

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

JANET YALICIA GARCÍA ROMERO,

A# 

Petitioner,

v.

JASON STREEVAL,

Warden, Stewart Detention Center;

MARKWAYNE MULLIN,

Secretary, U.S. Department of Homeland Security;

TODD M. LYONS,

Senior Official Performing the Duties of Director,
U.S. Immigration and Customs Enforcement,

Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

(Pursuant to 28 U.S.C. § 2241)

Petitioner **Janet Yalicia García Romero**, A#  proceeding pro se, respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner is currently detained by Immigration and Customs Enforcement ("ICE") at Stewart Detention Center, P.O. Box 248, Lumpkin, Georgia 31815.

Petitioner seeks immediate release from ICE custody, or in the alternative, a prompt individualized bond hearing before a neutral decision-maker. Petitioner further requests that the Court order Respondents not to transfer her outside the jurisdiction of this Court while this petition remains pending.

I. INTRODUCTION

This petition challenges Petitioner's prolonged and unlawful immigration detention. Petitioner is a native and citizen of Cuba. She has been detained by immigration authorities for approximately eleven months and has not received an individualized bond hearing.

Petitioner entered the United States with inspection and an I-94, has been physically present in the United States for approximately twenty months, and has filed Form I-485 seeking lawful permanent residence under the Cuban Adjustment Act. Her application remains pending.

Petitioner's prolonged detention violates the Due Process Clause of the Fifth Amendment and, to the extent applicable, violates the rule established in *Zadvydas v. Davis*, 533 U.S. 678 (2001).

II. JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody and challenges that custody as unlawful under the Constitution and laws of the United States.

This Court has authority under 28 U.S.C. § 2243 to order Respondents to show cause and file a return within three days, unless good cause is shown for additional time not exceeding twenty days.

This action arises under the Immigration and Nationality Act, 8 U.S.C. § 1101 et seq., as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009.

Petitioner also invokes the Suspension Clause, U.S. Const. art. I, § 9, cl. 2; the Due Process Clause of the Fifth Amendment; 5 U.S.C. § 702; and 28 U.S.C. § 1651.

III. VENUE

Venue is proper in this Court because Petitioner is detained at Stewart Detention Center in Lumpkin, Georgia. Her immediate custodian is Warden Jason Streeval.

IV. PARTIES

Petitioner Janet Yalicia García Romero is a native and citizen of Cuba. Her date of birth is



Respondent Jason Streeval is the Warden of Stewart Detention Center.

Respondent Markwayne Mullin is the Secretary of the U.S. Department of Homeland Security.

Respondent Todd M. Lyons is the Acting Director of U.S. Immigration and Customs Enforcement.

V. FACTUAL BACKGROUND

1. Petitioner is a native and citizen of Cuba.
2. Petitioner entered the United States with inspection and received an I-94.
3. Petitioner has been physically present in the United States for approximately twenty months.
4. On or about May 23, 2025, Petitioner was arrested at her home in connection with an alleged domestic incident.
5. Petitioner herself called the police.
6. The case was later dismissed for lack of evidence.
7. Petitioner was subsequently taken into ICE custody.
8. Petitioner has been detained since approximately June 25, 2025.
9. She was initially held at Baker County Detention Center and later transferred to Stewart Detention Center.
10. Petitioner attended immigration hearings on August 20, September 11, and October 16, 2025.
11. Her asylum application was denied and appealed.
12. Petitioner received a positive credible fear determination.
13. Petitioner filed Form I-485 under the Cuban Adjustment Act on September 15, 2025.
14. Petitioner has received biometrics appointments but has not been transported by ICE.
15. A new biometrics appointment is scheduled for May 5, 2026.
16. Petitioner has family in the United States, including her sister E [REDACTED] and cousin L [REDACTED].
17. Petitioner has cooperated fully with ICE.
18. Petitioner has not received a bond hearing.

VI. LEGAL CLAIMS

CLAIM ONE – Unlawful Prolonged Detention

Under *Zadvydas v. Davis*, detention beyond six months becomes presumptively unconstitutional unless removal is significantly likely in the reasonably foreseeable future.

Petitioner has been detained for approximately eleven months. ICE has not demonstrated a significant likelihood of removal in the foreseeable future. Petitioner is Cuban and no travel documents have been produced.

CLAIM TWO – Violation of Due Process

The Due Process Clause protects all persons, regardless of immigration status. See *Zadvydas v. Davis*, 533 U.S. 678, 693.

Freedom from physical detention lies at the core of liberty protected by the Constitution. See *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992).

Indefinite detention raises serious constitutional concerns. Noncitizens are entitled to due process protections. See *Plyler v. Doe*, 457 U.S. 202, 210 (1982).

Petitioner's prolonged detention without a bond hearing violates due process.

CLAIM THREE – Arbitrary Government Action

Petitioner has a pending I-485 under the Cuban Adjustment Act. ICE has failed to transport her to required biometrics appointments, delaying her case while continuing detention.

This conduct is arbitrary and violates due process.

VII. REQUEST FOR ORDER TO SHOW CAUSE

Petitioner requests that the Court order Respondents to file a return within three days under 28 U.S.C. § 2243.

VIII. REQUEST FOR NO TRANSFER

Petitioner requests that Respondents be ordered not to transfer her outside this Court's jurisdiction.

IX. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

1. Assume jurisdiction;
2. Order Respondents to justify detention;
3. Declare detention unlawful;
4. Order immediate release under supervision;
5. Alternatively, order a bond hearing;
6. Prevent transfer;

7. Order ICE to transport Petitioner to biometrics;
 8. Grant any other relief deemed just.
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X. DECLARATION

I, Janet Yalicia García Romero, declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 29, 2026

Janet Yalicia García Romero
A# [REDACTED]
Stewart Detention Center
Petitioner Pro Se

