

**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)

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**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.

**OPINION**

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.

