

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

M.L.A. v. Warden, Stewart Detention Center, et al.

M.L.A. · No. 4:26-cv-156-CDL-CHW · Decided January 28, 2026

SUMMARY

The United States District Court for the Middle District of Georgia orders immigration authorities to provide the petitioner with a bond hearing under 8 U.S.C. § 1226(a)(2) within seven days. Relying on two prior decisions, the Court concludes that mandatory detention under 8 U.S.C. § 1225(b)(2) is not authorized for similarly situated noncitizens and directs the petitioner to file a notice of dismissal after the hearing.

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 28, 2026
DOCKET	4:26-cv-156-CDL-CHW
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 was reviewed under Rule 4 of the Rules Governing § 2254 Cases, as applied through Rule 1(b). The court ordered respondents to provide petitioner with a bond hearing.
STANDARD OF REVIEW	Preliminary review under Rule 4 of the Rules Governing § 2254 Cases, as applied to a § 2241 petition under Rule 1(b).
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential.
PARTIES	M.L.A. v. Warden, Stewart Detention Center, et al.

TOPICS

- immigration detention
- federal habeas corpus
- statutory interpretation
- removal proceedings

PRACTICE AREAS

immigration detention

federal habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether, on preliminary review of a § 2241 petition, the court should order respondents to provide a detained noncitizen with a bond hearing under 8 U.S.C. § 1226(a).
2. Whether mandatory detention under 8 U.S.C. § 1225(b)(2) is authorized for a noncitizen found unlawfully in the United States and arrested without inspection by an examining immigration officer.

HOLDINGS

1. Based on the rationale of J.A.M. and P.R.S., respondents were required to provide petitioner with a bond hearing to determine whether petitioner could be released on bond under § 1226(a)(2) and the applicable regulations.
2. Under the rationale adopted from P.R.S., mandatory detention under § 1225(b)(2) was not authorized for a noncitizen found unlawfully in the country and arrested without inspection by an examining immigration officer, absent circumstances making a statutory exception applicable.

KEY QUOTATIONS

“Based upon the rationale of J.A.M. and P.R.S., Respondents in this action are hereby ORDERED to provide Petitioner with a bond hearing to determine if Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations.”

“Once a bond hearing is provided, Petitioner will have received the remedy that the Court is authorized to order, and Petitioner should file a notice of dismissal.”

FACTUAL BACKGROUND

Petitioner was detained in immigration custody and sought habeas relief under § 2241. The order indicates that petitioner appeared to be a noncitizen found unlawfully in the United States and arrested without having been inspected by an examining immigration officer. The court treated the detention as potentially governed by the discretionary detention authority in 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2), subject to any applicable § 1226(c) exception.

PROCEDURAL HISTORY

M.L.A. filed a § 2241 habeas petition on January 27, 2026. On preliminary review, the court determined that the petition appeared to involve the same detention issues addressed in J.A.M. v. Streeval and P.R.S. v. Streeval, and ordered respondents to provide a bond hearing within seven days.

DISPOSITION

other

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

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION M.L.A., * Petitioner, * vs. * CASE NO. 4:26-cv-156-CDL-CHW
WARDEN, STEWART DETENTION * CENTER, et al., * Respondents. * O R D E R The Court
received Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241. Pet. (Jan. 27,
2026), ECF No. 1.

The Court may apply Rule 4 of the Rules Governing § 2254 cases in this action. SECT 2254 Rule 1(b) ("The district court may apply any or all of these rules to a habeas corpus petition not covered by Rule 1(a) [which addresses petitions under 28 U.S.C. § 2254].").

Under Rule 4, if a petition is not dismissed on preliminary review, then "the judge must order the respondent to file an answer, motion, or other response within a fixed time, or to take other action the judge may order." SECT 2254 Rule 4. Applying Rule 4, the Court issues the following order. This case appears to involve the same issues raised in J.A.M. v. Streeval, No. 4:25-CV-342-CDL, 2025 WL 3050094 (M.D.

Ga. Nov. 1, 2025) and P.R.S. v. Streeval, No. 4:25-cv-330-CDL, 2025 WL 3269947 (M.D. Ga. Nov. 24, 2025). In those cases, the Court concluded that for noncitizens "who are found in the country unlawfully and are arrested" without having been inspected by an examining immigration officer, then "an immigration officer or immigration judge has the discretion" under 8 U.S.C. § 1226(a) to grant them release on bond unless a statutory exception applies under 8 U.S.C. § 1226(c).

J.A.M., 2025 WL 3050094, at *3; P.R.S., 2025 WL 3269947, at *1-*2. Mandatory detention under 8 U.S.C. § 1225(b)(2) "is not authorized" in such cases. P.R.S., 2025 WL 3269947, at *2. Based upon the rationale of J.A.M. and P.R.S., Respondents in this action are hereby ORDERED to provide Petitioner with a bond hearing to determine if Petitioner may be released on bond under § 1226(a)(2) and the applicable regulations.

Respondents shall provide this bond hearing within seven days of today's order. Once a bond hearing is provided, Petitioner will have received the remedy that the Court is authorized to order, and Petitioner should file a notice of dismissal. If Respondents seek relief from this order, they should file an appropriate motion demonstrating why the Court's prior rulings in J.A.M. and P.R.S. do not control the result in this case.

IT IS SO ORDERED, this 28th day of January, 2026. s/Clay D. Land CLAY D. LAND U.S.
DISTRICT COURT JUDGE MIDDLE DISTRICT OF GEORGIA

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