

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

H.J.A.E. v. Warden, Stewart Detention Center, et al.

H.J.A.E. · No. 4:26-cv-150-CDL-CHW · Decided January 27, 2026

SUMMARY

The United States District Court for the Middle District of Georgia ordered respondents to provide the petitioner, a noncitizen detained under federal immigration law, with a bond hearing under 8 U.S.C. § 1226(a)(2) within seven days. The order relied on the court’s prior decisions addressing whether mandatory detention under 8 U.S.C. § 1225(b)(2) applies to certain noncitizens arrested without inspection by an examining immigration officer.

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 27, 2026
DOCKET	4:26-cv-150-CDL-CHW
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed an application for habeas corpus relief under 28 U.S.C. § 2241 challenging immigration detention. On preliminary review, the district court ordered Respondents to provide Petitioner with a bond hearing.
STANDARD OF REVIEW	Preliminary habeas-petition review under Rule 4 of the Rules Governing § 2254 Cases, as applied to a § 2241 petition under Rule 1(b).
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	H.J.A.E. v. Warden, Stewart Detention Center, et al.

TOPICS

- immigration detention
- federal habeas corpus
- remedies
- immigration
- civil procedure

PRACTICE AREAS

immigration detention

federal habeas corpus

immigration

QUESTIONS PRESENTED

1. Whether, under the rationale of *J.A.M. v. Streeval* and *P.R.S. v. Streeval*, Petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a)(2).
2. Whether mandatory detention under 8 U.S.C. § 1225(b)(2) authorized continued detention without a bond hearing in the circumstances identified by the Court.

HOLDINGS

1. Respondents must provide Petitioner with a bond hearing to determine whether Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations.
2. Under the rationale of the Court's prior decisions, mandatory detention under § 1225(b)(2) was not authorized in the circumstances presented; Respondents therefore had to provide a § 1226(a) bond hearing.

KEY QUOTATIONS

“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)

“Once a bond hearing is provided, Petitioner will have received the remedy that the Court is authorized to order, and Petitioner should file a notice of dismissal.” (Order)

FACTUAL BACKGROUND

Petitioner is a noncitizen detained at Stewart Detention Center and sought habeas relief under § 2241. The order treated the case as involving the same detention issues addressed in prior Middle District of Georgia cases concerning noncitizens found unlawfully in the United States and arrested without inspection by an examining immigration officer.

PROCEDURAL HISTORY

The Court received Petitioner's § 2241 habeas petition on January 26, 2026. Applying Rule 4 of the Rules Governing § 2254 Cases pursuant to Rule 1(b), the Court determined that the petition appeared to raise issues addressed in *J.A.M. v. Streeval* and *P.R.S. v. Streeval*, and ordered a bond hearing within seven days.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondents were ordered to provide Petitioner a bond hearing within seven days of the order. After the hearing, Petitioner was directed to file a notice of dismissal if the ordered remedy had been provided. If Respondents filed a good-faith motion asserting that J.A.M. and P.R.S. did not apply, the order would be 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)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION H.J.A.E., * Petitioner, * vs. * CASE NO. 4:26-cv-150-CDL-CHW
WARDEN, STEWART DETENTION * CENTER, et al., * Respondents. * O R D E R The Court received Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241. Pet. (Jan. 26, 2026), ECF No. 1.

The Court may apply Rule 4 of the Rules Governing § 2254 cases in this action. SECT 2254 Rule 1(b) ("The district court may apply any or all of these rules to a habeas corpus petition not covered by Rule 1(a) [which addresses petitions under 28 U.S.C. § 2254].").

Under Rule 4, if a petition is not dismissed on preliminary review, then "the judge must order the respondent to file an answer, motion, or other response within a fixed time, or to take other action the judge may order." SECT 2254 Rule 4. Applying Rule 4, the Court issues the following order. This case appears to involve the same issues raised 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). In those cases, the Court concluded that for noncitizens "who are found in the country unlawfully and are arrested" without having been inspected by an examining immigration officer, then "an immigration officer or immigration judge has the discretion" under 8 U.S.C. § 1226(a) to grant them release on bond unless a statutory exception applies under 8 U.S.C. § 1226(c).

J.A.M., 2025 WL 3050094, at *3; P.R.S., 2025 WL 3269947, at *1-*2. Mandatory detention under 8 U.S.C. § 1225(b)(2) "is not authorized" in such cases. P.R.S., 2025 WL 3269947, at *2. 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.

Respondents shall provide this bond hearing within seven days of today's order. Once a bond hearing is provided, Petitioner will have received the remedy that the Court is authorized to order, and Petitioner should file a notice of dismissal. If Respondents in good faith contend that the

Court's prior rulings in J.A.M. and P.R.S. do not apply here, Respondents should file an appropriate motion seeking relief from this order and demonstrating why the Court's prior rulings in J.A.M. and P.R.S. do not control the result in this case.

If such a good faith motion is filed, then this order shall be stayed pending the resolution of that motion. IT IS SO ORDERED, this 27th day of January, 2026. s/Clay D. Land CLAY D. LAND
U.S. DISTRICT COURT JUDGE MIDDLE DISTRICT OF GEORGIA