderly check-in into a trap door into incarceration. Habeas exists precisely for this moment: when executive detention is being carried

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out first and justified later, when ordinary procedures cease to function as real safeguards, and when the detainee faces a serious risk of transfer, deportation, or coercive retaliation before meaningful judicial review can occur.

3. Mr. Soto Lugo is not serving a criminal sentence. His confinement is civil, and civil detention must remain carefully limited, non-punitive, and tethered to legitimate governmental purposes. Yet the facts alleged here describe the opposite. He was allegedly arrested for the stated purpose of “moving his court process forward,” a rationale that does not itself establish danger, flight risk, necessity, or legality. He then requested bond and, according to the information presently available, was denied in a summary manner without being meaningfully heard and without being allowed to present his own account, evidence of community ties, or alternatives to detention.
4. The constitutional injury is compounded by the conditions described inside Stewart Detention Center. Petitioner reports food rationing, spoiled meals, repeated denial of adequate medical attention, verbal abuse containing racial and xenophobic content, serious deterioration in mental health, visible weight loss, and mounting fear of retaliatory discipline. Even where habeas is directed primarily at the fact of custody, the surrounding conditions matter because they illuminate the punitive character of confinement, the urgency of relief, the irreparable harm flowing from delay, and the inadequacy of existing administrative channels.
5. Mr. Soto Lugo also fears removal to Venezuela or to a third country without meaningful advance notice and fears transfer to another facility for the purpose or practical effect of disrupting this Court’s jurisdiction. Those fears are not speculative in the lived reality of immigration detention. Once a detainee is moved, access to counsel, evidence, witnesses, and court supervision may be instantly compromised. Once deportation occurs, the liberty deprivation and litigation posture change radically, and some forms of judicial relief become immeasurably harder to implement. Federal courts possess authority under the All Writs Act and their inherent equitable powers to preserve jurisdiction and prevent that type of frustration.
6. The writ should issue because the detention described here is arbitrary, unsupported by meaningful process, punitive in operation, and constitutionally excessive in light of Mr. Soto Lugo’s compliance history, pending asylum claim, lack of serious criminal record, family and community ties, and the availability of less restrictive alternatives. At a minimum, the Court should order an immediate, individualized custody hearing before a neutral adjudicator, with the government bearing the burden to justify continued detention by clear and convincing evidence. On the fuller record alleged here, immediate release on reasonable conditions is the more appropriate and more constitutional remedy.

JURISDICTION AND VENUE

7. This Court has subject-matter jurisdiction under 28 U.S.C. § 2241 because Petitioner challenges the legality of present physical custody under federal authority. The writ remains available to test executive detention where a person is “in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c)(3).
8. Federal district courts retain habeas jurisdiction to examine whether immigration detention exceeds constitutional and statutory limits. See *Boumediene v. Bush*, 553 U.S. 723 (2008); *INS v. St. Cyr*, 533 U.S. 289 (2001); *Zadvydas v. Davis*, 533 U.S. 678 (2001). Although immigration statutes channel review of removal orders in many circumstances, this Petition does not ask this Court to review the merits of any final order of removal. It challenges present detention, the procedures surrounding custody and bond, and the threatened frustration of habeas jurisdiction through transfer or precipitous removal.
9. Venue is proper in this District because Mr. Soto Lugo is confined at Stewart Detention Center in Lumpkin, Georgia, within the territorial reach of the Middle District of Georgia, Columbus Division, and the immediate custodian and relevant custodial officials exercise authority over him within this judicial district.

PARTIES

10. Petitioner Yean Marcos Soto Lugo is a Venezuelan national born on [REDACTED]. He entered the United States on or about November 16, 2023, and has maintained a pending asylum case while attempting to regularize his immigration situation through the processes made available by law.
11. Petitioner is currently detained at Stewart Detention Center, 146 CCA Road, Lumpkin, Georgia 31815. He has remained in the physical custody of immigration authorities since December 4, 2025.
12. This Petition is brought by Keyla Genao Castillo as Next Friend. She is Mr. Soto Lugo’s partner, a naturalized United States citizen, born in the Dominican Republic on [REDACTED], and residing at [REDACTED]. She brings this action because Mr. Soto Lugo’s confinement severely impairs his ability to investigate legal authorities, prepare a comprehensive filing, gather evidence, and protect himself from the immediate risks of transfer, retaliation, and summary removal. Her relationship to him is close, concrete, and devoted; she acts solely to vindicate his liberty interests and physical safety.
13. The principal respondent is the Warden of Stewart Detention Center, who exercises day-to-day physical custody over Mr. Soto Lugo. Additional respondents are the federal officers who possess legal authority over his detention, transfer, and removal, including the appropriate ICE and DHS

officials. Naming these officials is necessary to ensure complete and effective relief and to prevent jurisdiction from being undermined by intra-agency movement of the detainee.

FACTUAL BACKGROUND

14. Mr. Soto Lugo did not abscond, hide, or defy supervision. He presented himself at a regular ICE check-in exactly as directed. His compliance is significant. It demonstrates respect for process, willingness to appear when called, and a concrete record inconsistent with the government's reflexive use of detention as the default response.
15. At that routine appointment, Petitioner was arrested and informed, in substance, that he would be detained so that his immigration case could be moved forward. That explanation, even if accurately reported, does not substitute for an individualized legal basis for detention. Administrative convenience cannot displace constitutional safeguards. The government may not imprison a civil detainee merely because incarceration is easier for the agency than supervised release.
16. At the time of arrest, Mr. Soto Lugo had a pending asylum matter. That procedural posture matters. A pending protection claim means his presence in the United States and his access to the adjudicative process remain legally consequential. It also underscores that he had been actively trying to pursue lawful relief rather than evade the system.
17. After being taken into custody, Mr. Soto Lugo sought bond. According to the facts presently available, the request was denied unjustly and in a proceeding so cursory that he was not meaningfully allowed to speak for himself, explain the circumstances of his check-in arrest, present his lack of serious criminal history, identify family ties and support in the community, or respond to any allegations supposedly justifying continued incarceration. A bond determination rendered without a real opportunity to be heard cannot satisfy due process merely because it bears the label of a hearing.
18. Civil detention is constitutionally tolerable, if at all, only when it remains reasonably related to legitimate non-punitive purposes and is accompanied by adequate procedures. Here, Petitioner's compliance history, youth, pending asylum case, lack of serious criminal record, and community ties all point toward a straightforward conclusion: less restrictive alternatives were available and should have been considered before liberty was taken away.
19. Conditions within Stewart Detention Center have allegedly intensified the constitutional injury. Mr. Soto Lugo reports rationed food and episodes in which he was forced to eat food that was spoiled, decomposed, or otherwise unsafe. Denial of adequate nutrition in civil confinement is not a minor discomfort. It is a direct assault on physical integrity and human dignity, especially when sustained over time.

20. He also reports denial or serious delay of medical care and treatment when he has felt ill or suffered physical effects from the conditions of detention. Access to medical evaluation and treatment is one of the minimum obligations owed by the government to people it has taken into total physical control. A detainee cannot independently obtain outside care. The government therefore bears an affirmative duty not to ignore serious medical need or allow facility conditions to aggravate illness.
21. Petitioner further reports verbal mistreatment by officers, including racial and xenophobic remarks. Such conduct, if proven, is not merely unprofessional. It strongly suggests that confinement is being experienced and administered in a punitive atmosphere rather than as a carefully limited civil measure. Bias-laden mistreatment also increases the risk that discretionary decisions about housing, discipline, or access to services may be infected by improper considerations.
22. The cumulative effect on Mr. Soto Lugo has been severe. He reports noticeable weight loss, depressive episodes, anxiety crises, and growing emotional destabilization. Because detention is civil rather than penal, the Constitution demands especially close scrutiny when confinement begins to erode mental health, produce substantial physical decline, and function as coercive suffering rather than case-management.
23. Mr. Soto Lugo also fears sudden deportation or removal to a third country without meaningful notice and fears retaliation for seeking judicial relief, including transfer to another detention facility, isolation, or other punitive measures. These fears are credible enough to warrant immediate judicial protection because transfer and removal are uniquely capable of frustrating access to the courts and inflicting irreparable harm before a detainee can obtain meaningful review.

NEXT FRIEND STANDING

24. Next Friend standing is proper where the real party in interest is unable to litigate his own cause due to detention, disability, or other significant impediment and where the Next Friend is truly dedicated to the detainee's best interests. *Whitmore v. Arkansas*, 495 U.S. 149 (1990), describes these principles. They are satisfied here.
25. Mr. Soto Lugo is confined inside a remote detention setting with sharply restricted access to legal resources, communications, evidence collection, and personal autonomy. He faces the practical barriers familiar to detained litigants: limited law-library access, constrained phone privileges, fear of retaliation, language barriers in some contexts, dependence on facility staff for basic communication, and an urgent risk that custodial decisions may overtake his ability to prepare filings in real time. Those barriers are especially acute in emergency habeas practice, where timing can determine whether relief remains meaningful.
26. Ms. Genao Castillo is not a stranger or nominal volunteer. She is Petitioner's partner, is intimately aware of his detention and its effects, has a substantial and genuine relationship with him, and is

dedicated to securing only the relief necessary to protect his liberty and safety. Her role is therefore both doctrinally proper and practically indispensable.

EXHAUSTION IS NOT REQUIRED OR SHOULD BE EXCUSED

27. To the extent respondents may argue failure to exhaust administrative remedies, that argument should be rejected. Habeas courts routinely excuse exhaustion where administrative review is unavailable in practice, unduly prolonged, incapable of providing the relief sought, or futile under the circumstances. Exhaustion is a prudential doctrine in this context, not a jurisdictional trap designed to immunize unconstitutional detention from timely judicial review.
28. Any remaining administrative avenues are inadequate here for several independent reasons. First, Petitioner challenges the constitutional sufficiency of the process already afforded and the legality of present detention itself. Second, he faces ongoing and immediate harm from confinement conditions, deteriorating mental health, inadequate medical care, and the threat of transfer or deportation. Third, the bond process reportedly afforded to him was so truncated that requiring him to rely on the same machinery would elevate form over substance. Fourth, delay itself is part of the injury in unlawful detention cases.
29. Where liberty is restrained, where agency action threatens to moot or frustrate review, and where the underlying process has already proven insufficient, habeas review must remain prompt, practical, and real.

LEGAL FRAMEWORK

30. Habeas corpus is the historic means by which federal courts test executive detention. The Suspension Clause, the Fifth Amendment, and the habeas statute all reflect the same constitutional premise: liberty may not be withdrawn by executive force alone, insulated from meaningful judicial inquiry. *Boumediene*, 553 U.S. at 742-46.
31. Immigration detention is civil, not criminal. That distinction is not semantic. It means detention cannot be imposed or maintained as punishment and must bear a reasonable relationship to legitimate governmental interests such as ensuring appearance and protecting the community. See *Zadvydas*, 533 U.S. at 690; *Wong Wing v. United States*, 163 U.S. 228 (1896).
32. Even when Congress authorizes detention in immigration proceedings, statutes must be interpreted and applied within constitutional limits. *Zadvydas* teaches that immigration detention cannot become indefinite or arbitrary. *Demore v. Kim*, 538 U.S. 510 (2003), while recognizing some detention authority in limited settings, rested on assumptions about the brevity and defined nature of custody and does not license detention that is arbitrary in inception, unsupported by meaningful process, or punitive in practice. *Jennings v. Rodriguez*, 583 U.S. 281 (2018), rejected a statutory

reading imposed by the court of appeals but expressly left constitutional arguments available on remand; it did not hold that the Constitution is indifferent to prolonged or arbitrary civil detention.

33. The Fifth Amendment requires due process before liberty is deprived. At a minimum, that includes notice of the basis for detention, a meaningful opportunity to be heard, and a decision by a neutral adjudicator based on individualized facts rather than administrative convenience or categorical suspicion. Because physical liberty is among the most fundamental interests protected by due process, procedures must be calibrated to the gravity of the deprivation.

GROUND ONE - ARBITRARY CIVIL DETENTION IN VIOLATION OF THE FIFTH AMENDMENT

34. Petitioner's detention is arbitrary because it began at a routine compliance appointment rather than after any conduct demonstrating flight risk, danger, or contempt for lawful process. The reported justification - that detention would help advance his immigration proceedings - is constitutionally insufficient. Expediency is not necessity, and case-management efficiency is not a substitute for individualized due process.
35. Civil detention must remain reasonably related to legitimate non-punitive purposes. When a noncitizen has been appearing as directed, maintains a pending asylum claim, lacks a serious criminal record, and has substantial ties to persons in the United States willing to support compliance, the government must do more than invoke generalized detention authority. It must explain why confinement, rather than release with reporting requirements, electronic monitoring, parole-like supervision, bond, or other conditions, is actually necessary in this specific case.
36. The facts pleaded strongly indicate that no such individualized necessity determination occurred before liberty was taken away. That makes the detention arbitrary at inception and unconstitutional in operation.

GROUND TWO - DENIAL OF A MEANINGFUL BOND HEARING AND PROCEDURAL DUE PROCESS

37. Petitioner sought release on bond, yet the process reportedly afforded was empty of the substance that due process requires. He alleges that the government denied bond without meaningfully letting him speak, explain his circumstances, present evidence, or confront the reasons supposedly justifying detention. A hearing in name only is no hearing at all.
38. Due process is flexible, but flexibility is not lawlessness. When the government physically restrains a person in civil custody, the opportunity to be heard must be meaningful in both timing and content. A detainee must have a real chance to present favorable facts, to respond to adverse claims, and to obtain a reasoned, individualized determination. Without those features, detention becomes

self-ratifying: the government detains first, then invokes its own unexplained decision as proof that detention should continue.

39. This Court should therefore hold that the bond proceeding described by Petitioner was constitutionally deficient and cannot sustain continued incarceration. At the very least, a new custody determination is required immediately before a neutral adjudicator, with adequate notice, an opportunity to present evidence, and the government bearing a meaningful burden of justification.

GROUND THREE - CONDITIONS OF CONFINEMENT CONFIRM THE PUNITIVE AND UNLAWFUL NATURE OF CUSTODY

40. Petitioner does not invoke facility conditions as a diversion from the core habeas claim; he invokes them because they reinforce the unlawfulness and urgency of the detention itself. Civil custody becomes especially suspect when it is administered under conditions that resemble punishment, neglect basic bodily needs, and magnify suffering beyond anything reasonably necessary to secure appearance at proceedings.
41. The allegations here are grave: rationed food, spoiled meals, denial or delay of medical care, verbal abuse with racial and xenophobic overtones, significant weight loss, depression, anxiety, and the fear of retaliatory discipline. These conditions matter to habeas for at least three reasons. First, they intensify the liberty deprivation and make delay intolerable. Second, they show that continued confinement is not operating as a narrowly tailored civil measure. Third, they demonstrate that interim relief short of release may be inadequate because the harms are structural and ongoing.
42. A civil detainee cannot be made to endure degrading conditions as the price of pursuing asylum or appearing for court. Where confinement has become a source of serious physical and mental deterioration, federal courts may and should intervene.

GROUND FOUR - THREATENED TRANSFER, THIRD-COUNTRY REMOVAL, OR RETALIATION REQUIRES PROTECTIVE RELIEF

43. Federal courts are not powerless to protect their jurisdiction. Where a detainee credibly alleges a risk of transfer undertaken to disrupt litigation, or a risk of removal before habeas review can be completed, the Court may enter appropriate interim relief under the All Writs Act, 28 U.S.C. § 1651, and traditional equitable principles.
44. Petitioner reasonably fears transfer to another facility, punitive housing consequences, or sudden deportation - including to a third country - without meaningful notice. Such actions would inflict irreparable harm. Transfer could sever communication with his Next Friend, complicate evidence gathering, and delay review. Removal could make the requested relief dramatically harder to effectuate and could expose him to dangers before the legality of his custody has been adjudicated.

Retaliatory punishment for invoking habeas would independently offend the Constitution and chill access to the courts.

45. Accordingly, this Court should preserve the status quo while this Petition is pending by prohibiting transfer outside this District, prohibiting deportation or removal to any country without prior notice to the Court and Next Friend, and prohibiting retaliation in any form for the filing of this action.

GROUND FIVE - LESS RESTRICTIVE ALTERNATIVES MAKE CONTINUED DETENTION EXCESSIVE

46. The government's asserted interests can be served through less restrictive means. Mr. Soto Lugo has already shown that he appears when told to appear. He has a partner who is a naturalized United States citizen, a fixed residential contact, and a demonstrated stake in continuing his asylum process lawfully. Reporting requirements, address verification, telephonic or electronic supervision, reasonable bond, or other tailored release conditions would adequately protect any legitimate interest in ensuring attendance.
47. When less restrictive alternatives are obvious and workable, continued jail-like confinement becomes excessive. Excessiveness is constitutionally meaningful because it shows the custody is not narrowly tied to necessity. The writ should not be withheld simply because detention is administratively possible; the question is whether detention is constitutionally justified in this individual case. On the facts alleged, it is not.

IRREPARABLE HARM

48. Every day of unlawful detention is irreparable because lost liberty cannot be restored retroactively. But the harms here are even more concrete: worsening mental health, ongoing exposure to allegedly spoiled food and inadequate medical care, measurable weight loss, fear-driven psychological deterioration, family separation, erosion of evidence and communication, and the looming danger of transfer or removal before the Court can act.
49. Monetary remedies cannot repair these harms. Once a detainee is wrongfully deported, isolated, or psychologically broken by confinement, later relief is necessarily incomplete. The emergency nature of this Petition is therefore genuine and substantial.

REQUEST FOR EVIDENTIARY DEVELOPMENT

50. If the Court determines that further factual development is necessary before final disposition, Petitioner respectfully requests an expedited order requiring respondents to produce the administrative custody record, bond-hearing materials, notices and custody determinations, medical request and treatment records, disciplinary or segregation records, transfer requests or holds, and all documents reflecting any planned removal itinerary or third-country processing. Petitioner also

requests leave for an expedited declaration from the facility and, if necessary, a prompt evidentiary hearing.

51. Because detention cases turn on concrete facts and because many relevant records are solely in the government's possession, such relief is often essential to meaningful habeas review.

PRAYER FOR RELIEF

52. WHEREFORE, Petitioner respectfully requests that this Court: (1) issue the writ of habeas corpus; (2) declare that Mr. Soto Lugo's continued detention violates the Constitution and laws of the United States; (3) order his immediate release on reasonable conditions set by the Court; or, at minimum, (4) order an immediate, constitutionally adequate, individualized custody hearing before a neutral adjudicator, with a genuine opportunity to present evidence and with the government required to justify continued detention by a heightened burden of proof;

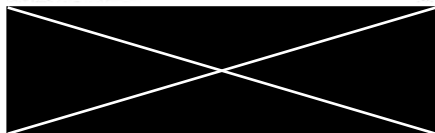
53. Petitioner further requests that the Court: (5) temporarily and preliminarily enjoin respondents from transferring Mr. Soto Lugo outside this District absent prior leave of Court; (6) enjoin respondents from deporting or removing him, including to any third country, unless and until this Court has resolved the Petition and any necessary post-order proceedings; (7) prohibit retaliation, punitive segregation, or adverse housing action based on the filing of this Petition; (8) order prompt production of the administrative and medical records necessary for review; (9) award any further relief the Court deems just, equitable, and necessary to preserve its jurisdiction and protect Petitioner from irreparable harm.

Respectfully submitted,

/s/ Keyla Genao Castillo

KEYLA GENAO CASTILLO

Next Friend for Yean Marcos Soto Lugo

A large black rectangular box with a white 'X' drawn across it, used to redact the signature of Keyla Genao Castillo.

Email:

A black rectangular box used to redact the email address of Keyla Genao Castillo.

VERIFICATION OF NEXT FRIEND

I, Keyla Genao Castillo, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Next Friend of Petitioner Yean Marcos Soto Lugo; that I have read the foregoing Petition for Writ of Habeas

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

YEAN MARCOS SOTO LUGO,
Petitioner,

v.

WARDEN, STEWART DETENTION CENTER, et al.,
Respondents.

CERTIFICATE OF SERVICE

I, Keyla Genao Castillo, Next Friend of the Petitioner, hereby certify under penalty of perjury that on this date I served a true and correct copy of the Petition for Writ of Habeas Corpus, Motion for Immediate Release, Motion to Expedite, Temporary Restraining Order, Stay of Removal, Affidavit, and all supporting documents upon the following parties via U.S. Mail:

CLERK OF COURT
United States District Court
Middle District of Georgia – Columbus Division
901 Front Avenue
Columbus, GA 31901

UNITED STATES ATTORNEY'S OFFICE
Middle District of Georgia
Columbus Division
901 Front Avenue, Suite 200
Columbus, GA 31901

OFFICE OF THE GENERAL COUNSEL
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528

ICE – OFFICE OF THE PRINCIPAL LEGAL ADVISOR (OPLA)

U.S. Immigration and Customs Enforcement
Atlanta Field Office
180 Ted Turner Drive SW, Suite 522
Atlanta, GA 30303

WARDEN
Stewart Detention Center
146 CCA Road
Lumpkin, GA 31815

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

Executed on this ___ day of _____, 2026.

A handwritten signature in cursive script, appearing to read "Keyla", is written over a horizontal line.

Keyla Genao Castillo
Next Friend

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and ____ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.