

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

*

IN RE:

28 U.S.C. § 2241 IMMIGRATION
PETITIONS FOR BOND HEARINGS
STEWART DETENTION CENTER

* Standing Order No. 2026-01

O R D E R

Because of the location of the Stewart Immigration Detention Center in the Middle District of Georgia, the Court is receiving an extraordinary number of petitions for habeas corpus relief seeking a bond hearing. The Court has previously ruled that most of these Petitioners are entitled to the relief they seek. See e.g. *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). Specifically, 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.

Despite these clear and definitive rulings, the Government refuses to provide bond hearings to persons who fall within the parameters of the Court's rulings in *J.A.M.* and *P.R.S.* unless the Court orders the Government to do so in each individual case. The volume of these petitions has created an administrative judicial emergency which requires the Court to consider novel solutions to assure that these cases are handled expeditiously. Due to administrative necessity and to promote justice and judicial economy, the Court directs the Magistrate Judges of this District to screen each § 2241 petition arising from Stewart Detention Center that is assigned to them and make the determination as to whether the case falls within the parameters of *J.A.M.* and *P.R.S.*, and if it does, the Court authorizes the Magistrate Judge to issue the Order attached hereto as Exhibit 1 to this Order. The Government shall have the right to oppose that Order as set out in Exhibit 1.

IT IS SO ORDERED, this 29th day of January, 2026.

S/Clay D. Land

CLAY D. LAND
U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA

EXHIBIT 1

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

_____,
Petitioner, *
vs. *
WARDEN, STEWART DETENTION *
CENTER, *et al.*, *
*
Respondents. *

CASE NO.

O R D E R

The Court received Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241. Pet. (_____, 2026), ECF No. ___. 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 in good faith contend that the Court's prior rulings in *J.A.M.* and *P.R.S.* do not apply here, Respondents should file an appropriate motion seeking relief from this order and demonstrating why the Court's prior rulings in *J.A.M.* and *P.R.S.* do not control the result in this case. If such a good

faith motion is filed, then this order shall be stayed pending the resolution of that motion.

IT IS SO ORDERED, this _____ day of _____, 2026.

s/Clay D. Land
CLAY D. LAND
U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA