

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

JHOAN MANUEL PEREZ

A# [REDACTED]
Petitioner,

Civil Action No: _____

v.

JASON STREEVAL Warden Stewart Detention Center,

**EMERGENCY PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO
28 U.S.C. § 2241, AND DISCRETIONARY BOND PURSUANT TO 8 U.S.C. § 1226(a).**

Petitioner JHOAN MANUEL PEREZ pro se' hereby petitions this Court for a writ of Habeas Corpus to remedy petitioner's unlawful detention by respondents and to enjoin Petitioners continued unlawful detention with-out a Bond by respondents and states as follows:

Petitioner is a Native and Citizen of Dominican republic who entered the United States on 2-2-2023 and has lived in the U.S. continuously since then, and is not an arriving Alien, a Danger to Society or a Flight risk as the Judge and DHS improperly assume at Stewart Detention Center in Lumpkin, GA where he remains detained unlawfully.

Petitioner re-applied for a Custody re-determination Hearing on April 16, 2026 so that he could continue with his Asylum claim from outside and used these cases as reference Garcia v. Noem, 2025 U.S. Dist. LEXIS 214695 and J.A.M. v. Streeval, 2025 U.S. Dist LEXIS 215437 No. 4:25-cv-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025), and the Court and Judge erroneously applied the broad interpretation of 8 U.S.C. § 1225(b)(2) which do not apply to the Petitioner because he is not an arriving Alien and is governed under 8 U.S.C. § 1226(a).

Respondents argue that he is a arriving Alien "seeking admission", but this is not true as he entered the United States on 2-2-2023 which is years ago. Respondents also state that petitioner poses a danger to the community and is a flight risk, but this is not true and was explained in detail with affidavits and charging documents showing that the alleged charges were dismissed and expunged.
(See Exhibits attached.)

Respondents falsely state that the Petitioner has not submitted any application for relief to the Courts, nor does he have any family ties from which he may obtain Legal status.

Petitioner did submit form I-589 (asylum) with the Courts and even pointed out to the Judge.

Petitioner also pointed out to the Courts that he is Married to a Permanent Resident and has an

I-130 petition that was submitted to the Courts and approved by I.J. Steven Fuller. **(See Exhibits attached and submitted to the Immigration Courts as well.)**

Respondent makes conflicting statements pertaining to petitioners entry. On one statement it says that he is an arriving alien and on another it states that he is a recent entrant into the United States.

A recent entrant is not an arriving alien and a person who has lived in the United states since 2-2-2023 is not an arriving alien either.

Respondents also mention that Petitioner appears to have been working at a Body shop, but there is nothing in the record to indicate that the respondent has been authorized to legally work in the U.S. or that he owns property or any significant asset in the U.S. These statements are false and the Courts were provided with documentation showing that petitioner filed taxes for 2023, 2024, 2025, and owns a Vehicle in the United States as well. **(See Exhibits attached)**

While the respondents seek to deny Bond on assumptions and not facts, this Court should take everything provided to the Court for face value, and note that the Petitioner should be allowed the opportunity for a pre-removal release while the removal proceedings are pending under 8 U.S.C. §1226(a).

Petitioner agrees to be released on reasonable conditions of supervision or a monitoring device to assure the Courts of his willingness to comply with any and all requirements this Court or the Immigration deems proper or necessary.

PRAYER FOR RELIEF

THEREFORE, Petitioner prays that this Court grant the following relief:

1. Assume jurisdiction over the matter;
2. Grant the Petitioner a Habeas Corpus directing respondents to allow petitioner a Bond.
3. Award Petitioner's Attorney fees and cost under the Equal Access to Justice Act("EAJA"), as amended, 5 U.S.C. §2412, and on other basis justified under law; and
4. Grant any other form of relief this court deems proper.

x Joan Perez
APRIL - 21 - 2026

Joan Manuel Perez

DETAINED AT 

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

CERTIFICATE OF SERVICE

I Swear, that a true and correct copy of the following Motion has been placed in the hands of an institution official to be furnished and forwarded by first class mail to the following parties listed below on April 21, 2026

CLERK OF COURTS

1. U.S. DISTRICT COURT

For the Middle District of Georgia

Columbus Division

P.O. BOX 124

Columbus, GA 31902

2. Office Of Chief Counsel DHS/ICE

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815

X Jhoan Perez
April- 21 -2026

JHOAN MANUEL PEREZ

DETAINED A 

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815