UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF GEORGIA

4:26-CV-1082-CDL-ALS

COLUMBUS DIVISION

CAMPO ELÍAS ANDRADE DUQUE,

A [redacted]
Petitioner,

v

WARDEN, STEWART DETENTION CENTER; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE); and the Secretary of the Department of Homeland Security,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 AND EMERGENCY MOTION FOR IMMEDIATE MEDICAL RELIEF

INTRODUCTION

Petitioner, Campo Elías Andrade Duque, respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. He is currently detained by U.S. Immigration and Customs Enforcement (ICE) at the Stewart Detention Center in Lumpkin, Georgia.

Petitioner suffers from multiple chronic medical conditions, including Type II Diabetes Mellitus, hypertension, high cholesterol, and urinary health problems. Despite these serious medical conditions, he is being held under conditions that place his health at substantial risk.

This Petition requests immediate judicial intervention because Petitioner's continued detention, without adequate medical care and under inadequate living conditions, violates his constitutional and statutory rights.

FACTUAL BACKGROUND

Petitioner is a native and citizen of Colombia.

He entered the United States seeking protection and has a pending asylum application.

His immigration proceedings remain pending, and his individual immigration hearing is currently scheduled for April 2028. No Immigration Judge has yet determined the merits of his asylum claim.

Prior to his detention, Petitioner complied with immigration supervision requirements.

The events leading to his detention arose after traffic-related incidents involving driving without a driver's license. One matter involved driving without a license. A second traffic matter involved a vehicle accident resulting only in property damage. Insurance responded to the accident, and no allegations of violent conduct were made.

The state court ordered community service regarding one of the traffic matters. Petitioner had already appeared before the state court, completed the fingerprinting process required by the court, and had been granted time to complete the community service. He had not failed to comply with the court's orders, and he intended to complete every requirement within the deadline established by the judge.

Despite these circumstances, ICE arrested Petitioner and transferred him to Stewart Detention Center.

Since arriving at Stewart, Petitioner's detention conditions have significantly worsened his health

During telephone communications with his family, Petitioner reported that:

- He has not been provided a regular bed and has instead been required to sleep on a mattress placed on the floor.
- The meals provided are not medically appropriate for a person diagnosed with Type II diabetes.
- His medical conditions have not received the level of attention required to prevent serious complications.
- He fears his health is deteriorating while detained.

Petitioner's family possesses his medical history documenting:

- Type II Diabetes Mellitus;
- Hypertension;
- Hypercholesterolemia;
- Urinary medical conditions requiring monitoring and treatment.

These chronic illnesses require continuous medical supervision, medication, appropriate nutrition, and adequate sleeping conditions.

GROUNDS FOR RELIEF

Petitioner respectfully submits that continued detention under these circumstances violates:

- The Due Process Clause of the Fifth Amendment;
- Federal standards governing the medical care owed to immigration detainees;
- Constitutional protections against deliberate indifference to serious medical needs.

Because Petitioner has documented chronic illnesses, ICE has an obligation to provide medically appropriate care, including appropriate nutrition, medication, monitoring, and living conditions that do not place his health at unnecessary risk.

Holding a diabetic detainee without an appropriate diabetic diet and requiring him to sleep on a mattress on the floor substantially increases the risk of severe medical complications.

REQUEST FOR EMERGENCY RELIEF

Petitioner respectfully requests that this Court:

1. Issue an Order to Show Cause requiring Respondents to justify Petitioner's continued detention.
2. Order Respondents to immediately provide appropriate medical evaluation and treatment.
3. Order Respondents to provide medically appropriate diabetic meals consistent with Petitioner's documented health conditions.
4. Order Respondents to provide appropriate sleeping accommodations, including a bed rather than a mattress on the floor.
5. Schedule an expedited hearing because Petitioner's health is at risk.
6. Grant any additional relief the Court deems just and proper, including release if the Court concludes that Petitioner's detention or conditions of confinement violate federal law or the Constitution.

SUPPORTING EXHIBITS

Petitioner intends to submit the following evidence:

- Medical records documenting diabetes, hypertension, high cholesterol, and urinary conditions.
- Copies of the pending asylum proceedings.
- Records demonstrating compliance with immigration supervision before detention.

- State court records concerning the traffic matters and community service.
- Affidavits from family members describing Petitioner's reports regarding his medical condition and detention conditions.
- Character letters from family members, church representatives, and community members.
- Evidence demonstrating Petitioner's ties to the community and lack of danger to the public

Respectfully submitted,

Campo Elías Andrade Duque

Petitioner.

Through Next Friend

JENNIFER ANDRADE P

:Jennifer Andrade

TEL [redacted]

DIRECCION [redacted]