

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

JUAN PABLO SANTOS TREJOS,

At 

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, arbitrary, and constitutionally deficient civil immigration detention of Petitioner JUAN PABLO SANTOS TREJOS, currently confined under the authority of U.S. Immigration and Customs Enforcement ("ICE") at Stewart Detention Center in Lumpkin, Georgia. Petitioner respectfully seeks emergency intervention from this Honorable Court due to the ongoing deprivation of liberty occurring without meaningful procedural safeguards, without individualized custody review, without a bond hearing, without meaningful explanation for detention, and without timely adjudication of his pending immigration appeal. Petitioner was detained on or about April 21, 2026, while voluntarily appearing before immigration authorities in compliance with federal immigration reporting obligations. Petitioner was not attempting to evade proceedings or avoid supervision. Instead, Petitioner demonstrated affirmative compliance with governmental instructions and lawful immigration procedures. Despite such compliance, Petitioner was unexpectedly detained without meaningful explanation regarding the legal or factual basis for continued confinement. Petitioner has absolutely no criminal history whatsoever. There are no

allegations of violent conduct, narcotics trafficking, gang activity, aggravated felonies, weapons offenses, domestic violence, assaultive behavior, or threats to public safety. Petitioner does not possess a final order of removal. Importantly, Petitioner has maintained a pending immigration appeal since approximately March 25, 2025, and immigration authorities have failed to provide a timely response or adjudication concerning whether such appeal has been accepted, denied, or otherwise resolved. The Government's prolonged failure to adjudicate Petitioner's pending immigration appeal while simultaneously maintaining civil detention without meaningful custody review constitutes a serious violation of procedural due process protections guaranteed under the Fifth Amendment.

II. FACTUAL BACKGROUND

Petitioner has resided within the United States for approximately four years. During his time within the United States, Petitioner maintained lawful employment, supported his household, and established substantial family and community ties. Petitioner worked for multiple businesses and later established independent work involving sales, marketing, and equipment-related business activities. Petitioner is the primary economic support system for his immediate family. Petitioner's mother suffers from chronic arthritis and is physically unable to maintain stable employment due to ongoing medical limitations. Additionally, Petitioner's brother underwent serious spinal surgery related to a vertebral hernia condition and requires substantial physical, emotional, and financial support. Petitioner therefore serves as the principal provider and caretaker for vulnerable family members. Petitioner additionally suffers from chronic gastritis and severe anxiety related to prolonged detention and lack of meaningful procedural information. Petitioner reports inadequate medical treatment and insufficient access to medication while detained. These conditions substantially aggravate Petitioner's medical and psychological suffering.

III. PETITIONER DOES NOT PRESENT A DANGER TO THE COMMUNITY

Respondents cannot constitutionally justify Petitioner's continued detention based upon speculative or generalized assertions unsupported by individualized evidence. Petitioner has absolutely no criminal history whatsoever. There are no allegations of violence, gang activity, narcotics trafficking, aggravated felonies, weapons offenses, assaultive behavior, domestic violence, or threats to public safety. Importantly, Petitioner voluntarily appeared before immigration authorities while actively complying with immigration reporting obligations and legal requirements. Such conduct overwhelmingly demonstrates compliance, cooperation, and respect for governmental authority rather than dangerousness. Petitioner's stable employment history, family obligations, community integration, and absence of criminal history overwhelmingly establish that continued detention is unnecessary and constitutionally excessive. Petitioner's continued confinement serves no legitimate public safety purpose and instead imposes devastating humanitarian harm upon an otherwise stable

family unit. Any legitimate governmental concern can be fully addressed through reporting requirements, supervision conditions, electronic monitoring, or alternatives to detention substantially less restrictive than continued incarceration.

IV. ADDITIONAL ARGUMENT REGARDING LACK OF DANGEROUSNESS

Respondents cannot reasonably characterize Petitioner as a threat to public safety where the factual record demonstrates complete compliance, absence of criminal conduct, and substantial community integration. Petitioner voluntarily appeared before immigration authorities while actively complying with all reporting obligations imposed upon him. Such conduct fundamentally contradicts any assertion that Petitioner represents dangerousness, instability, or disregard for governmental authority. Petitioner has never been convicted of violent conduct, weapons offenses, narcotics trafficking, gang participation, domestic violence, aggravated felonies, assaultive behavior, or crimes involving moral turpitude. There is absolutely no evidence establishing that Petitioner presents any ongoing threat whatsoever to the surrounding community. Petitioner's continued detention therefore serves no legitimate public safety objective and instead operates as excessive civil confinement unsupported by individualized evidence or constitutional necessity.

V. PETITIONER DOES NOT REPRESENT A FLIGHT RISK

Petitioner voluntarily presented himself before immigration authorities while actively complying with legal reporting requirements and pending immigration proceedings. Individuals intending to evade governmental supervision do not voluntarily appear before federal immigration authorities. Petitioner's conduct overwhelmingly demonstrates good faith compliance and respect for the legal process. Petitioner maintains substantial humanitarian and family ties within the United States, including responsibility for financially and emotionally supporting his medically vulnerable mother and his brother recovering from serious spinal surgery. Petitioner additionally maintains stable residence, employment history, community ties, family support, and pending legal proceedings he fully intends to pursue. There is no evidence whatsoever establishing prior absconding, evasion, concealment, or failure to appear before immigration authorities. Any legitimate governmental concerns may be fully addressed through supervised release conditions, periodic reporting requirements, GPS monitoring, or other alternatives substantially less restrictive than continued incarceration.

VI. VIOLATION OF DUE PROCESS

The Fifth Amendment prohibits the federal government from depriving any person of liberty without due process of law. Civil immigration detention remains subject to constitutional limitations and meaningful judicial review. Respondents have failed to provide adequate procedural safeguards

necessary to justify Petitioner's continued detention. Petitioner has not received meaningful individualized custody review, a bond hearing, timely immigration proceedings, meaningful explanation regarding detention, or adjudication of his pending appeal. Petitioner respectfully requests that this Court order Respondents to immediately clarify whether Petitioner's appeal has been accepted, whether the appeal remains pending, and when meaningful immigration review or hearing will occur. The Supreme Court has repeatedly recognized constitutional limitations on prolonged immigration detention, including *Zadvydas v. Davis*, *Demore v. Kim*, and *Boumediene v. Bush*.

VII. HUMANITARIAN FACTORS

Petitioner's detention has created devastating humanitarian consequences for his family. Petitioner's mother suffers from chronic arthritis and cannot maintain stable employment due to medical limitations. Petitioner's brother underwent serious spinal surgery and requires continuing family assistance and support. Petitioner served as the primary provider and support system for both family members. The family has experienced substantial economic instability, emotional suffering, psychological distress, and financial hardship due to Petitioner's confinement. Petitioner additionally suffers from chronic gastritis and severe anxiety aggravated by prolonged detention and lack of procedural information. The family's humanitarian suffering continues to worsen during Petitioner's detention.

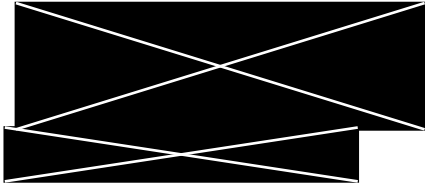
VIII. REQUEST FOR RELIEF

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 Respondents to immediately clarify the status of Petitioner's pending immigration appeal; D. Order Respondents to provide meaningful immigration review and hearing concerning Petitioner's pending proceedings; E. Order the immediate release of Petitioner from ICE custody; F. Alternatively, order an immediate individualized bond hearing before a neutral adjudicator; G. Find that continued detention violates the Fifth Amendment Due Process Clause; H. Grant expedited emergency review of this matter; I. Grant all additional relief this Court deems just and proper.

Respectfully submitted,

JENNY MARCELA RIVERA

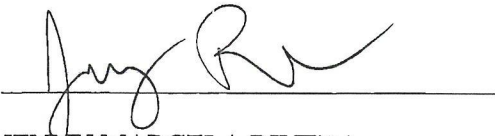
Next Friend for Petitioner



SWORN DECLARATION OF NEXT FRIEND

I, JENNY MARCELA RIVERA, being duly sworn, declare under penalty of perjury under the laws of the United States that: 1. I am the cousin and immediate family support contact of Petitioner JUAN PABLO SANTOS TREJOS. 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.

Executed on this 19 day of MAY, 2026.

A handwritten signature in black ink, appearing to read 'Jenny Rivera', is written over a horizontal line.

JENNY MARCELA RIVERA
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 day of , 2026.

JENNY MARCELA RIVERA
Next Friend for Petitioner