

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

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MDGA-CDL

MARCO ANTONIO PALACIOS RODRÍGUEZ

Civil Action No. _____

A# 

Petitioner,

v.

WARDEN OF STEWART DETENTION CENTER;
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE);
TODD M. LYONS, Acting Director of ICE;
PAMELA BONDI, Attorney General of the United States,

Respondents.

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

INTRODUCTION

COMES NOW, Petitioner MARCO ANTONIO PALACIOS RODRÍGUEZ, by and through his lawful Next Friend, VIANCA RODRÍGUEZ, and respectfully petitions this Honorable Court for issuance of a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging the legality and constitutionality of his continued immigration detention at Stewart Detention Center in Lumpkin, Georgia. Petitioner respectfully asserts that his ongoing detention violates the Due Process Clause of the Fifth Amendment because he has been deprived of a meaningful custody determination, has been denied adequate procedural protections, and continues to remain detained despite presenting no danger whatsoever to the community and no risk of flight. Petitioner has been detained approximately twenty-seven (27) days without receiving a meaningful bond hearing or individualized custody review. ICE authorities have failed to provide meaningful information regarding the status of his immigration proceedings, thereby impairing his constitutional rights and his ability to properly defend himself.

JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is currently in federal immigration custody under the authority of the United States Department of Homeland Security and ICE. Venue is proper within the Middle District of Georgia because Petitioner is detained at Stewart Detention Center located in Lumpkin, Georgia.

PARTIES

Petitioner MARCO ANTONIO PALACIOS RODRÍGUEZ is a native and citizen of Mexico born on   currently detained at Stewart Detention Center under Alien Registration Number  Petitioner has resided in the United States for more than twenty-one years and has established substantial humanitarian, economic, and family ties in this country. This Petition is brought by VIANCA RODRÍGUEZ, Petitioner's niece and a United States citizen, acting as lawful Next Friend. Petitioner cannot fully and effectively litigate this matter independently because of the severe restrictions inherent in immigration detention, including restricted access to legal resources,

limited communications, limited ability to gather evidence, and the inability to effectively prepare legal pleadings while confined under ICE custody. The intervention of the Next Friend is therefore necessary to ensure meaningful access to judicial review and to prevent irreparable constitutional harm.

STATEMENT OF FACTS

Petitioner was detained by immigration authorities on or about April 17, 2026. Prior to his detention, Petitioner was stopped while driving after allegedly touching or crossing a traffic lane line. Authorities later discovered alcoholic beverages inside the vehicle and issued traffic-related citations. Petitioner fully complied with all legal obligations, paid the fines, and posted approximately \$1,700.00 in bond related to those citations. Petitioner has no criminal history and has never been convicted of violent conduct or any offense demonstrating danger to the public. Petitioner currently has a preliminary immigration hearing scheduled for May 27, 2026, before Immigration Judge George James Ward. Petitioner has not received a meaningful bond hearing or individualized custody review. Petitioner has substantial humanitarian factors weighing heavily in favor of release. He has resided in the United States for more than twenty-one years and nearly his entire family resides within the United States, including siblings, children, nieces, and extended family members. Petitioner's children depend upon him emotionally and financially. Petitioner also plays a substantial role in assisting with the care and support of a child diagnosed with autism who significantly depends upon Petitioner's support, care, and stability. Petitioner and his family maintain a legally established business enterprise within the United States that provides employment opportunities to multiple individuals. Petitioner plays an active role in maintaining business operations and supporting workers dependent upon the company. Petitioner has demonstrated strong moral character, stable employment, responsibility, and deep community ties. Petitioner additionally maintains an asylum-related process based upon fear for his safety if returned to Mexico. Virtually all close family members and support systems are located within the United States.

GROUND FOR RELIEF

Petitioner's continued detention violates the Due Process Clause of the Fifth Amendment. Petitioner has not received a constitutionally adequate opportunity to demonstrate that he presents neither danger to the community nor risk of flight. The Government's continued detention of Petitioner despite overwhelming humanitarian equities, absence of criminal history, and strong community ties constitutes an excessive deprivation of liberty under the Constitution. ICE officials have failed to provide adequate transparency and meaningful information concerning Petitioner's custody status and immigration proceedings, substantially impairing his ability to challenge his detention.

ADDITIONAL HUMANITARIAN AND COMMUNITY EQUITIES

Petitioner respectfully submits that his continued detention serves no legitimate governmental or public safety interest whatsoever. At no point has Petitioner demonstrated violent behavior, dangerous conduct, gang affiliation, or any pattern of criminal activity that would justify prolonged civil immigration detention. The underlying circumstances leading to his detention stemmed from a traffic-related incident for which Petitioner fully complied with all legal obligations, including payment of fines and bond obligations. Said incident did not involve violence, weapons, narcotics trafficking, physical harm to others, or any conduct evidencing danger to the public. Petitioner has no criminal convictions and no history suggesting that he poses any threat to community safety. To the contrary, Petitioner has spent more than two decades building a stable and productive life within the United States. During that time, he has consistently worked, financially supported his family, contributed to his community, and maintained substantial family and economic responsibilities. Petitioner is part owner and active participant in a legally established business enterprise operating within the United States, which provides employment opportunities to multiple individuals and contributes economically to the local community. Family members, including United States citizens and lawful community members, rely heavily upon Petitioner not only for financial

support, but also for emotional stability, caregiving responsibilities, and family unity. Particularly compelling is Petitioner's active role in assisting with the care and support of a child diagnosed with autism, whose daily well-being and stability depend significantly upon Petitioner's involvement and assistance. Petitioner has demonstrated strong moral character, responsibility, and rehabilitation through his long-standing employment history, family dedication, payment of all prior legal obligations, and deep-rooted community ties. There is no evidence whatsoever indicating that Petitioner presents a danger to society, nor is there evidence suggesting any meaningful risk of absconding. Continued detention under these circumstances serves only to impose unnecessary hardship upon an established family, disrupt economic stability, and inflict irreparable emotional harm upon individuals dependent upon Petitioner's support and presence.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Honorable Court: A. Accept jurisdiction over this matter; B. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241; C. Order Respondents to immediately justify the legality of Petitioner's continued detention; D. Order Petitioner's immediate release from ICE custody; E. Alternatively, order an immediate individualized bond hearing before a neutral decision-maker; F. Grant any additional relief this Court deems just, proper, and equitable.

SWORN DECLARATION OF NEXT FRIEND

I, VIANCA RODRÍGUEZ, being first duly sworn, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following statements are true and correct to the best of my knowledge, information, and belief: My name is VIANCA RODRÍGUEZ. I am over eighteen (18) years of age and competent to make this declaration. I am the niece of Petitioner MARCO ANTONIO PALACIOS RODRÍGUEZ, A# [REDACTED] who is currently detained at Stewart Detention Center in Lumpkin, Georgia. I am a citizen of the United States and reside at [REDACTED]. I submit this declaration in support of the Petition for Writ of Habeas Corpus filed on behalf of my uncle, MARCO ANTONIO PALACIOS RODRÍGUEZ. Due to the substantial limitations inherent in immigration detention, including restricted communication, restricted access to legal materials, inability to adequately gather evidence, and limited ability to prepare legal pleadings while confined in ICE custody, Petitioner is unable to fully and effectively protect his constitutional rights without assistance. I maintain a close familial relationship with Petitioner and possess direct personal knowledge concerning his detention, family circumstances, community ties, moral character, and humanitarian hardships. Petitioner has lived in the United States for more than twenty-one (21) years and has established deep roots within this country. Petitioner has no criminal history and has never demonstrated violent conduct or danger toward the community. Petitioner is a responsible, hardworking, and family-oriented individual who financially and emotionally supports his family members. Petitioner plays an active and significant role in supporting and assisting with the care of a child diagnosed with autism whose well-being substantially depends upon Petitioner's assistance and stability. Petitioner and our family maintain a legally established business enterprise within the United States that provides employment opportunities and contributes positively to the community. Petitioner's continued detention has caused substantial emotional, financial, and humanitarian hardship upon our family. I respectfully request that this Honorable Court consider the severe constitutional and humanitarian concerns presented in this matter and grant appropriate relief, including immediate release or an individualized bond hearing. I declare under penalty of perjury that the foregoing is true and correct.

VERIFICATION

I, VIANCA RODRÍGUEZ, declare under penalty of perjury under the laws of the United States that the foregoing information is true and correct to the best of my knowledge and belief.

CERTIFICATE OF SERVICE

I hereby certify that on this 14 day of May, 2026, I served a true and correct copy of the foregoing PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241, including all supporting exhibits and attachments, upon the Respondents by depositing said documents in the United States Mail with proper postage prepaid and/or by certified mail addressed to the appropriate governmental offices and parties of record. Service was made upon the following: Office of the United States Attorney, Middle District of Georgia; U.S. Immigration and Customs Enforcement (ICE); Warden, Stewart Detention Center. I certify under penalty of perjury that the foregoing is true and correct.

Vianca Rodriguez

