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

**KEIVER JOSE BASTIDAS MEDINA,**
by Amanda Margarita Medina Vargas, Next Friend,
Petitioner,

Case No. 4:26-CV-111

v

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

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

### I. INTRODUCTION

Petitioner Keiver Jose Bastidas Medina, by and through his mother and proposed Next Friend, Amanda Margarita Medina Vargas, respectfully petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2241. Petitioner challenges the legality of his present physical immigration detention and seeks the custody review to which he is entitled under the governing detention statute and applicable law.

Petitioner has been continuously detained since June 19, 2026, and is currently confined at Stewart Detention Center in Lumpkin, Georgia. ICE's online detainee locator presently identifies Petitioner as being under ICE custody at Stewart Detention Center. See Exhibit B.

Petitioner has a pending asylum application and an Immigration Court hearing presently scheduled for August 19, 2026. He seeks to continue participating in those proceedings while obtaining lawful review of his custody.

This Petition does not ask this Court to decide the merits of Petitioner's asylum application or removal proceedings. It concerns only Petitioner's present physical custody and, if the Court determines that 8 U.S.C. § 1226(a) governs that custody, the individualized bond hearing contemplated by § 1226(a)(2) and Standing Order No. 2026-01.

### II. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal immigration custody and challenges the legality of his present physical confinement.

2. Venue is proper in the Middle District of Georgia because Petitioner is confined at Stewart Detention Center in Lumpkin, Stewart County, Georgia, within the Columbus Division of this District.

3. The Warden of Stewart Detention Center is named as the principal Respondent because that official has immediate custody of Petitioner.

### III. PARTIES

4. Petitioner Keiver Jose Bastidas Medina is a native and citizen of Venezuela and is identified by immigration authorities under A# [redacted]

5. Petitioner is currently detained by U.S. Immigration and Customs Enforcement (ICE) at Stewart Detention Center.

6. Amanda Margarita Medina Vargas is Petitioner's mother and seeks leave to act as Next Friend solely for purposes of assisting Petitioner in obtaining federal judicial review of his physical detention. She has no interest adverse to Petitioner.

**IV. FACTUAL BACKGROUND**

7. Petitioner was taken into his present period of immigration detention on June 19, 2026, and has remained continuously detained since that date.

8. Petitioner is currently confined at Stewart Detention Center in Lumpkin, Georgia. The ICE Online Detainee Locator presently identifies him as under ICE custody and lists Stewart Detention Center as his current detention facility. (Ex. B.)

9. Petitioner is 22 years old. Before his present detention, he established a residence and undertook lawful efforts to support himself and his family.

10. Petitioner has a pending application for asylum and is actively pursuing immigration relief. His Immigration Court hearing is presently scheduled for August 19, 2026.

11. Petitioner has substantial family and community ties in the United States. He has a young child, approximately two years old, who was born in the United States.

12. Petitioner has maintained a residence through a lease and has financial and household responsibilities reflected in tax records, bills, and other records.

13. Petitioner has maintained health-insurance coverage that includes himself and his young child and has continued to undertake financial responsibilities for his household.

14. Petitioner has family support available to him upon release, including his mother, Amanda Margarita Medina Vargas. He also has letters of support from persons familiar with his character and ties to the community.

15. Petitioner alleges that he does not present a danger to the community and is willing to comply with reasonable conditions of release or supervision, including reporting requirements and other conditions imposed by the appropriate immigration authorities.

16. Petitioner's prior DHS records, including records reflecting prior immigration processing and parole under INA § 212(d)(5), are submitted as historical immigration records. Those records are not offered as proof of Petitioner's current 2026 custody status.

17. The documents presently available to Petitioner do not establish with sufficient clarity the precise statutory basis asserted by the Government for his current detention. Petitioner therefore requests that Respondents identify the statutory authority for his detention and provide the custody records necessary for the Court to determine whether § 1226(a) governs.

**V. CLAIM FOR RELIEF — ENTITLEMENT TO CUSTODY REVIEW UNDER THE GOVERNING DETENTION STATUTE**

18. Section 1226(a) provides the general framework for arrest and detention pending a decision on removal and authorizes release on bond or conditional parole except where a statutory exception applies. 8 U.S.C. § 1226(a)(2).

19. The Middle District of Georgia has held in J.A.M. v. Streeval, No. 4:25-CV-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025), and P.R.S. v. Streeval, No. 4:25 CV 330 CDL, 2025 WL 3269947 (M.D. Ga. Nov. 24, 2025), that for noncitizens who are found in the country unlawfully and are arrested without having been inspected by an examining immigration officer, § 1226(a), rather than mandatory detention under § 1225(b)(2), governs unless a statutory exception such as § 1226(c) applies.

20. Standing Order No. 2026-01 addresses § 2241 immigration petitions arising from Stewart Detention Center and directs Magistrate Judges to screen such petitions for application of J.A.M. and P.R.S. If those decisions apply, the attached order provides for a bond hearing under § 1226(a)(2).

21. Petitioner does not presently have sufficient custody records to establish which statutory detention authority the Government invokes. He therefore asks the Court to require Respondents to identify the statutory basis for his detention and, if § 1226(a) applies and no statutory exception controls, to provide the bond hearing required by § 1226(a)(2).

22. If the Court determines from the Government's custody records and applicable facts that Petitioner falls within the parameters of J.A.M. and P.R.S., Petitioner respectfully requests the remedy contemplated by Standing Order No. 2026-01: a bond hearing to determine whether he may be released on bond under § 1226(a)(2) and applicable regulations.

23. Petitioner does not ask this Court to order that he be granted bond. He asks only that the Court require the custody hearing provided by law if the governing detention statute entitles him to one.

## VI. ALTERNATIVE DUE PROCESS CLAIM

24. If the Government contends that a different statutory basis authorizes Petitioner's continued detention, Petitioner requests habeas relief appropriate to that statutory regime and meaningful judicial review of the legality of his present physical confinement.

25. Petitioner alleges that continued confinement without the custody review required by the governing detention statute, where such review is legally available, violates due process.

26. This alternative claim does not seek review of the merits of Petitioner's immigration charges, asylum application, or any final order of removal. It concerns only the legality of his present physical custody.

## VII. PENDING IMMIGRATION AND ASYLUM PROCEEDINGS

27. Petitioner has a pending asylum application. Supporting documentation is identified in the exhibit list.

28. Petitioner has an Immigration Court hearing presently scheduled for August 19, 2026.

29. Petitioner does not ask this Court to determine whether asylum should be granted or to interfere with the Immigration Court's adjudication of his removal proceedings.

30. The pending proceedings are relevant because Petitioner seeks to continue pursuing immigration relief and to participate meaningfully in those proceedings while his custody status is determined.

## VIII. NEXT-FRIEND STATUS

31. Amanda Margarita Medina Vargas is Petitioner's mother. She seeks leave to act as Next Friend because Petitioner is physically confined in an immigration detention facility and, as stated in her accompanying declaration, his ability to obtain documents, access legal resources, communicate freely, and prepare federal court filings is substantially restricted.

32. Under Whitmore v. Arkansas, 495 U.S. 149, 163–64 (1990), and Eleventh Circuit authority applying that standard to habeas proceedings, a proposed Next Friend must show that the real party in interest is unable to litigate because of a disability or similar impediment and that the proposed Next Friend is truly dedicated to the real party's interests. Petitioner and Ms. Medina Vargas submit the accompanying motion and declaration to address those requirements.

33. Amanda Margarita Medina Vargas is acting solely in Petitioner's best interests, has no interest adverse to him, and seeks only to protect his access to judicial review of his physical detention

**IX. VERIFICATION**

I, Amanda Margarita Medina Vargas, acting as Next Friend for Keiver Jose Bastidas Medina, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Petition and that, to the best of my knowledge and based on the information available to me, the factual statements contained in it are true and correct.

Executed on: 08/11/2026

Amanda Medina Vargas

Amanda Margarita Medina Vargas
Proposed Next Friend for Keiver Jose Bastidas Medina

**X. REQUEST FOR RELIEF**

A. Exercise jurisdiction over this Petition under 28 U.S.C. § 2241;

B. Order Respondents to identify the statutory authority and factual basis for Petitioner's current detention and to provide the custody records necessary for the Court's review;

C. If the Court determines that 8 U.S.C. § 1226(a) governs Petitioner's detention and that the parameters of J.A.M., P.R.S., and Standing Order No. 2026-01 apply, order Respondents to provide Petitioner with a bond hearing to determine whether he may be released on bond under § 1226(a)(2) and applicable regulations, within the time directed by the Court;

D. If the Court determines that another detention statute governs, grant such habeas relief as is authorized by that statute and the Constitution; and

E. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

Amanda Medina Vargas

Amanda Margarita Medina Vargas
Proposed Next Friend for Keiver Jose Bastidas Medina

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Date: 08/11/2026