

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

L.A.E.P. v. Warden, Stewart Detention Center, et al.

L.A.E.P. · No. 4:26-cv-162-CDL-AGH · Decided January 28, 2026

SUMMARY

The United States District Court for the Middle District of Georgia orders respondents to provide the petitioner with a bond hearing under 8 U.S.C. § 1226(a)(2) in a § 2241 habeas action. The order relies on the court’s prior decisions in J.A.M. v. Streeval and P.R.S. v. Streeval, and provides that the order will be stayed if respondents file a good-faith motion demonstrating that those decisions do not apply.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Columbus Division
WRITING FOR THE COURT	Clay D. Land
JURISDICTION	United States District Court for the Middle District of Georgia, Columbus Division
DECIDED	January 28, 2026
DOCKET	4:26-cv-162-CDL-AGH
DISPOSITION	other
PROCEDURAL POSTURE	Petition for habeas corpus relief under 28 U.S.C. § 2241; on preliminary review, the court ordered respondents to provide petitioner with a bond hearing.
STANDARD OF REVIEW	Preliminary review under Rule 4 of the Rules Governing § 2254 Cases, as applied to a § 2241 petition.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	L.A.E.P. v. Warden, Stewart Detention Center, et al.

TOPICS

- immigration detention
- federal habeas corpus
- immigration
- administrative law

PRACTICE AREAS

- immigration
- federal habeas corpus
- immigration detention
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QUESTIONS PRESENTED

1. Whether the § 2241 petition should proceed under the court's preliminary-review procedures.
2. Whether petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a), rather than mandatory detention under 8 U.S.C. § 1225(b)(2), based on the circumstances described in the court's prior rulings.

HOLDINGS

1. For a noncitizen found unlawfully in the country and arrested without having been inspected by an examining immigration officer, 8 U.S.C. § 1226(a) applies and authorizes an immigration officer or immigration judge to exercise discretion concerning release on bond unless a statutory exception under § 1226(c) applies; mandatory detention under § 1225(b)(2) is not authorized in those circumstances. Petitioner was therefore entitled to a bond hearing under § 1226(a)(2).

KEY QUOTATIONS

“Based upon the rationale of J.A.M. and P.R.S., Respondents in this action are hereby ORDERED to provide Petitioner with a bond hearing to determine if Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations.” (Order)

FACTUAL BACKGROUND

L.A.E.P. filed an application for habeas corpus relief under 28 U.S.C. § 2241 while detained at the Stewart Detention Center. The court determined that the case appeared to involve the same detention and bond-hearing issues addressed in *J.A.M. v. Streeval* and *P.R.S. v. Streeval*. Based on those prior rulings, the court ordered respondents to provide a bond hearing under 8 U.S.C. § 1226(a)(2).

PROCEDURAL HISTORY

The court received petitioner's § 2241 application on January 28, 2026. Applying Rule 4 of the Rules Governing § 2254 Cases, which the court may apply to § 2241 proceedings, the court determined that the petition appeared to involve issues addressed in two prior cases and ordered respondents to provide a bond hearing within seven days.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondents must provide petitioner with a bond hearing to determine whether petitioner may be released on bond under 8 U.S.C. § 1226(a)(2) and the applicable regulations within seven days of the order. After the hearing, petitioner should file a notice of dismissal. If respondents file a good-faith motion contending that the prior rulings do not apply, the order is stayed pending resolution of that motion.

CASES CITED

- J.A.M. v. Streeval, No. 4:25-CV-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025)
- P.R.S. v. Streeval, No. 4:25-cv-330-CDL, 2025 WL 3269947 (M.D. Ga. Nov. 24, 2025)

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