UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

Alma Bella BOWMAN, *Petitioner*, v. JASON STREEVAL, Warden, Stewart Detention Center; LADEON FRANCIS, Field Office Director, Atlanta Field Office, U.S. Immigration and Customs Enforcement; TODD LYONS, Acting Director, U.S. Immigration and Customs Enforcement; KRISTI NOEM, Secretary of Department of Homeland Security; PAMELA BONDI, Attorney General of the United States, *in their official capacities*; *Respondents*.	Case No. _____ **PETITION FOR WRIT OF HABEAS CORPUS**

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

INTRODUCTION

1. Petitioner Alma Bella Bowman ("Ms. Bowman") hereby files this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 seeking her immediate release from unlawful government custody. Ms. Bowman has been detained by immigration officials not once, but twice—for a cumulative total of over 44 months—despite the fact that she is, in all likelihood, a United States citizen. Ms. Bowman is currently detained in the custody of U.S. Immigration and Customs Enforcement ("ICE") in the Stewart Detention Center in Lumpkin, Georgia. She has been subject to a final order of removal since June 4, 2020.

2. Ms. Bowman's father Lawrence Bowman was a natural-born United States citizen

and Navy veteran. He met Ms. Bowman's mother in the Philippines during his military service in the Vietnam War. He and Ms. Bowman's mother married two years after Ms. Bowman's birth in the Philippines, and he legitimated Ms. Bowman after the family moved to Georgia, when she was still a young child. Ms. Bowman, who was unrepresented throughout her removal proceedings, never received a full hearing on whether she acquired U.S. citizenship at birth through her father. ICE placed her in removal proceedings, detained her from 2017 to 2020, and is again detaining her and seeking to deport her apparently based on a single, unreliable piece of evidence: a 1977 letter from the U.S. Embassy in Manila claiming, without evidence or explanation, that Lawrence Bowman is not her biological father.

3. Ms. Bowman was previously released from ICE custody on an Order of Supervision in December 2020, after enduring over three years of ICE detention and blowing the whistle about medical abuse and dangerous conditions that she and her fellow detained persons experienced in the Irwin County Detention Center. After her release, Ms. Bowman continued to champion immigrants' and women's rights, lobbying members of Congress, and speaking out publicly to reporters and on social media. Ms. Bowman dutifully complied with the conditions of her release from ICE custody.

4. On March 26, 2025, Ms. Bowman, who suffers from medical conditions that require the use of a wheelchair or cane and regular medication, reported for a routine check-in at ICE's Atlanta Field Office, accompanied by her family members, supporters, and counsel. Without notice and in flagrant disregard of ICE's own policies, ICE officials arrested Ms. Bowman and transported her to the Stewart Detention Center, where she remains detained to this day.

5. Ms. Bowman's detention is unlawful under *Zadvydas v. Davis*, 533 U.S. 678 (2001), because she has been detained pursuant to a final order of removal for well over six months,

and there is no "significant likelihood of [her] removal in the reasonably foreseeable future." *Id.* at 701. In May 2025, the Philippine Embassy indicated that it is declining to process a travel document for Ms. Bowman in light of her claim to U.S. citizenship. *See* Ex. A (May 5, 2025 Email from Philippine Embassy). And in July 2025, the Philippine government informed ICE that it could not issue Ms. Bowman a travel document because under Philippine law in effect at the time of Ms. Bowman's birth, her citizenship would follow that of her father—an American. *See* Ex. B (July 23, 2025 Email from Philippine Embassy). The Philippine government requested in July 2025 that ICE "release Ms. Bowman on humanitarian grounds." *Id.*

6. Ms. Bowman's detention also violates her rights under the Fifth Amendment's Due Process Clause, the First Amendment's Free Speech Clause, the Non-Detention Act, and ICE's obligations to follow its own binding policy and rules under the *Accardi* doctrine.

7. Absent intervention from this Court, Ms. Bowman will remain in detention indefinitely. This Court need not decide the merits of Ms. Bowman's citizenship claim to find that her removal is neither likely nor foreseeable, and thus she is entitled to immediate release under *Zadvydas*. Moreover, the U.S. Constitution and laws do not countenance a single hour of detention —much less, multiple months or years—at the hands of immigration authorities of a U.S. citizen, or of any individual targeted for arrest based on their core First Amendment activities.

JURISDICTION AND VENUE

8. This Court has jurisdiction under 28 U.S.C. §§ 1331, 2241, and the Suspension Clause, U.S. Const., art. I, § 9, cl. 2, as Ms. Bowman is presently in custody under or by color of the authority of the United States, and such custody is in violation of the U.S. Constitution, laws, or treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. § 2241 and the All Writs Act, 28 U.S.C. § 1651.

9. Venue is proper in the United States District Court for the Middle District of Georgia, Columbus Division, pursuant to 28 U.S.C. § 1391(e)(1) and Local Rule 3.4, because at least one Respondent is in this District and Division, Ms. Bowman is currently detained in this District and Division, and Ms. Bowman's immediate physical custodian is in this District and Division.

PARTIES

10. Ms. Bowman is currently detained at the Stewart Detention Center pursuant to a final order of removal.

11. Respondent Jason Streeval is sued in his official capacity as Warden of Stewart Detention Center, where Ms. Bowman is currently detained, as a legal custodian of Ms. Bowman.

12. Respondent LaDeon Francis is sued in his official capacity as the Field Office Director of ICE's Atlanta Field Office, which enforces immigration and customs laws within this District, where Ms. Bowman is detained.

13. Respondent Todd Lyons is sued in his official capacity as the Acting Director of ICE, a component of the Department of Homeland Security ("DHS"). As a result, Respondent Todd Lyons has responsibility for the administration of the immigration laws pursuant to 8 U.S.C. § 1103 and is a legal custodian of Ms. Bowman.

14. Respondent Kristi Noem is sued in her official capacity as the Secretary of DHS. In this capacity, she directs DHS and ICE. As a result, Respondent Kristi Noem has responsibility for the administration of the immigration laws pursuant to 8 U.S.C. § 1103 and is a legal custodian of Ms. Bowman.

15. Respondent Pamela Bondi is sued in her official capacity as the Attorney General of the United States. In this capacity, she has responsibility for the administration of the

immigration laws pursuant to 8 U.S.C. § 1103, oversees the Executive Office of Immigration Review ("EOIR"), and is a legal custodian of Ms. Bowman.

STATEMENT OF FACTS

Ms. Bowman's Birth and Early Life

16. Ms. Bowman is a 58-year-old woman who was born in the Philippines.

17. Ms. Bowman's mother, Lolita Catarungan, was a Philippine citizen. Ms. Bowman's father, Lawrence Bowman, was a U.S. citizen born in Illinois, who served in the U.S. Navy from 1964 to 1970, including during the Vietnam War. Ms. Bowman's parents met while Lawrence Bowman was stationed on the USS Elkhorn in the Asia-Pacific. His military records indicate that in 1967, he submitted a request to go to the Philippines "to visit my fiance [*sic*] and bring her back to the states so she can meet my family." *See* Ex. C (Lawrence Bowman Military Record) at 2.

18. The couple's daughter, Petitioner Alma Bella Bowman, was born in the Philippines on September 25, 1966. Ms. Bowman's parents are both listed on her birth certificate. *See* Ex. D (Birth Certificate of Alma Bowman).

19. Ms. Bowman's parents married two years after she was born. *See* Ex. E (Lolita Catarungan and Lawrence Bowman Marriage Certificate). Sometime after they married, Ms. Bowman's parents moved to Georgia while she remained in the Philippines with her maternal grandparents for the first several years of her life.

20. Ms. Bowman's mother became a lawful permanent resident of the United States, and her father worked as a Field Agent for the Internal Revenue Service, as well as for JCPenney.

21. On June 6, 1977, Lawrence Bowman filed a petition to adjust Ms. Bowman's status to that of a lawful permanent resident as the child of a U.S. citizen. *See* Ex. F (Petition for Adjustment of Status and Legitimation Affidavit) at 1-7. He also filed an affidavit of legitimation

for Ms. Bowman, because he and Ms. Bowman's mother were not married at the time of her birth. *Id.* at 8.

22. On August 4, 1977, Ms. Bowman entered the United States at the age of ten as a lawful permanent resident.

23. Ms. Bowman has lived in the United States continuously since 1977. She graduated from Jones County High School in Gray, Georgia, in 1985, and has two adult U.S. citizen children who have lived in Georgia their entire lives.

24. Ms. Bowman has always known Lawrence Bowman as her father and has known no other father. For all of Ms. Bowman's life, her father raised her and took care of her, naming her as a beneficiary in his will that was filed with the Jones County Probate Court in Georgia after he passed away in 1995. *See* Ex. G (Last Will and Testament).

25. Ms. Bowman's mother passed away in or around 2003 or 2004.

26. Ms. Bowman appears to have acquired citizenship at birth from her U.S. citizen father under the version of the Immigration and Nationality Act ("INA") that was in effect at the time of her birth.[1]

27. Section 301(a)(7) of the 1952 INA states:

> The following shall be nationals and citizens of the United States at birth: . . . (7) a person born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than ten years, at least five of which were after attaining the age of fourteen years: *Provided*, That any periods of honorable service in the Armed Forces of the United States by such citizen parent may be included in computing the physical presence requirements of this paragraph.

[1] Immigration and Nationality Act of 1952, Pub. L. No. 82-414, 66. Stat. 163 (codified as amended in scattered sections of 8 U.S.C. (1952)), *available at* https://www.govinfo.gov/content/pkg/STATUTE-66/pdf/STATUTE-66-Pg163.pdf (hereinafter, "1952 INA").

28. Section 309(a) of the 1952 INA states:

> The provisions of paragraphs . . . (7) of section 301(a) . . . of this title shall apply as of the date of birth to a child born out of wedlock on or after the effective date of this Act, if the paternity of such child is established while such child is under the age of twenty-one years by legitimation.

29. Ms. Bowman's father, Lawrence Bowman, was a citizen of the United States who was physically present in the United States for the requisite period. Mr. Bowman lived in the United States until he enlisted in the U.S. Navy in 1964. He served in the U.S. Navy abroad until 1970. Ex. C. Under § 301(a)(7) of the 1952 INA, the time Mr. Bowman spent abroad during his service in the Navy counts toward the INA's physical presence requirement. His legitimation of Ms. Bowman before she turned 21 additionally satisfies § 309 of the 1952 INA. Ex. E; Ex. F. This likely makes Ms. Bowman a U.S. citizen upon her birth.

30. Throughout Ms. Bowman's childhood and until she was placed in removal proceedings, she never had any reason to question that she was a U.S. citizen because her father was a U.S. citizen.

Ms. Bowman's Immigration Proceedings and Prior Detention

31. On April 20, 2012, DHS issued a Notice to Appear charging Ms. Bowman as removable under 8 U.S.C. § 1227(a)(2)(A)(iii) (aggravated felony) based on her convictions for first-degree forgery on September 26, 2005, and June 15, 2006, which DHS alleged constituted aggravated felonies under 8 U.S.C. § 1101(a)(43)(P) (passport and immigration document fraud).[2]

32. According to a memo prepared by the Atlanta Chief Counsel for DHS's Office of Principal Legal Advisor ("OPLA") and Enforcement and Removal Operations ("ERO"), DHS

[2] This allegation was incorrect, as Ms. Bowman's convictions did not involve passport or immigration document fraud—she was accused of writing checks from another person's account for amounts ranging from $50 to $300. Years later, after rounds of agency appeals and Ms. Bowman's successful *pro se* petition for review to the Eleventh Circuit, DHS corrected this error by filing a substitute charge. *See infra*, ¶¶ 46–50.

initiated an investigation into Ms. Bowman's citizenship after she presented a claim of U.S. citizenship in or around April 2012. *See* Ex. H (OPLA Memo). The memo concluded that Ms. Bowman did not acquire citizenship at birth based solely on a letter allegedly issued to Ms. Bowman's mother by the Vice Consul of the U.S. Embassy in Manila in 1977 stating that Lawrence Bowman is not Ms. Bowman's biological father. *Id.* at 5. The memo did not cite any other evidence.

33. Ms. Bowman did not learn of the investigation, or of the 1977 letter, until many years later.

34. In or around 2015, while Ms. Bowman was in state custody in Lee Arrendale prison in Alto, Georgia, she was briefly questioned by someone whom she believed was an ICE agent. The agent asked her questions about her father. Other than this brief interaction, Ms. Bowman knew very little about ICE's efforts to deport her until she was transferred to ICE in 2017 after her arrest by the Fulton County Sheriff's Office for a probation violation on July 13, 2017.

35. On August 9, 2017, Ms. Bowman was transferred to ICE custody.

36. Ms. Bowman could not afford a lawyer to represent her in removal proceedings, so she appeared *pro se* before the Immigration Judge ("IJ"), the Board of Immigration Appeals ("BIA"), and the Eleventh Circuit Court of Appeals in her challenge to her removal.

37. On October 9, 2017, DHS filed an additional charge against Ms. Bowman, charging her as removable under 8 U.S.C. § 1227(a)(2)(B)(i) (controlled substance offense) based on her 2014 conviction for possession of methamphetamine.

38. On January 2, 2018, DHS filed substitute factual allegations regarding the sentences Ms. Bowman received for her forgery convictions included in the original Notice to Appear.

39. At multiple times in her removal proceedings before the IJ in late 2017 and early

2018, Ms. Bowman raised the fact that her father was a natural-born U.S. citizen. DHS counsel repeatedly referenced the OPLA memo in response, and the IJ did not engage in any further inquiry into her citizenship, proceeding to consider the criminal grounds of removability and Ms. Bowman's eligibility for relief from removal. *See* Ex. I (Transcript of Nov. 7, 2017 and Mar. 20, 2018 Hearings Before IJ). Beyond these cursory exchanges, at no point did the IJ hear argument or take testimony or other evidence on whether Ms. Bowman was in fact a noncitizen subject to detention and removal under the INA.

40. On April 12, 2018, the IJ ordered Ms. Bowman removed to the Philippines.

41. On May 4, 2018, Ms. Bowman filed an appeal with the BIA. Still unable to afford a lawyer, Ms. Bowman represented herself before the BIA.

42. On September 18, 2018, the BIA remanded Ms. Bowman's case to the IJ on the grounds that the IJ did not prepare a separate oral or written decision setting out the reasons for the removal order, and the hearing transcript did not adequately reflect the basis for his determination of removability.

43. On October 26, 2018, the IJ sustained the aggravated felony charge of removability and returned the record to the BIA.

44. On November 23, 2018, Ms. Bowman submitted a brief to the BIA stating, "Lawrence Edwin Bowman is the only father I've known all my life." Ex. J (Nov. 23, 2018 Bowman BIA Brief) (emphasis in original).

45. On March 14, 2019, the BIA dismissed Ms. Bowman's appeal.

46. On April 17, 2019, Ms. Bowman filed a *pro se* petition for review ("PFR") with the U.S. Court of Appeals for the Eleventh Circuit.

47. On May 13, 2019, the Eleventh Circuit granted Ms. Bowman's request for a stay

of removal.

48. On August 1, 2019, the Eleventh Circuit granted Ms. Bowman's PFR, vacated the BIA's decision, and remanded Ms. Bowman's case to the BIA for further proceedings. The government had requested a remand to give the agency an opportunity to clarify the basis for its aggravated felony determination. Ms. Bowman pointed out in her brief to the Eleventh Circuit that DHS had incorrectly alleged that her forgery convictions constituted aggravated felonies under 8 U.S.C. § 1101(a)(43)(P), despite the fact that they did not involve passport or immigration document fraud.

49. On October 8, 2019, the BIA remanded Ms. Bowman's removal case to the IJ to address whether her forgery convictions constituted aggravated felonies.

50. On October 29, 2019, DHS filed a substitute charge, alleging that Ms. Bowman's forgery convictions constituted aggravated felonies under 8 U.S.C. § 1101(a)(43)(R).

51. On February 6, 2020, Ms. Bowman filed a letter with the IJ explaining that she "wrote a letter to the Secretary of State about acquiring citizenship through my father" in November 2019, and had not yet received a response. Ex. K (Feb. 6, 2020 Letter to IJ).

52. On June 4, 2020, the IJ ordered Ms. Bowman removed to the Philippines. Ms. Bowman, who was still unrepresented, waived appeal. *See* Ex. L (June 4, 2020 Order of Removal). She has been subject to a final order of removal since that date. *See* 8 C.F.R. § 1241.1(b).

53. ICE was unable to obtain a travel document from the Philippines and execute Ms. Bowman's removal in 2020.

54. On December 11, 2020, ICE released Ms. Bowman from the Irwin County Detention Center on an order of supervision. Ex. M (December 10, 2020 Order of Supervision).

55. The order of supervision required her to report to the Atlanta ICE Field Office every

90 days. Ex. M. Eventually, ICE changed the frequency of her reporting to once a year.

Ms. Bowman's Health and the Abuse She Endured in the Irwin County Detention Center

56. Ms. Bowman suffers from several chronic health issues, including diabetes, diabetic neuropathy, acute diverticulitis, hypothyroidism, and hypertension. Each of her health conditions have grown worse since being re-detained by ICE in March 2025.

57. Ms. Bowman also has difficulty with mobility. She is currently using a walking stick or wheelchair to get around Stewart Detention Center.

58. Ms. Bowman's health issues were exacerbated years ago by the medical abuse and neglect she experienced at the hands of Dr. Mahendra Amin, a doctor who she saw multiple times while she was detained in the Irwin County Detention Center. Dr. Amin initially denied that Ms. Bowman had a medical condition that required surgery, despite previous doctors' diagnoses. Even after Dr. Amin finally acknowledged that Ms. Bowman did have the medical condition, he denied her medically appropriate care.

59. Ms. Bowman described the medical abuse and neglect she experienced in the Irwin County Detention Center in a declaration she submitted to this Court in the case *Oldaker v. Giles*. *See* Emergency Motion for Temporary Restraining Order, *Oldaker v. Giles*, No. 7:20-cv-00224-WLS-MSH (M.D. Ga. Dec. 21, 2020), ECF No. 56-14.

60. The Stewart Detention Center, where Ms. Bowman is currently detained, is just as dangerous as the Irwin County Detention Center. Women detained there have spoken out about abuses by a medical health professional—reports similar to those made about the Irwin County Detention Center.[3]

[3] *See* Catherine E. Shoichet, *Four women are accusing a nurse at an ICE detention center of sexual assault*, CNN (July 15, 2022), https://www.cnn.com/2022/07/14/us/ice-stewart-detention-center-nurse-assault-allegations/index.html.

Ms. Bowman's Public Profile as an Advocate for Immigrants' and Women's Rights

61. On October 2, 2020, the U.S. House of Representatives passed Resolution 1153 condemning findings of medical abuse and unwanted and unnecessary medical procedures in ICE detention, specifically naming the Irwin County Detention Center.[4] On November 15, 2022, the U.S. Senate Permanent Subcommittee on Investigations issued a report following an 18-month bipartisan investigation about the medical mistreatment of women in ICE detention.[5]

62. Ms. Bowman played a key role in alerting the public to the human rights abuses being perpetrated against immigrant women in the Irwin County Detention Center, specifically, the facility's mishandling of health precautions during the COVID-19 pandemic and the medically unnecessary and non-consensual gynecological procedures being performed on women inside Irwin.[6]

63. In 2020, Congressman Hank Johnson told *The Intercept*, "A 43-year resident of this country with compelling evidence that she is a United States citizen, Ms. Bowman is a material witness in ongoing Congressional and DHS investigations into human rights violations at the ICE Irwin County Detention Center… To deport her before she has been interviewed would have been a gross obstruction of justice."[7]

64. At least five members of Congress have called for the first Trump Administration to protect whistleblowers like Ms. Bowman.[8]

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[4] H.R. 1153, 116th Cong. (2020), *available at* https://www.congress.gov/bill/116th-congress/house-resolution/1153/text.

[5] *Medical Mistreatment of Women in ICE Detention*, U.S. Senate (Nov. 15, 2022) https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/2022-11-15%20PSI%20Staff%20Report%20-%20Medical%20Mistreatment%20of%20Women%20in%20ICE%20Detention.pdf.

[6] John Washington & Jose Olivares, *ICE Medical Misconduct Witness Slated for Deportation is a U.S. Citizen, Says Lawyer*, The Intercept (Nov. 2, 2020, 1:55 PM), https:// theintercept.com/2020/11/02/ice-medical-misconduct-us-citizen-deportation; *ICE trying to deport Filipina, a U.S. citizen, who is a witness to detention abuse*, Inquirer (Dec. 1, 2020, 11:40 AM), https://usa.inquirer.net/60757/ice-trying-to-deport-filipina-a-u-s-citizen-who-is-a-witness-to-detention-abuse.

[7] Washington & Olivares, *supra* note 6.

[8] *Reps. Gomez, Jayapal, Ocasio-Cortez Demand Trump Administration Halt Deportations of Victims of Medical*

65. Ms. Bowman has been an outspoken advocate on immigrants' and women's rights. She has spoken at international conferences in New York City and Washington, D.C., as well as on university campuses in Georgia, and on webinars attended by people across the country.

66. In particular, she has spoken at events hosted by organizations such as International Migrants Alliance, the International Women's Alliance, Malaya Movement, and more.[9] She has also spoken at the Georgia Filipino Student Association conference hosted at Emory University and attended by Filipino students at universities across the state.

67. In September 2024, Ms. Bowman traveled to Washington, D.C. to meet with members of Congress to advocate for passage of the Equal Citizenship for Children Act.[10]

68. On the morning of Ms. Bowman's ICE check-in on March 26, 2025, there was a crowd gathered outside the Atlanta ICE Field Office chanting her name and holding signs expressing messages of support for Ms. Bowman and for all migrants. This crowd consisted of members of immigrant rights' organizations that Ms. Bowman had supported throughout her detention and during her release.

Ms. Bowman's Re-Detention in March 2025

69. For four years after Ms. Bowman's release in December 2020, she attended every ICE check-in without fail.

70. On Ms. Bowman's check-in on March 26, 2024, the notice she received from ICE informed her that her next check-in date would be March 26, 2025.

71. On March 26, 2025, Ms. Bowman reported to the Atlanta ICE Field Office for her

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Malpractice by ICE Doctor, Rep. Jimmy Gomez of California's 34th District (Nov. 20, 2020), https://gomez.house.gov/news/documentsingle.aspx?DocumentID=2151.

[9] *See*, *e.g.*, Marjorie Justine Antonio & Nyrene Monforte, *GABRIELA USA and the International Women's Alliance advance the Filipina working women's movement*, Mahalaya (Mar. 20, 2023), https://www.mahalayasf.org/news/gabriela-usa-and-the-iwa-advance-the-filipina-working-womens-movement.

[10] *See Civil rights groups urged lawmakers to pass the Equal Citizenship for Children Act*, Asian Americans Advancing Justice - Atlanta (Sept. 26, 2024), https://www.advancingjustice-atlanta.org/news/eccafollowup.

required check-in as directed. Ms. Bowman had no indication or notice that the March 26 check-in differed from her many previous check-ins. Due to mobility issues following a trip to the emergency room the week prior, Ms. Bowman attended her ICE check-in in a wheelchair.

72. Ms. Bowman was accompanied by counsel to her ICE check-in. After she checked in on the digital kiosk, an ICE officer instructed Ms. Bowman to go downstairs for fingerprinting. Ms. Bowman's attorney asked if she could go with Ms. Bowman, but the ICE agents refused. Ms. Bowman's attorney insisted that she not be separated from Ms. Bowman, but the ICE agents again refused.

73. As soon as Ms. Bowman was separated from counsel in the waiting room of the Atlanta ICE Field Office, an ICE agent wheeled her wheelchair downstairs. In the process, he ran her wheelchair into a wall. He then put her in an SUV headed for the Stewart Detention Center. Ms. Bowman was the only passenger in the SUV.

74. Ms. Bowman was not provided prior notice or warning that her order of supervision had been revoked, either in the weeks leading up to her March 26 check-in or on the day of the check-in itself, or at any time after she was re-detained. Nor was Ms. Bowman given an opportunity to be heard regarding ICE's reasons for re-detaining her.

75. After ICE agents placed Ms. Bowman on the van, Supervisory Detention and Deportation Officer Melvin Farmer informed Ms. Bowman's counsel that she was going to be detained.

76. During the check-in, Ms. Bowman's attorney presented evidence to the ICE agents supporting her claim to U.S. citizenship and referred the ICE agents to ICE directive 16001.2, titled "Investigating the Potential U.S. Citizenship of Individuals Encountered by ICE" (hereafter, "Citizenship Directive"), which instructs ICE not to detain an individual when presented with

evidence of citizenship. Ex. P (Citizenship Directive).

77. Despite being presented with the Citizenship Directive, Ms. Bowman's birth certificate, and the marriage certificate of her parents indicating that her father was a U.S. citizen, the ICE agents took Ms. Bowman into custody.

78. It appears that ICE agents were monitoring Ms. Bowman's social media accounts leading up to her arrest. When Ms. Bowman arrived at the Stewart Detention Center, an officer made a comment to the effect of, "What happened to your green hair?" Ms. Bowman has only had green hair one day in her life; the only photo that exists of Ms. Bowman with green hair was published on her Facebook page, and nowhere else.

79. On the day Ms. Bowman was re-detained, there was a long line of people waiting for their ICE check-ins. Typically, when ICE transports people from the Atlanta ICE Field Office to the Stewart Detention Center, it does so late in the day and transports a group of people together on a bus.

80. When Ms. Bowman was detained, she was transported in an SUV by herself and was fully booked into the Stewart Detention Center by 1:00pm, suggesting that ICE left the Atlanta ICE Field Office no later than 11:00am that morning.

The Philippine Government Has Declined to Provide a Travel Document, Despite Ms. Bowman's Cooperation with ICE's Attempts to Remove Her

81. Before Ms. Bowman was detained on March 26, 2025, ICE attempted to obtain a travel document for Ms. Bowman from the Philippines on multiple occasions, but it was never able to secure one, despite Ms. Bowman's full cooperation.

82. The Philippine Embassy reports that it received requests for a travel document for Ms. Bowman on June 30, 2020, and June 6, 2022, and that it received a third request that was not dated. Ex. N (May 19, 2025 email from Philippine Embassy).

83. As a condition of Ms. Bowman's release from ICE custody in 2020, she was required to make attempts to apply for a Philippine passport. *See* Ex. M. In 2023, she traveled to the Philippine Embassy in Washington, D.C. to obtain a Philippine passport. The Philippine Embassy refused to issue her one. Instead, it provided her with a letter stating that the Philippine government had no record of her birth. *See* Ex. O (Nov. 20, 2023 Letter from Philippine Embassy).

84. ICE submitted another request for a travel document for Ms. Bowman to the Philippine Embassy on March 31, 2025. *See* Ex. Q (May 19, 2025 Email from Philippine Embassy).

85. In May 2025, the Philippine Embassy informed Ms. Bowman's counsel that it "received a travel document application for Alma Bowman" but that "[it] will not take action on this application, as [it has] informed ICE that Alma has a claim to U.S. citizenship." *See* Ex. A.

86. On July 23, 2025, the Philippine Embassy informed counsel for Ms. Bowman that it had sent a letter to ICE stating that Ms. Bowman "could not be issued a Travel Document as her birth certificate indicates that she is not a Filipino citizen based on the 1935 Philippine Constitution, and further requested ICE to release Ms. Bowman on humanitarian grounds." *See* Ex. B.

LEGAL FRAMEWORK

I. Post-Removal Order Detention Under Section 1231

87. Section 1231 of Title 8 of the U.S. Code governs the detention of individuals who are subject to a legally final order of removal. *See* 8 U.S.C. § 1231(a).

88. Detention under Section 1231 is only mandatory during the initial ninety-day "removal period," 8 U.S.C. § 1231(a)(1)(A)—the time window during which the government is typically required to effectuate removal. The removal period "begins on the latest of the

following:"

> (i) The date the order of removal becomes administratively final.
>
> (ii) If the removal order is judicially reviewed and if a court orders a stay of the removal of the alien, the date of the court's final order.
>
> (iii) If the alien is detained or confined (except under an immigration process), the date the alien is released from detention or confinement.

Id. § 1231(a)(1)(B).

89. When an individual is ordered removed by the IJ and does not pursue an appeal to the BIA, her removal order becomes administratively final when the 30-day deadline for appeal expires, or immediately if she waives appeal. *See* 8 C.F.R. §§ 1241.1(b), (c).

90. After the 90-day removal period, detention is no longer mandatory, and the individual should generally be released under conditions of supervision, such as periodic reporting. *See* 8 U.S.C. § 1231(a)(3); *see also id.* § 1231(a)(6) (providing that certain inadmissible and removable noncitizens "may be detained beyond the removal period" if they are determined "to be a risk to the community or unlikely to comply with the order of removal"); 8 C.F.R. § 241.4 (detailing criteria and procedures for release of individuals detained beyond the removal period who do not pose a threat to the community or a significant flight risk).

91. The 90-day removal period may be extended if the individual "fails or refuses to make timely application in good faith for travel or other documents necessary to [his] departure or conspires or acts to prevent [his] removal." 8 U.S.C. § 1231(a)(1)(C). Under these circumstances, the regulations require ICE to serve the individual with a Notice of Failure to Comply, advising her that the removal period has been extended and explaining the steps she must take in order to demonstrate compliance. *See* 8 C.F.R. § 241.4(g)(5)(ii). Detention is also discretionary during the time(s) when an individual's removal period is extended pursuant to Section 1231(a)(1)(C).

II. Constitutional Limitations on Detention Under Section 1231

92. The Constitution imposes limits on the government's post-removal period discretionary detention authority under Section 1231. In *Zadvydas*, the Supreme Court construed Section 1231(a)(6) to contain an "implicit 'reasonable time' limitation" in light of the "serious constitutional problem" raised by potentially indefinite civil detention under the INA. 533 U.S. at 682, 690. These limitations are rooted in the Due Process Clause of the Fifth Amendment. *See id.* at 690 ("Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.").

93. In the civil immigration context, the only permissible justifications for ongoing civil detention are preventing flight and protecting the community from danger. *Id.* at 690-91. The justification of preventing flight is "weak or nonexistent" where removal is not foreseeable, and detention based on dangerousness is only permissible "when limited to specially dangerous individuals and subject to strong procedural protections." *Id.*

94. *Zadvydas* adopted a "presumptively reasonable period of detention" of six months, inclusive of the 90-day removal period. *Id.* at 701. "After this 6-month period, once the [petitioner] provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." *Id.*; *see also Clark v. Martinez*, 543 U.S. 371, 386 (2005) (extending *Zadvydas*'s holding to inadmissible noncitizens). After that point, the government must release the individual unless it can show some "sufficiently strong special justification" for continuing her detention. *Zadvydas*, 533 U.S. at 690-91, 701.

95. Under the *Zadvydas* standard, a habeas petitioner is not required to show that her removal is "impossible," but rather only that it is unlikely; conversely, a mere claim by the

government that "good faith efforts to effectuate . . . deportation continue" is not sufficient to justify continued detention after six months. *See id.* at 702 (vacating Fifth Circuit judgment employing these standards because they "demand[] more than our reading of the statute can bear."). Furthermore, "as the period of prior postremoval confinement grows, what counts as the 'reasonably foreseeable future' conversely would have to shrink." *Id.* at 701.

96. A petitioner subject to post-removal period detention in the Eleventh Circuit can make out a claim under *Zadvydas* by showing: (1) detention for over six months, and (2) that there is no significant likelihood of his removal in reasonably foreseeable future. *Akinwale v. Ashcroft*, 287 F.3d 1050, 1052 (11th Cir. 2002).

97. Release is the proper remedy for unconstitutionally prolonged post-removal-order detention. *See Zadvydas*, 533 U.S. at 699-700 (explaining that supervised release is the appropriate relief when "the detention in question exceeds a period reasonably necessary to secure removal" because, at that point, detention is "no longer authorized by statute.").

III. The *Accardi* Doctrine

98. Under the *Accardi* doctrine, which originated in the immigration context in the case *Accardi v. Shaughnessy*, 347 U.S. 260 (1954), agencies are bound to follow their own rules that affect the fundamental rights of individuals, including self-imposed policies and processes that limit otherwise discretionary decisions. *See id.* at 266-67 (holding that BIA must follow its own regulations in its exercise of discretion); *Morton v. Ruiz*, 415 U.S. 199, 235 (1974) ("Where the rights of individuals are affected, it is incumbent upon agencies to follow their own procedures . . . even where the internal procedures are possibly more rigorous than otherwise would be required.").

99. The requirement that an agency follow its own policies is not "limited to rules attaining the status of formal regulations." *Montilla v. INS*, 926 F.2d 162, 167 (2d Cir. 1991). Even an unpublished policy binds the agency if "an examination of the provision's language, its context, and any available extrinsic evidence" supports the conclusion that it is "mandatory rather than merely precatory." *Doe v. Hampton*, 566 F.2d 265, 281 (D.C. Cir. 1977); *see also Morton*, 415 U.S. at 235-36 (applying *Accardi* to violation of internal agency manual); *U.S. v. Heffner*, 420 F.2d 809, 812 (4th Cir. 1969) ("Nor does it matter that these IRS instructions to Special Agents were not promulgated in something formally labeled a 'Regulation' . . .").

100. When agencies fail to adhere to their own policies as required by *Accardi*, courts typically frame the violation as arbitrary, capricious, and contrary to law under the Administrative Procedure Act ("APA"), *see Damus v. Nielson*, 313 F. Supp. 3d 317, 337 (D.D.C. 2018) ("It is clear, moreover, that [*Accardi*] claims may arise under the APA"), or as a due process violation, *see Sameena, Inc. v. U.S. Air Force*, 147 F.3d 1148, 1153 (9th Cir. 1998) ("An agency's failure to follow its own regulations 'tends to cause unjust discrimination and deny adequate notice' and consequently may result in a violation of an individual's constitutional right to due process." (quoting *NLRB v. Welcome–American Fertilizer Co.*, 443 F.2d 19, 20 (9th Cir. 1971))).

101. Prejudice is generally presumed when an agency violates its own policy. *See Montilla*, 926 F.2d at 167 ("[W]e hold that a [noncitizen] claiming the INS has failed to adhere to its own regulations . . . is not required to make a showing of prejudice before he is entitled to relief. All that need be shown is that the subject regulations were for the [noncitizen]'s benefit and that the INS failed to adhere to them."); *Heffner*, 420 F.2d at 813 ("The *Accardi* doctrine furthermore requires reversal irrespective of whether a new trial will produce the same verdict.").

102. To remedy an *Accardi* violation, a court may direct the agency to properly apply its policy, *see Damus*, 313 F. Supp. 3d at 343 ("[T]his Court is simply ordering that Defendants do what they already admit is required."), or a court may apply the policy itself and order relief consistent with the policy, *see Jimenez v. Cronen*, 317 F. Supp. 3d 626, 657 (D. Mass. 2018) (scheduling bail hearing to review petitioners' custody under ICE's standards because "it would be particularly unfair to require that petitioners remain detained . . . while ICE attempts to remedy its failure").

A. ICE Regulations Governing Revocation of Orders of Supervision

103. When ICE releases an individual from custody under an order of supervision ("OSUP"), they must comply with federal regulations when they seek to revoke the OSUP and re-detain that individual. *See* 8 C.F.R. § 241.4(l).

104. Specifically, ICE may revoke an OSUP and re-detain the individual if she has violated the conditions of her release, *id.* § 241.4(l)(1), or under certain other enumerated circumstances. *See id.* §§ 241.4(l)(2)(i)-(iv). Upon revoking the OSUP, ICE is required to provide the individual with notice "of the reasons for revocation" and a prompt post-deprivation "informal interview . . . to afford the [individual] an opportunity to respond to the reasons for revocation stated in the notification." *Id.* § 241.4(l)(1). If the interview does not result in release, the regulation requires additional custody review by ICE headquarters. *Id*. § 241.4(l)(3).

105. The regulation also limits the authority to revoke an OSUP to certain supervisory officials within the agency: only the "Executive Associate Commissioner" (*i.e.*, ICE ERO Executive Associate Director), or the "district director" (*i.e*., ICE ERO Field Office Director) can revoke an OSUP. *See id*. § 241.4.(l)(2). The Field Office Director is only permitted to revoke an

OSUP when "revocation is in the public interest and circumstances do not reasonably permit referral of the case to the Executive Associate [Director]." *Id.*

B. ICE's Citizenship Directive

106. On November 10, 2015, ICE issued the Citizenship Directive. *See* Ex. P.

107. The Citizenship Directive establishes procedures for investigating claims of potential U.S. citizenship by individuals in ICE detention or otherwise subject to immigration enforcement activities.

108. ICE is obligated to follow the Citizenship Directive under *Accardi*. In *Damus*, the U.S. District Court for the District of Columbia found that a similarly styled ICE directive from 2009 laying out "procedures ICE must undertake to determine whether a given asylum-seeker should be granted parole" fell "squarely within the ambit of those agency actions to which the [*Accardi*] doctrine may attach," in part because it "establish[ed] a set of minimum protections for those seeking asylum" and "was intended—at least in part—to benefit asylum-seekers navigating the parole process." 313 F. Supp. 3d at 324, 337-38; *see also Pasquini v. Morris*, 700 F.2d 658, 663 n.1 (11th Cir. 1983) ("Although the [INS] internal operating instruction confers no substantive rights on the [noncitizen]-applicant, it does confer the procedural right to be considered for such status upon application.").

109. The Citizenship Directive states, "It is ICE policy to carefully and expeditiously investigate and analyze the potential U.S. citizenship of individuals encountered by ICE. ICE officers, agents, and attorneys should handle these matters with the utmost care and highest priority[.]" Ex. P at 1.

110. Section 3.1 of the Citizenship Directive lists "Indicia of Potential U.S. Citizenship," "the existence of any of [which] should lead to further investigation of the individual's U.S.

citizenship." *Id*. at 2. Included on that list are the following factors: (1) a "legal representative … indicates to ICE that the individual is or may be a U.S. citizen"; (3) "one or more of the individual's parents … are or were U.S. citizens"; (4) the "individual entered the United States as a lawful permanent resident when he or she was a minor and has at least one parent who is a U.S. citizen"; (10) the "individual was born abroad out of wedlock and there is some information suggesting that one or both of his or her parents may have been U.S. citizens[.]" *Id*. at 2.

111. Section 3.2 of the Citizenship Directive states that "U.S. citizenship need not be shown by a preponderance of the evidence for the agency to find that there is some probative evidence of U.S. citizenship." *Id*. at 3.

112. When an individual or her legal representative presents indicia of U.S. citizenship as identified in section 3.1 of the Citizenship Directive, ICE "**must** assess the potential U.S. citizenship" of that individual "or, even in the absence of such a claim, when indicia of potential U.S. citizenship are present in a case." *Id*. at 4 (emphasis added).

113. If ICE determines that "[s]ome probative evidence indicates that the individual may be a U.S. citizen but the evidence is inconclusive," section 5.1(4)(a) of the Citizenship Directive states that "ICE should not … arrest the individual" and "[i]f the individual is already in ICE custody, he or she should be immediately released." *Id*. at 6.

CLAIMS FOR RELIEF

COUNT ONE
VIOLATION OF THE NON-DETENTION ACT, 18 U.S.C. § 4001, AND THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION
Unlawful detention of United States citizen

114. Ms. Bowman re-alleges and incorporates by reference each and every allegation contained above.

115. The Non-Detention Act provides, "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress." 18 U.S.C. § 4001(a).

116. The INA does not authorize the detention of U.S. citizens for removal or any other purpose. *See Lyttle v. United States*, 867 F. Supp. 2d 1256, 1281–82 (M.D. Ga. 2012) (noting that it is "clearly established that an ICE officer d[oes] not have the authority to detain or deport U.S. citizens").

117. Thus, ICE detention of U.S. citizens violates the Non-Detention Act. *Flores-Torres v. Mukasey*, 548 F.3d 708, 710 (9th Cir. 2008) ("There is no dispute that if [petitioner] is a [U.S.] citizen the government has no authority under the INA to detain him, as well as no interest in doing so, and that his detention would be unlawful under the Constitution and under the Non–Detention Act, 18 U.S.C. § 4001"). ICE detention of individuals with a substantial claim of U.S. citizenship also violates the Due Process Clause. *See Kiadii v. Decker*, 423 F. Supp. 3d 18, 20 (S.D.N.Y. 2018).

118. Ms. Bowman has raised a substantial claim that she is a U.S. citizen, which ICE has failed to fully investigate.

119. Thus, Ms. Bowman's detention violates the Non-Detention Act and due process, and she is entitled to immediate release from custody.

COUNT TWO
VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. § 1231
Indefinite detention beyond the removal period

120. Ms. Bowman re-alleges and incorporates by reference each and every allegation contained above.

121. Respondents are detaining Ms. Bowman pursuant to the INA's post-removal period detention provision, 8 U.S.C. § 1231(a)(6), because she has been subject to a final order of removal

since June 4, 2020, and she had been detained beyond the initial 90-day removal period under 8 U.S.C. § 1231(a)(1)(A).

122. In *Zadvydas*, the Supreme Court interpreted § 1231(a)(6) to contain an implicit reasonable-time limitation of six months. *Zadvydas*, 533 U.S. at 701. After that point, if a petitioner "provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing"; if the government fails to do so, the petitioner must be released under an order of supervision. *Adu v. Bickham*, No. 7:18-cv-103-WLS-MSH, 2018 WL 6495068, at *2 (M.D. Ga. Dec. 10, 2018) (quoting *Zadvydas*, 533 U.S. at 701).

123. Ms. Bowman's detention has surpassed *Zadvydas*'s six-month mark: she has been detained pursuant to a final order of removal for a total of over ten months—six months from June to December of 2020, and four months and counting since she was re-detained on March 26 of this year. And more than four years have elapsed since her removal order became administratively final in June of 2020.

124. There is no significant likelihood of Ms. Bowman's removal to the Philippines in the reasonably foreseeable future because the Philippine Embassy stated in May 2025 and again in July 2025 that it would not take action on the travel document application because Ms. Bowman has a claim to U.S. citizenship. *See* Ex. A, B. Furthermore, the Philippine Embassy informed counsel for Ms. Bowman in July 2025 that it had sent a letter to ICE stating that Ms. Bowman "could not be issued a Travel Document as her birth certificate indicates that she is not a Filipino citizen based on the 1935 Philippine Constitution, and further requested ICE to release Ms. Bowman on humanitarian grounds." Ex. B.

125. While Ms. Bowman maintains that she is a U.S. citizen and continues to press that

claim through various lawful channels, she has nonetheless complied with ICE's efforts to obtain a travel document for her from the Philippines, and has not conspired or acted to prevent her removal in any way that would justify her continued detention. *See Singh v. U.S. Att'y Gen.*, 945 F.3d 1310, 1313 (11th Cir. 2019) (citing 8 U.S.C. § 1231(a)(1)(C)).

126. Nor does any "sufficiently strong special justification" exist for Ms. Bowman's prolonged detention beyond the removal period and the presumptively reasonable six-month limit. *See Zadvydas*, 533 U.S. at 690–91.

127. Thus, Ms. Bowman's continued detention violates 8 U.S.C. § 1231, and she is entitled to immediate release from Respondents' custody.

COUNT THREE
VIOLATION OF THE DUE PROCESS CLAUSE
OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION
Indefinite and potentially permanent civil detention without adequate procedural safeguards

128. Ms. Bowman re-alleges and incorporates by reference each and every allegation contained above.

129. The Due Process Clause of the Fifth Amendment forbids the government from depriving any person of liberty without due process of law. U.S. Const. amend. V.

130. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty" that the Due Process Clause protects. *Zadvydas*, 533 U.S. at 690.

131. Civil immigration detention violates due process if it is not reasonably related to its statutory purpose. *See id.* at 690 (citing *Jackson v. Indiana*, 506 U.S. 715, 738 (1972)). The Supreme Court recognized that the statutory purpose of § 1231 is to "effectuat[e] . . . removal." *Id.* at 697.

132. Prolonged civil detention also violates due process unless it is accompanied by

strong procedural protections to guard against the erroneous deprivation of liberty. *See id.* at 690–91.

133. Ms. Bowman's civil detention has extended well beyond the 90-day removal period and will continue indefinitely. Her detention is no longer reasonably related to the primary statutory purpose of effectuating removal. *Id.* at 697.

134. Nor has ICE provided Ms. Bowman with adequate procedural protections to guard against a wrongful deprivation of her liberty.

135. Thus, Ms. Bowman's detention violates both substantive and procedural due process.

COUNT FOUR
VIOLATION OF THE FIRST AMENDMENT TO THE U.S. CONSTITUTION
Retaliation for protected speech

136. Ms. Bowman re-alleges and incorporates by reference each and every allegation contained above.

137. The First Amendment protects against government retaliation for engaging in protected speech and expressive conduct. *Bennett v. Hendrix*, 423 F.3d 1247, 1255 (11th Cir. 2005) ("This Court and the Supreme Court have long held that state officials may not retaliate against private citizens because of the exercise of their First Amendment rights."); *Khoury v. Miami-Dade Cnty. Sch. Bd.*, 4 F.4th 1118, 1129 (11th Cir. 2021).

138. To state a claim for First Amendment retaliation, Ms. Bowman must establish: "(1) her speech was constitutionally protected, (2) [Respondents'] retaliatory conduct adversely affected the protected speech, and (3) there is a causal connection between the retaliatory actions and the adverse effect on speech." *Khoury*, 4 F.4th at 1129.

139. Ms. Bowman's outspoken advocacy in support of immigrants' and women's rights,

as well as her public denunciation in court filings, media interviews, and Congressional and DHS investigations of the medical abuse she and other women detained by ICE at Irwin County Detention Center experienced, constitute core protected First Amendment activity. Ms. Bowman was also engaged in protected First Amendment activity when she lobbied members of Congress in September 2024 to pass the Equal Citizenship for Children Act.

140. Arrest and detention indisputably constitute adverse actions "that would deter a person of ordinary firmness from exercising First Amendment rights." *Turner v. Williams*, 65 F.4th 564, 580 (11th Cir. 2023) ("The threat of arrest is [] quintessential retaliatory conduct . . .").

141. The circumstances surrounding ICE's arrest of Ms. Bowman during a routine check-in on March 26, 2025—despite the fact that she had dutifully complied with all of the conditions of her release, and on a day when dozens of other people attended check-ins without being arrested—indicate that she was arrested in retaliation for her protected speech.

142. Respondents' retaliatory arrest and ongoing detention of Ms. Bowman violates her First Amendment rights.

COUNT FIVE
VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT, 8 U.S.C. 702, AND THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION
ICE's failure to abide by its own binding policies in violation of the* Accardi *doctrine: 8 C.F.R. § 241.4(l) (revocation of orders of supervision) and ICE Policy No. 16001.2 (Citizenship Directive)

143. Ms. Bowman re-alleges and incorporates by reference each and every allegation contained above.

144. When ICE officials revoked Ms. Bowman's Order of Supervision ("OSUP") and re-detained her on March 26, 2025, they flagrantly violated their own regulations and policies.

145. Respondents did not provide Ms. Bowman with any written notice or explanation

of the reasons for revoking her OSUP and taking her back into custody, nor did they provide her with a prompt post-deprivation opportunity to hear and contest those reasons, as required by 8 C.F.R. § 241.4(l).

146. Upon information and belief, ICE ERO's Executive Associate Director did not authorize the revocation of Ms. Bowman's OSUP; nor did the Field Office Director authorize the revocation based on a finding that the "revocation is in the public interest and circumstances do not reasonably permit referral of the case to the Executive Associate [Director]." 8 C.F.R. § 241.4(l)(2).

147. Respondents are also violating ICE's own binding policy on investigating claims of U.S. citizenship by arresting and continuing to detain Ms. Bowman despite strong indications that she is a U.S. citizen by virtue of her birth abroad to her U.S. citizen father, Lawrence Bowman.

148. ICE officials violated ICE's Citizenship Directive when they refused to consider multiple "indicia of potential U.S. citizenship" proffered by Ms. Bowman and her counsel at the time of her arrest and on several occasions thereafter. *See* Citizenship Directive.

149. Ms. Bowman's continuing detention contravenes the Citizenship Directive, which instructs ICE to "immediately release[]" an individual who has provided "[s]ome probative evidence indicat[ing] that [she] may be a U.S. citizen," even if "the evidence is inconclusive." Citizenship Directive §§ 5.1(4)(a)(3), (2)(b)(2).

150. ICE's violation of its own binding policy and regulation governing the revocation of OSUPs and investigation of citizenship claims violates the well-established *Accardi* doctrine, under which agencies are required to follow their own policies. *See Damus*, 313 F. Supp. 3d at 337.

151. As a result, Ms. Bowman is entitled to immediate release under conditions no more

restrictive than her prior OSUP.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Alma Bella Bowman respectfully requests that the Court:

A. Assume jurisdiction over this matter;

B. Order Respondents to show cause why the writ should not be granted "within three days unless for good cause additional time, not exceeding twenty days, is allowed." 28 U.S.C. § 2243;

C. Expedite consideration of this action pursuant to 28 U.S.C. § 1657 because it is an action brought under chapter 153 (habeas corpus) of Title 28;

D. Enjoin Respondents from transferring Petitioner outside of this judicial district pending litigation of this matter;

E. Enjoin Respondents from removing or transferring Petitioner to a third country without at least 48 hours' notice to Petitioner's counsel;

F. In the event that this Court determines that a genuine dispute of material fact exists regarding the likelihood of Petitioner's removal in the reasonably foreseeable future, or regarding any other material factual issue, schedule an evidentiary hearing pursuant to 28 U.S.C. § 2243. *See Singh v. U.S. Att'y Gen.*, 945 F.3d 1310, 1315–16 (11th Cir. 2019);

G. Grant a Writ of Habeas Corpus, ordering Respondents to immediately release Petitioner from their custody;

H. Declare that Petitioner's detention violates the Immigration and Nationality Act;

I. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment of the U.S. Constitution;

J. Declare that Petitioner's detention violates the First Amendment of the U.S. Constitution;

K. Declare that Petitioner's detention violates the Non-Detention Act, 18 U.S.C. § 4001;

L. Declare that ICE Respondents' failure to follow their own binding rules and policies on revocation of orders of supervision and investigation of citizenship claims with respect to Petitioner's arrest and ongoing detention violates the Administrative Procedure Act and the Due Process Clause of the Fifth Amendment;

M. Award Petitioner's costs and reasonable attorneys' fees in this action as provided for by the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412; and

N. Grant such further relief as the Court deems just and proper.

Dated: August 1, 2025

Respectfully submitted,

/s/ Samantha C. Hamilton

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**Motion for admission* pro hac vice *forthcoming*

Counsel for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I hereby verify that the statements in the Petition are true and correct to the best of my knowledge.

Dated: July 30, 2025

/s/ Alma Bella Bowman
Petitioner