

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

J.M.G. v. Warden, Stewart Detention Center, et al.

No. 4:26-cv-63-CDL-ALS, United States District Court for the Middle District of Georgia, Columbus Division
(January 22, 2026)

SUMMARY

The United States District Court for the Middle District of Georgia granted J.M.G.'s habeas application to the extent that Respondents must provide a bond hearing. The Court determined that Petitioner was detained under 8 U.S.C. § 1226(a), rather than subject to mandatory detention under 8 U.S.C. § 1225(b)(2), and directed consideration of release on bond under § 1226(a)(2) and applicable regulations.

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 22, 2026
DOCKET	4:26-cv-63-CDL-ALS
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and the denial of a bond hearing.
STANDARD OF REVIEW	The court reviewed the habeas application; no further standard of review was articulated.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order
PARTIES	J.M.G. v. Warden, Stewart Detention Center, et al.

TOPICS

- immigration detention federal habeas corpus removal proceedings immigration

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether petitioner was subject to mandatory detention under 8 U.S.C. § 1225(b)(2).
2. Whether petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a)(2) while removal proceedings were pending.

HOLDINGS

1. Petitioner was detained under 8 U.S.C. § 1226(a) and was therefore 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 § 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 determined that petitioner was instead detained under 8 U.S.C. § 1226(a).

PROCEDURAL HISTORY

J.M.G., detained at the Stewart Detention Center while awaiting removal proceedings, petitioned for habeas corpus relief after respondents refused to provide a bond hearing and an opportunity for pre-removal release. The district court granted relief to the extent that respondents must provide a bond hearing under 8 U.S.C. § 1226(a)(2) and the applicable regulations.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents shall 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.

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

J.M.G. v. Warden, STEWART DETENTION CENTER, et al.

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF GEORGIA

COLUMBUS DIVISION

J.M.G., : Petitioner, : v. : Case No. 4:26-cv-63-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 contend 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 22nd 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.