

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

MIGUEL ANGEL PEREZ SALAS,

A# 

Petitioner,

v.

**THE WARDEN OF STEWART DETENTION CENTER;
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE);
TODD M. LYONS, Acting Director of ICE;
and all persons acting under their authority,**

Respondents.

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

NEXT FRIEND PETITION

I. INTRODUCTION

This action arises from the unlawful, excessive, and constitutionally deficient civil immigration detention of Petitioner MIGUEL ANGEL PEREZ SALAS, currently confined under the authority of U.S. Immigration and Customs Enforcement ("ICE") at Stewart Detention Center in Lumpkin, Georgia. Petitioner respectfully seeks immediate intervention from this Honorable Court due to the ongoing deprivation of liberty occurring without adequate constitutional safeguards, without meaningful individualized custody review, and without sufficient justification establishing that Petitioner represents either a danger to the community or a flight risk. Petitioner has no criminal history whatsoever and is not accused of violent conduct, gang activity, narcotics trafficking, weapons offenses, or aggravated felony conduct. Instead, Petitioner's detention stems from a nonviolent traffic-related incident involving allegations of driving under the influence after officers reportedly observed his vehicle crossing traffic lines. The incident did not involve violence, bodily injury, intentional harm, weapons, or threats to public safety. Following arrest by the county sheriff's

department on May 2, 2026, Petitioner remained in county custody approximately eight days. During those proceedings, the state court substantially reduced the requested bond amount from approximately \$9,800 to \$2,500 after individualized judicial review, thereby recognizing that Petitioner did not represent the level of danger or flight risk alleged by the Government. Petitioner's family immediately paid the required bond amount and authorities approved release from county custody. Nevertheless, ICE immediately assumed custody of Petitioner on May 8, 2026. Petitioner has now remained confined under civil immigration detention despite having no criminal history, no violent history, no prior immigration absconding history, substantial family ties, stable residence, stable employment history, and significant humanitarian equities. The continued detention of Petitioner violates the Due Process Clause of the Fifth Amendment and constitutes excessive civil confinement unsupported by individualized findings or constitutional necessity.

II. PETITIONER DOES NOT PRESENT A DANGER TO THE COMMUNITY

Respondents cannot constitutionally justify Petitioner's continued detention based upon speculative or generalized assertions of dangerousness unsupported by individualized evidence. Petitioner has no prior criminal history whatsoever. There are no allegations of violent conduct, assaultive behavior, gang affiliation, narcotics trafficking, weapons offenses, domestic violence, aggravated felonies, or crimes involving moral turpitude. The underlying incident resulting in county detention involved a nonviolent traffic-related allegation and did not involve bodily injury, intentional harm, threats against others, or conduct demonstrating ongoing danger to the public. Importantly, the state criminal court reviewed the circumstances of the arrest and expressly authorized Petitioner's release upon bond, substantially reducing the requested amount from approximately \$9,800 to \$2,500. Such judicial determination strongly supports the conclusion that Petitioner does not represent a serious threat requiring continued incarceration. Petitioner's family fully complied with the state court's release conditions and immediately posted the required bond amount. The Government therefore cannot credibly maintain that Petitioner suddenly became a danger to society merely because custody transferred from state authorities to civil immigration authorities. Civil immigration detention cannot lawfully function as punitive incarceration. The Supreme Court has repeatedly emphasized that immigration detention is civil, not criminal, in nature and must remain narrowly connected to legitimate governmental purposes. Petitioner has demonstrated stable residence, stable employment, substantial family ties, community integration, and complete absence of violent criminal history. Petitioner's spouse and child depend heavily upon his emotional and financial support. His continued detention serves no legitimate public safety purpose and instead imposes devastating humanitarian, psychological, emotional, and financial harm upon an otherwise stable family unit. Any legitimate governmental concern can be fully addressed through reasonable supervision conditions, reporting requirements, electronic monitoring, or alternatives to detention far less restrictive than continued

incarceration. Accordingly, Respondents cannot meet their burden of establishing that Petitioner represents a genuine danger to the community sufficient to justify continued deprivation of liberty under the Due Process Clause of the Fifth Amendment.

III. PETITIONER DOES NOT REPRESENT A FLIGHT RISK

Petitioner possesses substantial incentive to comply with all future legal and immigration proceedings. Petitioner maintains a stable residence in Georgia, a spouse and child residing within the United States, stable employment history, and significant humanitarian equities. Petitioner has no history of absconding, fleeing proceedings, or evading governmental authorities. The existence of strong family obligations and financial responsibilities strongly supports continued compliance with future proceedings. Any legitimate governmental concerns may be fully addressed through supervised release conditions or reasonable bond supervision.

IV. HUMANITARIAN FACTORS

Petitioner's detention has created devastating humanitarian consequences for his family. Petitioner's spouse and child have suffered severe emotional hardship due to separation. The family has experienced substantial financial instability because Petitioner served as the primary provider and household support system. The child has suffered emotional and psychological distress caused by prolonged separation from his father. The family's emotional suffering and economic instability continue to worsen during Petitioner's detention.

V. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court: A. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241; B. Order Respondents to immediately justify the constitutional basis for continued detention; C. Order the immediate release of Petitioner from ICE custody; D. Alternatively, order an immediate individualized bond hearing before a neutral adjudicator; E. Find that continued detention violates the Fifth Amendment Due Process Clause; F. Grant expedited emergency review of this matter; G. Grant all additional relief this Court deems just and proper.

Respectfully submitted,

Koreem Hidayat

Karen Hidalgo

KAREN ADALI HIDALGO ESTRADA

Next Friend for Petitioner

SWORN DECLARATION OF NEXT FRIEND

I, KAREN ADALI HIDALGO ESTRADA, being duly sworn, declare under penalty of perjury under the laws of the United States that: 1. I am the lawful spouse of Petitioner MIGUEL ANGEL PEREZ SALAS. 2. Petitioner is currently detained under ICE custody at Stewart Detention Center in Lumpkin, Georgia. 3. Petitioner remains under physical detention with limited access to legal resources and is unable to effectively prepare and independently file this emergency federal action. 4. I am genuinely dedicated to Petitioner's constitutional rights, liberty interests, legal protection, and family welfare. 5. I respectfully submit this Petition seeking immediate judicial intervention and constitutional protection for Petitioner. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 15 day of may, 2026.



KAREN ADALI HIDALGO ESTRADA
Next Friend

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 was served by U.S. Mail upon the following Respondents: Office of the United States Attorney Middle District of Georgia U.S. Immigration and Customs Enforcement (ICE) Warden Stewart Detention Center on this 15 day of may, 2026.



KAREN ADALI HIDALGO ESTRADA
Next Friend for Petitioner