

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

R.A.A. v. Warden, Stewart Detention Center

R.A.A. · No. 4:25-cv-375-CDL-CHW · Decided December 2, 2025

SUMMARY

The United States District Court for the Middle District of Georgia granted a Mexican citizen's petition for a writ of habeas corpus under 28 U.S.C. § 2241 to the extent it ordered respondents to provide a discretionary bond hearing. The court held, based on its decision in J.A.M. v. Streeval, that the petitioner's detention was governed by 8 U.S.C. § 1226(a), rather than § 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	December 2, 2025
DOCKET	4:25-cv-375-CDL-CHW
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, arguing that he was entitled to a discretionary bond hearing under 8 U.S.C. § 1226(a).
PRECEDENTIAL VALUE	unknown
PARTIES	R.A.A. v. Warden, Stewart Detention Center

TOPICS

- immigration detention
- federal habeas corpus
- immigration

PRACTICE AREAS

- immigration detention
- federal habeas corpus
- immigration

QUESTIONS PRESENTED

1. Whether Petitioner's immigration detention was governed by 8 U.S.C. § 1226(a) or 8 U.S.C. § 1225(b)(2).
2. Whether Petitioner was entitled to a discretionary bond hearing under 8 U.S.C. § 1226(a)(2).

HOLDINGS

1. Petitioner's detention is governed by 8 U.S.C. § 1226(a), rather than 8 U.S.C. § 1225(b)(2).
2. Petitioner must be provided a bond hearing to determine whether he may be released on bond under 8 U.S.C. § 1226(a)(2) and the applicable regulations.

FACTUAL BACKGROUND

R.A.A., a native and citizen of Mexico, had lived in the United States for approximately twenty years after entering without inspection. ICE took him into custody on September 23, 2025, and he remained detained. He argued that his detention was governed by 8 U.S.C. § 1226(a), which permits a discretionary bond hearing, while Respondents argued that 8 U.S.C. § 1225(b)(2) required detention without such a hearing.

PROCEDURAL HISTORY

R.A.A., who was detained by ICE, filed an application for a writ of habeas corpus. Respondents opposed the petition, arguing that detention was mandated under 8 U.S.C. § 1225(b)(2). The court relied on its prior decision in *J.A.M. v. Streeval* and granted the petition to the extent of ordering a bond hearing.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner with a bond hearing to determine whether he may be released on bond under 8 U.S.C. § 1226(a)(2) and 8 C.F.R. §§ 236.1 and 1236.1.

CASES CITED

- *J.A.M. v. Streeval*, No. 4:25-cv-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION R.A.A.,: Petitioner,: v.: Case No. 4:25-cv-375-CDL-CHW: 28 U.S.C. §
2241 Warden, STEWART DETENTION: CENTER,: Respondent.:
_____ ORDER Pending before the Court is Petitioner's
application for a writ of habeas corpus. (ECF No. 1). Petitioner is a native and citizen of Mexico
who has resided in the United States for approximately twenty years after entering without
inspection.

(ECF No. 1, p. 2, ¶¶ 1, 6; ECF No. 7-1, ¶ 4). On September 23, 2025, Petitioner was taken into United States Immigration and Customs Enforcement (“ICE”) custody and has been detained since then. (ECF No. 7-1, ¶¶ 6, 14). Petitioner contends that he is entitled to a discretionary bond hearing under 8 U.S.C. § 1226(a). (ECF No. 1). Respondents argue that Petitioner is not entitled to a bond hearing because he is detained under 8 U.S.C. § 1225(b)(2), which mandates detention for certain aliens without an opportunity for a bond hearing.

(ECF No. 7). As Respondents concede, the issue presented in this action is identical to the issue the Court decided in *J.A.M. v. Streeval*, No. 4:25-cv-342-CDL, 2025 WL 3050094 (M.D. Ga. Nov. 1, 2025). See (ECF No. 7). Based on the Court’s rationale in *J.A.M.*, the Court finds that Petitioner’s detention is governed by 8 U.S.C. § 1226(a).

The Court thus grants Petitioner’s petition for a writ of habeas corpus to the extent that the Court orders Respondents to provide Petitioner with a bond hearing to determine if Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations. See 8 C.F.R. §§ 236.1 & 1236.1. IT IS SO ORDERED, this 2nd day of December, 2025. s/Clay D. Land CLAY D. LAND
U.S. DISTRICT COURT JUDGE MIDDLE DISTRICT OF GEORGIA