

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

V.P.I. v. Warden, Stewart Detention Center, et al.

V.P.I. · No. 4:26-cv-79-CDL-ALS · Decided January 26, 2026

SUMMARY

The court grants habeas relief to the extent that Respondents must provide the petitioner, an immigration detainee awaiting removal proceedings, with a bond hearing. The court determines that the petitioner is detained under 8 U.S.C. § 1226(a), rather than subject to mandatory detention under 8 U.S.C. § 1225(b)(2).

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 26, 2026
DOCKET	4:26-cv-79-CDL-ALS
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas corpus relief under 28 U.S.C. § 2241 from immigration detention and requested a bond hearing and an opportunity for pre-removal release.
STANDARD OF REVIEW	The court reviewed the habeas application and determined the statutory basis for petitioner's detention.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	V.P.I. v. Warden, Stewart Detention Center, et al.

TOPICS

- immigration detention
- federal habeas corpus
- removal proceedings
- immigration

PRACTICE AREAS

- Immigration detention
- Federal habeas corpus
- Removal proceedings

QUESTIONS PRESENTED

1. Whether petitioner was subject to mandatory detention under 8 U.S.C. § 1225(b)(2) or was detained under the discretionary detention provision of 8 U.S.C. § 1226(a).
2. Whether petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a)(2) and the applicable regulations.

HOLDINGS

1. The petitioner was detained under 8 U.S.C. § 1226(a) and therefore was not subject to mandatory detention under 8 U.S.C. § 1225(b)(2).
2. 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.

KEY QUOTATIONS

“The Court finds that Petitioner is currently detained under 8 U.S.C. § 1226(a) and therefore not subject to mandatory detention as required by 8 U.S.C. § 1225(b)(2).”

“Accordingly, Petitioner’s application for habeas corpus relief is granted to the extent that Respondents shall provide Petitioner with a bond hearing to determine if the Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations.”

FACTUAL BACKGROUND

Petitioner was detained at the Stewart Detention Center while awaiting removal proceedings. Respondents refused to provide a bond hearing or an opportunity for pre-removal release, asserting that detention was mandatory under 8 U.S.C. § 1225(b)(1) and/or § 1225(b)(2). The court found that petitioner was instead detained under 8 U.S.C. § 1226(a).

PROCEDURAL HISTORY

V.P.I., a detainee awaiting removal proceedings, filed an application for habeas corpus relief challenging the denial of a bond hearing. The district court determined that the petitioner was detained under 8 U.S.C. § 1226(a), granted relief to the extent of requiring a bond hearing, and ordered respondents to determine whether petitioner could be released on bond.

DISPOSITION

writ_granted

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)

OPINION

STREEVAL

PER CURIAM.

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

V.P.I., : Petitioner, : v. : Case No. 4:26-cv-79-CDL-ALS

: 28 U.S.C. § 2241

Warden, STEWART DETENTION : CENTER, et al., : Respondents. :

ORDER

Petitioner is a detainee at the Stewart Detention Center awaiting removal proceedings. Petitioner seeks habeas corpus relief based on Respondents' refusal to provide Petitioner with a bond hearing and the opportunity for pre-removal release while the removal proceedings are pending. Respondents contends that Petitioner's detention is mandatory under 8 U.S.C. § 1225(b)(1) and/or 8 U.S.C. § 1225(b)(2). The Court reviewed Petitioner's application. The Court finds that Petitioner is currently detained under 8 U.S.C. § 1226(a) and therefore not subject to mandatory detention as required by 8 U.S.C. § 1225(b)(2). See *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). Accordingly, Petitioner's application for habeas corpus relief is granted to the extent that Respondents shall provide Petitioner with a bond hearing to determine if the Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations. See 8 C.F.R. §§ 236.1 & 1236.1.1 IT IS SO ORDERED, this 26th day of January, 2026. s/Clay D. Land

CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA

1 The brevity of this order is appropriate given that the issue presented is exactly the same as the issue previously decided on numerous occasions by the Court and yet Respondents insist upon denying the relief that the Court has found is required.