

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

**BRAYAN ALEXANDER VASQUEZ PARRA**

A# 

Petitioner,

4:26 CV 869 CDL CHW

v.

WARDEN, 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  
WITH REQUEST FOR IMMEDIATE RELEASE, CUSTODY  
REDETERMINATION, AND BOND HEARING**

**INTRODUCTION**

COMES NOW the Petitioner, BRAYAN ALEXANDER VASQUEZ PARRA, by and through his lawful "Next Friend," MILLERLAY VANESA GARCÍA, respectfully petitioning this Honorable Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging the legality, constitutionality, and continued nature of his immigration detention at Stewart Detention Center located in Lumpkin, Georgia. Petitioner respectfully asserts that his continued detention by Immigration and Customs Enforcement ("ICE") violates the Due Process Clause of the Fifth Amendment to the United States Constitution, fundamental principles of fairness, and longstanding constitutional protections against arbitrary civil detention without individualized review. Petitioner has remained detained without receiving a meaningful custody determination or individualized bond hearing despite having: - no criminal history, - no violent conduct, - no pending criminal charges, - stable employment history, - extensive family ties within the United States, - an active asylum case, - and substantial humanitarian equities favoring release. This Petition seeks immediate judicial intervention because Petitioner's detention has become punitive in nature rather than administrative, particularly where the Government has failed to establish that Petitioner constitutes either a danger to the community or a flight risk. Petitioner respectfully requests immediate release from ICE custody, an individualized bond hearing before an Immigration Judge, custody redetermination, reconsideration of custody status, and all additional equitable relief this Court deems proper and just.

**JURISDICTION AND VENUE**

This action arises under the Constitution and laws of the United States, including: 28 U.S.C. § 2241; The Fifth Amendment to the United States Constitution; The Immigration and Nationality Act (“INA”); Federal habeas corpus jurisdiction. This Court possesses jurisdiction because Petitioner is currently detained within the territorial jurisdiction of the Middle District of Georgia at Stewart Detention Center in Lumpkin, Georgia. Venue remains proper pursuant to 28 U.S.C. §§ 1391 and 2241 because Petitioner’s custodian is located within this District.

## **PARTIES**

Petitioner, BRAYAN ALEXANDER VASQUEZ PARRA, A# [REDACTED] is a native and citizen of Colombia currently detained under ICE custody at Stewart Detention Center. Petitioner was born on [REDACTED], and has resided in the United States for approximately two years. Petitioner entered the United States seeking humanitarian protection and asylum due to fear of persecution in Colombia. His asylum case remains active and pending before the Immigration Court. Petitioner has continuously maintained family ties, employment stability, and community support during his residence within the United States. This Petition is respectfully filed by MILLERLAY VANESA GARCÍA, Petitioner’s spouse and lawful “Next Friend.” She resides at: [REDACTED]

[REDACTED] Ms. García possesses lawful employment authorization within the United States and has remained directly involved in Petitioner’s emotional support, financial support, transportation, immigration matters, legal coordination, and day-to-day welfare throughout his residence within the United States.

## **NEXT FRIEND STANDING**

This Petition is properly filed through a lawful “Next Friend” pursuant to longstanding federal habeas corpus principles because Petitioner cannot meaningfully litigate and protect his constitutional rights while confined in immigration detention. Petitioner remains under severe emotional distress, restricted communication conditions, limited legal access, and significant custodial limitations substantially impairing his ability to independently prepare, investigate, organize, and present this complex federal constitutional action. Furthermore, the highly restrictive nature of immigration detention at Stewart Detention Center creates extraordinary practical barriers preventing Petitioner from effectively accessing judicial remedies without outside assistance. As Petitioner’s wife, Ms. Millerlay Vanesa García maintains a deeply significant and longstanding relationship with Petitioner and has remained continuously responsible for emotional support, household stability, financial obligations, immigration coordination, transportation, communication with counsel, and humanitarian support throughout their relationship. Petitioner’s detention has created devastating hardship upon the household because Petitioner served as one of the principal financial and emotional providers within the home. Ms. García brings this action solely in good faith for the purpose of protecting her husband’s constitutional rights, liberty interests, humanitarian welfare, and access to meaningful judicial review. Absent intervention by his lawful Next Friend, Petitioner risks prolonged unconstitutional detention despite presenting no danger whatsoever to society and no meaningful risk of flight.

## **STATEMENT OF FACTS**

On or about April 5, 2026, Petitioner and his spouse were working together when law enforcement officers initiated an encounter after the rear light of their vehicle malfunctioned. At the time of the

encounter, Petitioner possessed only an international driver's license that had expired. Petitioner fully cooperated with authorities and did not engage in violence, obstruction, resistance, threats, narcotics activity, dangerous conduct, or any criminal behavior threatening public safety. Petitioner was initially detained at the county sheriff's facility. The following day, payment in the amount of approximately \$130.00 was made to the sheriff's department with the understanding that Petitioner would be released within approximately forty-eight hours. Despite this, Petitioner was instead transferred into ICE custody and transported to Stewart Detention Center in Lumpkin, Georgia, where he remains detained. Petitioner has no criminal convictions, no gang affiliation, no violent history, no narcotics offenses, no weapons offenses, and no pending criminal proceedings. Petitioner entered the United States through the asylum process seeking humanitarian protection due to fear of persecution in Colombia. His asylum case remains active and pending before the Immigration Court. Petitioner has established substantial humanitarian, family, emotional, and community ties within the United States. His entire immediate family nucleus remains present within the country, including his spouse. Prior to detention, Petitioner maintained stable employment and financially supported the household. His detention has caused severe emotional suffering, economic instability, financial hardship, and psychological distress upon both Petitioner and his spouse. Petitioner attended immigration proceedings on or about May 8, 2026, and his immigration case remains pending and active. Despite these substantial equities favoring release, Respondents have failed to provide Petitioner with an individualized bond hearing or meaningful custody review.

#### **PETITIONER DOES NOT PRESENT A DANGER TO THE COMMUNITY**

Petitioner does not constitute a danger to the community under any reasonable legal or factual standard. Petitioner has no criminal convictions, no violent history, no gang affiliation, no narcotics offenses, no weapons offenses, no allegations involving dangerous conduct, and no record suggesting risk to public safety. The events leading to detention involved a minor vehicle-related encounter and expired driving documentation—not violent criminal activity. Petitioner fully cooperated with authorities throughout the encounter and demonstrated respect toward law enforcement officers. Petitioner consistently maintained peaceful behavior, stable employment history, strong family support, and positive moral character throughout his residence within the United States. His detention stems solely from immigration-related custody and not from any legitimate public safety concern. Continued detention under these circumstances remains excessive, punitive, and constitutionally disproportionate.

#### **PETITIONER IS NOT A FLIGHT RISK**

Petitioner likewise presents no meaningful risk of flight. Petitioner established stable residence, stable employment, family support, emotional ties, community integration, active immigration proceedings, and ongoing asylum claims within the United States. Petitioner's wife and family remain fully willing to ensure transportation, supervision, attendance at all future hearings, and compliance with any release conditions imposed by this Court or the Immigration Court. Importantly, Petitioner possesses every incentive to continue participating in immigration proceedings because his asylum case remains active and because his entire emotional and family support structure exists within the United States. There exists absolutely no evidence establishing prior absconding, concealment, evasion of immigration authorities, failures to appear, or disregard for court obligations.

## **PETITIONER PRESENTS OVERWHELMING POSITIVE EQUITIES WARRANTING RELEASE**

Petitioner respectfully submits that the totality of circumstances overwhelmingly demonstrates that continued detention remains unnecessary, excessive, and inconsistent with principles governing civil immigration custody. Petitioner maintained stable employment and directly contributed to the financial support and stability of the household. Petitioner additionally maintained strong emotional and humanitarian ties with his spouse and family members residing within the United States. Importantly, Petitioner has no criminal history whatsoever; Petitioner has an active asylum claim; Petitioner has complied with immigration proceedings; Petitioner presents no danger to society; Petitioner presents no meaningful flight risk; and less restrictive alternatives to detention plainly exist. The continued confinement of Petitioner has caused devastating emotional, psychological, and financial consequences upon both Petitioner and his spouse. Under these circumstances, prolonged detention without bond or individualized custody review violates the Due Process Clause of the Fifth Amendment.

## **CONTINUED DETENTION IS NOT JUSTIFIED BY ANY INDIVIDUALIZED EVIDENCE OF DANGEROUSNESS OR FLIGHT RISK**

Respondents cannot constitutionally continue Petitioner's civil immigration detention absent individualized findings supported by objective and credible evidence establishing either dangerousness to the community or a genuine likelihood of flight. No such evidence exists in this matter. Petitioner has absolutely no criminal history whatsoever. Petitioner has never been accused, arrested, charged, or convicted of violent conduct, gang participation, narcotics trafficking, aggravated felonies, assaultive behavior, domestic violence, weapons offenses, crimes involving moral turpitude, or any conduct threatening public safety. The circumstances leading to Petitioner's detention arose solely from a minor traffic-related encounter involving an expired international driver's license and a malfunctioning rear vehicle light. Such circumstances do not remotely establish dangerousness, criminal intent, or any legitimate threat to the surrounding community. Most importantly, Petitioner fully cooperated with law enforcement authorities throughout the encounter. Petitioner additionally maintained stable employment prior to detention and directly contributed to the financial support and emotional stability of the household. Equally important, Petitioner does not present a flight risk. Petitioner maintains substantial family and humanitarian ties within the United States, including his spouse and immediate family members residing within the country. Petitioner additionally maintains an active asylum case currently pending before the Immigration Court. There exists absolutely no evidence establishing prior absconding, concealment, evasion of immigration authorities, failures to appear, or disregard for court obligations. Petitioner's spouse, acting as lawful Next Friend, remains fully willing and able to ensure transportation, supervision, attendance at future proceedings, reporting compliance, and adherence to any release conditions imposed by the Court or Immigration Court. Any legitimate governmental concerns may be fully addressed through substantially less restrictive alternatives to detention, including supervised release, GPS monitoring, periodic reporting requirements, telephonic supervision, or other non-custodial conditions. Because Respondents lack objective evidence establishing either dangerousness or flight risk, continued detention violates the Due Process Clause of the Fifth Amendment and constitutes excessive governmental restraint far beyond what is reasonably necessary to ensure compliance with immigration proceedings. Accordingly, the balance of equities overwhelmingly favors immediate release or, at minimum, a constitutionally adequate individualized bond hearing before

a neutral adjudicator.

### **VIOLATIONS OF DUE PROCESS**

The Fifth Amendment prohibits the federal government from depriving any person of liberty without due process of law. Immigration detention remains civil—not punitive—in nature and therefore remains subject to constitutional limitations and meaningful judicial review. Respondents failed to provide: meaningful custody review, individualized bond consideration, adequate procedural safeguards, or neutral constitutional balancing. Without individualized findings establishing dangerousness or flight risk, continued detention violates fundamental due process protections guaranteed under the Constitution.

### **HUMANITARIAN FACTORS**

Petitioner and his spouse have suffered severe emotional, psychological, and financial harm as a direct consequence of detention. Petitioner served as one of the principal providers within the household and contributed substantially to the family's economic stability. His detention destabilized the household and caused extraordinary emotional suffering, uncertainty, anxiety, and financial hardship. Furthermore, Petitioner fears persecution and danger if returned to Colombia, which remains the basis for his active asylum claim.

### **REQUEST FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that this Honorable Court: 1. GRANT this Petition for Writ of Habeas Corpus; 2. ORDER immediate release from ICE custody; 3. ORDER an individualized bond hearing before an Immigration Judge; 4. ORDER custody redetermination consistent with constitutional due process; 5. ORDER all additional review necessary to protect Petitioner's immigration and constitutional rights; 6. GRANT all additional equitable relief deemed just and proper.

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that a true and correct copy of the foregoing Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241, including all supporting declarations, constitutional arguments, requests for relief, humanitarian claims, custody review requests, and accompanying exhibits, was served by U.S. Mail and/or certified legal delivery upon the following Respondents and governmental entities responsible for Petitioner's detention and immigration custody: OFFICE OF THE UNITED STATES ATTORNEY Middle District of Georgia U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) Stewart Detention Center WARDEN Stewart Detention Center OFFICE OF THE ATTORNEY GENERAL OF THE UNITED STATES Executed on this \_\_\_\_ day of \_\_\_\_\_, 2026. \_\_\_\_\_ MILLERLAY VANESA GARCÍA Next Friend for Petitioner

### **SWORN DECLARATION OF NEXT FRIEND**

I, MILLERLAY VANESA GARCÍA, being duly sworn, hereby declare under penalty of perjury pursuant to the laws of the United States that the following statements are true and correct to the best of my knowledge: 1. I am the lawful spouse of Petitioner BRAYAN ALEXANDER VASQUEZ PARRA. 2. I submit this declaration as lawful "Next Friend" in support of the accompanying Petition for Writ of Habeas Corpus. 3. My husband is currently detained at Stewart Detention Center in Lumpkin, Georgia under the custody of U.S. Immigration and Customs Enforcement (ICE). 4. Due to his physical confinement, emotional distress, restricted communication abilities, limited access to legal materials, inability to freely obtain supporting documentation, and limited ability to independently prepare complex federal constitutional pleadings, my husband cannot effectively litigate this emergency habeas action without outside assistance. 5. My husband has no criminal history whatsoever and has always been a peaceful, respectful, hardworking, and family oriented individual. 6. Prior to detention, my husband maintained stable employment and directly contributed to the financial and emotional support of our household. 7. My husband's continued detention has caused severe emotional suffering, financial hardship, psychological distress, and instability within our home. 8. My husband has an active asylum case pending before the Immigration Court based upon fear of persecution in Colombia. 9. I genuinely believe that his continued detention serves no legitimate governmental purpose because he does not constitute a danger to the community or a flight risk. 10. I remain fully willing and able to ensure transportation, supervision, attendance at future hearings, reporting compliance, and adherence to any release conditions imposed by this Court or the Immigration Court. 11. I submit this action solely in good faith for the purpose of protecting my husband's constitutional rights, liberty interests, humanitarian welfare, and access to meaningful judicial review. 12. I respectfully request immediate intervention by this Honorable Court ordering his release or, alternatively, a constitutionally adequate individualized bond hearing before a neutral adjudicator. I declare under penalty of perjury that the foregoing is true and correct. Executed on this \_\_\_\_ day of \_\_\_\_\_, 2026.

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MILLERLAY VANESA GARCÍA Next Friend for Petitioner