UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

JULISSA DEL CARMEN DIAZ OCHOA,
A# [redacted]
Petitioner,

v. Civil Action No. 4:26-cv-00853-CDL-AGH

WARDEN, STEWART DETENTION CENTER, et al.,

Respondents.

EMERGENCY MOTION FOR IMMEDIATE RELEASE

COMES NOW Petitioner, **JULISSA DEL CARMEN DIAZ OCHOA,** appearing **pro se,** and respectfully moves this Honorable Court for an Order directing her immediate release from ICE custody. In support of this Motion, Petitioner respectfully states as follows:

Petitioner has remained in ICE custody despite having consistently complied with every requirement imposed by the Department of Homeland Security throughout her immigration proceedings.

On May 12, 2026, Petitioner voluntarily appeared at her scheduled ICE appointment exactly as instructed. She was not arrested while attempting to flee, evade authorities, or violate any reporting requirement. Instead, she presented herself voluntarily in full compliance with the law.

Upon her arrival, an ICE officer informed Petitioner that she had allegedly failed to appear for a previous appointment. Petitioner immediately produced documentary evidence demonstrating that she had attended every appointment scheduled by ICE. Despite reviewing those documents, ICE officers retained them, refused to return them, and immediately placed Petitioner into custody without providing any meaningful explanation.

Petitioner has never failed to comply with ICE reporting requirements. She has consistently obeyed every order issued by immigration authorities, appeared whenever instructed, maintained her residence, and pursued her immigration case through lawful legal procedures.

The Government has never produced evidence demonstrating that Petitioner presents an actual risk of flight. Instead, the only basis relied upon to justify her continued detention is the Immigration Judge's conclusion that Petitioner's pending immigration relief is speculative because her asylum application had previously been denied and remains on appeal before the Board of Immigration Appeals.

That conclusion ignores Petitioner's actual conduct.

A person who voluntarily reports to ICE appointments, fully cooperates with immigration authorities, complies with every reporting obligation, maintains a stable residence, and continues litigating her case through proper legal channels is not a flight risk.

Petitioner's conduct demonstrates exactly the opposite. Her actions establish respect for the immigration process and a continuous willingness to comply with every governmental directive.

Moreover, this Court specifically ordered Respondents to address Petitioner's claim that she had not received an individualized bond determination under **8 U.S.C. §1226(a)**. Rather than providing a meaningful justification for Petitioner's prolonged detention, Respondents relied upon a subsequent custody determination that failed to consider the overwhelming evidence establishing Petitioner's compliance with every ICE requirement.

Petitioner further submits that her continued detention serves no legitimate governmental purpose.

She has deep community ties within Georgia. She is an active member of Corpus Christi Catholic Church, where she regularly participates in religious activities, community service, and volunteer work. Church officials, including the Pastor, the Religious Education Assistant, and a Deacon, have submitted letters describing Petitioner as a person of integrity, honesty, responsibility, good moral character, and active participation within the parish community.

Petitioner also maintains a fixed residence in Georgia and possesses a valid Georgia driver's license. These facts further demonstrate that she presents neither a danger to the community nor a meaningful risk of flight.

The Due Process Clause of the Fifth Amendment prohibits the continued deprivation of liberty absent an adequate governmental justification supported by individualized evidence.

Here, the undisputed evidence demonstrates that Petitioner voluntarily complied with ICE, honored every appointment, pursued her immigration proceedings through lawful means, maintained significant community ties, and has never attempted to evade immigration authorities.

Under these circumstances, continued detention has become excessive, unnecessary, and fundamentally inconsistent with the protections guaranteed by the Fifth Amendment.

The interests of justice strongly favor Petitioner's immediate release while this Court continues considering her Petition for Writ of Habeas Corpus.

WHEREFORE, Petitioner respectfully requests that this Court:

1. **GRANT** this Emergency Motion for Immediate Release;
2. **ORDER** Respondents to immediately release Petitioner from ICE custody pending final disposition of this habeas action;
3. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

DETAINED

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