

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

C.H.P. v. Warden, Stewart Detention Center

C.H.P. v. Warden · No. 4:26-cv-60-CDL-AGH · Decided January 21, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION C.H.P.: Petitioner,: v.: Case No. 4:26-cv-60-CDL-AGH: 28 U.S.C. §
2241 Warden, STEWART DETENTION: CENTER,: Respondent.:
_____ ORDER Petitioner is a detainee at the Stewart Detention
Center awaiting removal proceedings. Petitioner seeks habeas corpus relief based on Respondent's
refusal to provide Petitioner with a bond hearing and the opportunity for pre-removal release
while the removal proceedings are pending.

Respondent 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).¹ 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- 1 To the extent that the parties make
arguments based on a belief that Petitioner is a member of the "Bond Eligible Class" certified in
Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3713987 (C.D. Cal.
Dec. 18, 2025), any membership in that class has no effect on the Court's decision for several
reasons.

First, only the named petitioners sought habeas relief in Maldonado Bautista. Second, the named
petitioners did not seek nationwide habeas relief. Third, in granting declaratory relief, the
California District Court correctly noted that habeas relief could only be afforded to class
members who were located within the boundaries of the Central District of California.

Id. at *14 (citing *Rumsfeld v. Padilla*, 542 U.S. 426, 446 (2004) for the proposition that "habeas
jurisdiction lie[s] 'in only one district: the district of confinement'"). 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
Respondent 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 &
1236.1.2 IT IS SO ORDERED, this 21st day of January, 2026. s/Clay D. Land CLAY D. LAND

U.S. DISTRICT COURT JUDGE MIDDLE DISTRICT OF GEORGIA 2 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 Respondent insists upon denying the relief that the Court has found is required.

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