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

G.H.N.,
Petitioner,

Case No. 4:26-cv-716-CDL-AGH

v.

Case No. 4:26-cv-1073-CDL-AGH

WARDEN, STEWART DETENTION CENTER, et al.,
Respondents.

_____/

PETITIONER'S RESPONSE TO AUGUST 5, 2026 ORDER AND ELECTION TO VOLUNTARILY DISMISS CASE NO. 4:26-CV-1073-CDL-AGH, ALTERNATIVE MOTION FOR VOLUNTARY DISMISSAL

Petitioner G.H.N., through undersigned counsel, respectfully submits this Response to the Court's August 5, 2026 Order, ECF No. 12 in Case No. 4:26-cv-716-CDL-AGH, and states as follows:

1. On August 5, 2026, this Court entered an Order observing that Petitioner presently has two petitions for writ of habeas corpus pending before this Court: Case No. 4:26-cv-716-CDL-AGH, which Petitioner filed in the Middle District of Georgia on April 28, 2026, and Case No. 4:26-cv-1073-CDL-AGH, which was originally filed in the Western District of Washington on April 24, 2026 and subsequently transferred to this Court.
2. The Court directed Petitioner to inform the Court whether Petitioner intends to voluntarily dismiss one of the petitions or instead seeks consolidation of the two actions.
3. Petitioner hereby advises the Court that he DOES NOT seek consolidation.
4. Petitioner elects to VOLUNTARILY DISMISS Case No. 4:26-cv-1073-CDL-AGH, the action originally filed in the United States District Court for the Western District of Washington and subsequently transferred to this Court.

5. Petitioner intends to proceed solely with his habeas corpus action in Case No. 4:26-cv-716-CDL-AGH.

6. Petitioner therefore respectfully requests that Case No. 4:26-cv-1073-CDL-AGH be dismissed WITHOUT PREJUDICE and that the Clerk close that action.

7. To the extent Federal Rule of Civil Procedure 41(a)(1)(A)(i) applies because no answer or motion for summary judgment has been served in Case No. 4:26-cv-1073-CDL-AGH, Petitioner respectfully requests that this filing be construed as Petitioner's notice of voluntary dismissal of that action.

8. Alternatively, to the extent an order of the Court is required to effectuate dismissal, Petitioner moves pursuant to Federal Rule of Civil Procedure 41(a)(2) for an order voluntarily dismissing Case No. 4:26-cv-1073-CDL-AGH without prejudice.

9. This requested dismissal applies ONLY to Case No. 4:26-cv-1073-CDL-AGH. Petitioner does not seek dismissal of Case No. 4:26-cv-716-CDL-AGH and respectfully requests that Case No. 4:26-cv-716-CDL-AGH remain pending and proceed in the ordinary course.

WHEREFORE, Petitioner respectfully requests that the Court:

A. Accept this filing as Petitioner's response to the Court's August 5, 2026 Order;

B. Recognize Petitioner's election not to consolidate the two habeas actions;

C. Dismiss without prejudice Case No. 4:26-cv-1073-CDL-AGH, the action originally filed in the Western District of Washington;

D. Direct the Clerk to close Case No. 4:26-cv-1073-CDL-AGH; and

E. Permit Case No. 4:26-cv-716-CDL-AGH to remain pending and proceed without consolidation.

Respectfully submitted,

HOBBALLAH LEGAL GROUP, PLC

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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ Farah Hobballah
Farah Hobballah

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_____/

ORDER

Before the Court is Petitioner's Response to the Court's August 5, 2026 Order and election to voluntarily dismiss Case No. 4:26-cv-1073-CDL-AGH.

Petitioner has advised the Court that he does not seek consolidation of the two pending habeas corpus actions and instead elects to voluntarily dismiss Case No. 4:26-cv-1073-CDL-AGH, which was originally filed in the United States District Court for the Western District of Washington and subsequently transferred to this Court.

Accordingly, Petitioner's request is GRANTED.

Case No. 4:26-cv-1073-CDL-AGH is hereby DISMISSED WITHOUT PREJUDICE. The Clerk is DIRECTED to close Case No. 4:26-cv-1073-CDL-AGH.

Case No. 4:26-cv-716-CDL-AGH SHALL REMAIN PENDING and shall proceed without consolidation with Case No. 4:26-cv-1073-CDL-AGH.

SO ORDERED, this ____ day of August, 2026.

UNITED STATES DISTRICT JUDGE /
UNITED STATES MAGISTRATE JUDGE