UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF GEORGIA

JOSE ANTONIO CAMACHO ESCALONA,

A# [redacted] Petitioner,

Pro Se,

v.

WARDEN, IRWIN COUNTY DETENTION CENTER;
FIELD OFFICE DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY,

Respondents.

Case No _____

MOTION FOR TEMPORARY RESTRAINING ORDER

Petitioner Jose Antonio Camacho Escalona, proceeding pro se, respectfully moves this Honorable Court pursuant to Federal Rule of Civil Procedure 65 for narrowly tailored temporary injunctive relief necessary to preserve this Court's ability to adjudicate his pending Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241.

Petitioner is presently detained at the Irwin County Detention Center in Ocilla, Georgia. His habeas Petition challenges the legality and constitutionality of his continued physical immigration detention and seeks release under reasonable conditions of supervision or, alternatively, a prompt and constitutionally adequate individualized custody or bond hearing.

Petitioner respectfully requests that, while this Court considers his habeas Petition, Respondents be temporarily restrained from transferring Petitioner outside this judicial district in a manner that would interfere with this Court's jurisdiction, Petitioner's access to this Court, or the effective adjudication of his pending habeas claims.

I. LIKELIHOOD OF SUCCESS ON THE MERITS

Petitioner has presented substantial claims concerning the statutory and constitutional basis for his continued detention.

On August 10, 2026, the Immigration Judge denied Petitioner's request for custody redetermination not because Petitioner was found dangerous or an unacceptable flight risk, but because the Immigration Judge concluded: "No jurisdiction. Respondent is an arriving alien."

Petitioner's habeas Petition therefore raises a substantial question concerning whether his detention is properly governed by 8 U.S.C. § 1225(b)(2)(A) or § 1226(a), and whether continued physical detention without meaningful individualized custody review comports with the Due Process Clause of the Fifth Amendment.

Petitioner relies, among other authorities, upon *Hernandez Alvarez v. Warden, Federal Detention Center Miami*, 175 F.4th 1258 (11th Cir. 2026), concerning the proper statutory framework governing immigration detention and eligibility for individualized bond consideration.

Petitioner therefore respectfully submits that his claims are sufficiently substantial to warrant preservation of the status quo while this Court determines the merits of his habeas Petition.

II. IRREPARABLE HARM

Petitioner is presently deprived of physical liberty. Every additional day of unnecessary civil detention constitutes a continuing and substantial deprivation of that liberty.

Transfer to another detention facility, particularly one outside this judicial district, could further impair Petitioner's ability to prosecute this habeas action, receive and respond to court filings, maintain access to his legal papers, communicate concerning his case, and obtain meaningful judicial review of his present detention.

Petitioner is proceeding pro se from immigration detention. His ability to litigate necessarily depends upon continued access to his legal materials, correspondence, and this Court.

Petitioner therefore respectfully submits that maintaining the status quo during the Court's consideration of his habeas Petition is necessary to prevent irreparable harm and protect the effectiveness of the Court's eventual judgment.

III. BALANCE OF EQUITIES

The balance of equities favors narrowly tailored temporary relief.

Petitioner does not request through this Motion that the Court terminate his immigration proceedings, adjudicate his asylum claim, or prevent ICE from maintaining lawful custody and supervision while the habeas Petition remains pending.

Petitioner asks only that Respondents preserve the status quo sufficiently to permit this Court to adjudicate the legality of his present detention.

By contrast, absent temporary protection, a transfer could materially interfere with Petitioner's ability to litigate his pending habeas action and complicate the Court's consideration of the custody being challenged.

Maintaining Petitioner at his present facility, or otherwise within the territorial jurisdiction of this Court while the habeas matter is adjudicated, imposes substantially less harm upon Respondents than the potential harm to Petitioner from disruption of meaningful habeas review

IV. PUBLIC INTEREST

The public has a substantial interest in the orderly administration of justice and in ensuring that constitutional claims involving physical liberty receive meaningful judicial review.

The requested temporary relief does not prevent the Government from enforcing the immigration laws or continuing Petitioner's immigration proceedings.

It merely preserves the Court's ability to determine whether Petitioner's continued physical detention is lawful and whether he is entitled to the habeas relief requested.

The public interest therefore favors maintaining the status quo while this Court considers the Petition.

V. NARROWLY TAILORED RELIEF REQUESTED

Petitioner respectfully emphasizes that the requested TRO is narrow.

Petitioner does not ask this Court through this Motion to determine his asylum eligibility or terminate his removal proceedings.

Petitioner respectfully requests only temporary protection necessary to preserve meaningful adjudication of his pending challenge to physical detention.

REQUEST FOR RELIEF

WHEREFORE, Petitioner Jose Antonio Camacho Escalona respectfully requests that this Honorable Court:

A. Grant this Emergency Motion for Temporary Restraining Order;

B. Temporarily restrain Respondents, their officers, agents, employees, attorneys, and persons acting in concert with them from transferring Petitioner outside the Middle District of Georgia in a manner that would interfere with this Court's jurisdiction or the effective adjudication of his pending habeas Petition;

C. Require Respondents to provide prompt notice to this Court and Petitioner before any proposed transfer from his present place of confinement while this habeas action remains pending, except where an emergency involving Petitioner's immediate health or safety requires otherwise;

D. Preserve Petitioner's reasonable access to his legal papers, legal correspondence, and communications necessary to prosecute this habeas action;

E. Set an expedited schedule for Respondents to answer or otherwise respond to the Petition and this Motion;

F. Following appropriate notice and opportunity to respond, grant such preliminary injunctive relief as may be necessary to preserve the Court's ability to provide effective habeas relief; and

G. Grant such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

JOSE ANTONIO CAMACHO ESCALONA
A# [redacted]
Petitioner, Pro Se
Irwin County Detention Center
132 Cotton Drive
Ocilla, Georgia 31774

Date: 08-18, 2026

Signature: _____
Jose Antonio Camacho Escalona