

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, WAYCROSS DIVISION

Filmon Tekie Yohanes v. Warden, Folkston ICE Processing Center

Yohanes · No. 5:26-cv-259 · Decided February 25, 2026

SUMMARY

This order directs service of a 28 U.S.C. § 2241 habeas petition filed by Filmon Tekie Yohanes against the Warden of the Folkston ICE Processing Center. It requires the respondent to answer within seven business days, permits further motions, establishes reply deadlines, and sets procedures for any motion seeking interim relief.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Waycross Division
JURISDICTION	United States District Court for the Southern District of Georgia, Waycross Division
DECIDED	February 25, 2026
DOCKET	5:26-cv-259
DISPOSITION	other
PROCEDURAL POSTURE	Initial screening and service order in a 28 U.S.C. § 2241 habeas action challenging immigration detention.
STANDARD OF REVIEW	Under Rules 1(b) and 4 of the Rules Governing Section 2254 Cases, as applied to the § 2241 petition, the court screened the Petition to determine whether it plainly appeared that Petitioner was not entitled to relief.
PRECEDENTIAL VALUE	Unreported district-court order; generally nonprecedential
PARTIES	Filmon Tekie Yohanes v. Warden, Folkston ICE Processing Center

TOPICS

- immigration detention
- federal habeas corpus
- service of process
- injunctions
- removal proceedings

PRACTICE AREAS

- immigration
- habeas corpus
- civil procedure

QUESTIONS PRESENTED

1. Whether the § 2241 petition should proceed past initial screening and be served on the Respondent and required government officials.
2. What deadlines and record-production obligations should govern the Respondent's answer and any subsequent motions.
3. What procedural requirements and substantive showing apply to a separate motion seeking interim release from detention while the habeas petition is pending.

HOLDINGS

1. Because it did not plainly appear that Petitioner was not entitled to relief, the court directed service of the Petition and Order rather than dismissing the action at the screening stage.
2. The United States Marshal must serve the Petition and Order on the Attorney General, the named Warden-Respondent, and the civil process clerk at the United States Attorney's Office for the Southern District of Georgia; the Warden must answer within seven business days and provide available records concerning the detention.
3. A petitioner seeking release from detention while a habeas petition is pending must file a separate motion for interim relief and demonstrate both a likelihood of success on the merits of a substantial constitutional claim and extraordinary and exceptional circumstances making release necessary to preserve the effectiveness of the requested habeas relief.

KEY QUOTATIONS

“Importantly, a petitioner who seeks release from detention while the Petition is pending must demonstrate in the motion for interim relief: (1) a likelihood of success on the merits of a substantial constitutional claim; and (2) extraordinary and exceptional circumstances exist that make release necessary to preserve the effectiveness of the habeas corpus relief sought.” (at 2)

FACTUAL BACKGROUND

Filmon Tekie Yohanes filed a federal habeas petition under 28 U.S.C. § 2241 concerning his detention at the Folkston ICE Processing Center. The record does not contain a merits determination concerning the lawfulness of his detention or any underlying removal claim. The court addressed only initial screening, service, briefing, production of detention records, and the procedure for seeking interim relief.

PROCEDURAL HISTORY

Petitioner filed a 28 U.S.C. § 2241 petition for habeas corpus relief. The court determined that it did not plainly appear that Petitioner was not entitled to relief, directed service of the Petition and Order on the required federal and local officials, and established deadlines for the Respondent's answer, any motion to dismiss, and Petitioner's reply. The court also instructed Petitioner to file any request for interim relief in a separate motion.

DISPOSITION

other

CASES CITED

- Wilcox v. Ford, 813 F.2d 1140 (11th Cir. 1987)
- Gomez v. United States, 899 F.2d 1124 (11th Cir. 1990)
- Wilson v. Sec'y, Dep't of Corr., No. 17-10060-D, 2017 WL 11815408, at *1 (11th Cir. May 10, 2017)
- Mapp v. Reno, 241 F.3d 221, 225 (2d Cir. 2001)

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