

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the
Middle District of Georgia



JOHN ECHAVARRIA

Petitioner

v.

Warden, Stewart Detention Center

Respondent

(name of warden or authorized person having custody of petitioner)

Case No. 4.26-CV-881-CDL-ALS
(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: JOHN CAMILO ECHAVARRIA
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: Stewart Detention Center
(b) Address: 146 CCA Road
LUMPKIN, GA 31815
3. (c) Your identification number: 
Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain):

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: U.S. Immigration and customs Enforcement (ICE), Stewart Detention Center, Lumpkin, Georgia

(b) Docket number, case number, or opinion number: [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

I am challenging my immigration detention. My appeal was received by the Board of Immigration Appeals (BIA), but

I did not receive any decision or notification regarding the appeal, and neither did my attorney to my knowledge. I am currently detained by ICE and believe my detention should be reviewed because my immigration appeal was not resolved or communicated to me.

(d) Date of the decision or action: 04/21/2026

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Board of immigration Appeals (BIA)

(2) Date of filing: 02/26/2025

(3) Docket number, case number, or opinion number: [REDACTED]

(4) Result: No decision received

(5) Date of result:

(6) Issues raised: Appeal of immigration removal decision

(b) If you answered "No," explain why you did not appeal:

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: First appeal remained unresolved to my knowledge

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☒ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 04/21/2026

(b) Date of the removal or reinstatement order: 02/26/2025

(c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes

☐ No

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If "Yes," provide:

(1) Date of filing: 02/26/2025

(2) Case number:

(3) Result: No decision Received

(4) Date of result: 05/24/2026

(5) Issues raised: Appeal of immigration removal and protection claim

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court:

(2) Date of filing:

(3) Case number:

(4) Result:

(5) Date of result:

(6) Issues raised:

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

(b) Name of the authority, agency, or court:

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

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Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: My immigration detention should be reviewed because my appeal with the Board of Immigration Appeals (BIA) was filed and received, and to my knowledge I did not receive a decision or notification regarding the appeal before being detained by ICE during my scheduled immigration check-in.

(a) Supporting facts (*Be brief. Do not cite cases or law.*):

My Immigration appeal was filed with the Board of Immigration Appeals (BIA), and a filing receipt was issued. I complied with my Immigration reporting requirements and appeared for my scheduled immigration check-in. During that appearance, I was taken into ICE custody.

To my knowledge, neither I nor my attorney received a decision or notification resolving my immigration appeal before my detention. In addition, I have a minor daughter who attends school and depends on my emotional and parental support. My detention has created hardship for my family and affects my ability to provide care, guidance, and support to my child while complying with my immigration process.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO: I fear returning to my country because I received threats against my life and fear harm due to my political affiliation and activities. After reporting concerns and being associated with a political or military group, I experienced threats and feared retaliation. I also possess supporting documents regarding my political affiliation and displacement, and I fear for my safety and the safety of my family if I am returned.

(a) Supporting facts (*Be brief. Do not cite cases or law.*):

I received threats related to my political affiliation and activities and feared retaliation because of my association with a political or military group. I feared for my safety and the safety of my family. I possess supporting documents related to my political affiliation and displacement, which support my fear of returning to my country.

(b) Did you present Ground Two in all appeals that were available to you?

☒ Yes

☐ No

GROUND THREE:

(a) Supporting facts (*Be brief. Do not cite cases or law.*):

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☒ No

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GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: I respectfully request that the Court review the legality of my immigration detention and order my release from ICE custody while my immigration matters remain pending. I fear returning to my country due to threats against my life and safety, and I request consideration of my family hardship, including my minor daughter who depends on my emotional and parental support. I am willing to comply with all immigration proceedings and reporting requirements.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system?

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 05/27/2026

John Echavarría
Signature of Petitioner

Signature of Attorney or other authorized person, if any