Plaintiff Re-Detention Summaries & Quotes

Class Action Lawsuit Challenging Unlawful Immigration Re-Detentions in North Carolina, South Carolina & Georgia

Contacts:
ACLU of North Carolina: communications@acluofnc.org
ACLU of Georgia: media@acluga.org
ACLU of South Carolina: pbowers@aclusc.org

Livinton Sosa Martinez, a 41-year-old Nicaraguan man who resides in Greensboro, North Carolina

Livinton is a 41-year-old from Nicaragua who fled political violence and persecution in 2022 with his wife and three children. After being temporarily detained at the U.S. border, he was released on humanitarian parole and applied for asylum in January 2023. He has fully complied with all release conditions, including weekly photo check-ins using an ICE-issued phone and annual in-person appointments. He currently resides in Greensboro, North Carolina, where he works as an electrician and has valid work authorization and a Social Security number.

On March 19, 2026, Livinton attended his regularly scheduled annual ICE check-in in Charlotte, North Carolina. After waiting nearly eight hours, ICE officers informed him that he was being detained because he had not yet appeared before a judge. Despite explaining that he would attend his court date, he was handcuffed and detained without being asked about his circumstances. Nothing had changed since his prior check-in; he had no criminal history and had complied with all conditions of his prior release from DHS custody. DHS subsequently placed him in removal proceedings, which remain pending.

After spending over a day in a holding cell, Livinton was transferred to Stewart Detention Center in Georgia via an 8-9-hour bus ride, during which he was handcuffed at his wrists, feet, and waist. Conditions at Stewart were terrible, including overcrowding, inadequate food, constant lighting, and insufficient beds. He developed a cold but was not provided medication, and he also had an allergic reaction. Another person who had been detained there for six months told him that everyone develops a cold and a cough in Stewart.

Livinton's detention caused significant emotional and financial hardship for his family. His children cried frequently, struggled in school, and were deeply affected by their father's absence and limited communication. As the primary provider of approximately 80% of his household’s income, Livinton's detention also left his family struggling financially and required assistance from his church. He lost about three weeks of wages.

In early April 2026, Livinton was released on a $10,000 bond after winning a bond hearing. The detention facility is very isolated, so he had to pay the family of another detainee to drive him back

to Charlotte. Following his release, he was placed on an ankle monitor, which causes bruising and discomfort while he works as an electrician, and required to attend Intensive Supervision Appearance Program (ISAP) appointments every four weeks, resulting in additional lost wages. Despite his continued compliance, Livinton lives in constant fear of being re-detained. His prior detention has caused anxiety, depression, and difficulty sleeping. His next ISAP check-in is in December, and he fears another arrest could separate him from his family, eliminate their primary source of income, create additional legal expenses, and interfere with his pending asylum case. He also fears deportation to Nicaragua, where he believes the government would immediately imprison him. Although deeply afraid, Livinton remains committed to attending all required check-ins and complying with immigration requirements.

"When I have to go to work, especially in Raleigh or Charlotte, my children cry because they are worried I will be re-detained again," said **Livinton**. "I will continue to pursue my asylum case, but my life has a lot more uncertainty now. I know that I could be detained by ICE at any time even though I follow all the rules."

Raquel Mariona Ebora, a 39-year-old Honduran woman who resides in Dunn, North Carolina

Raquel is a 39-year-old from Honduras who fled violence and persecution in 2022 with her husband, Kelvin Lopez Espinoza. After being detained by Border Patrol for approximately one month, she was released on humanitarian parole and placed in removal proceedings. Kelvin was released approximately six days before Raquel and was required to wear an ankle monitor for three months. Raquel applied for asylum in 2023 and has a pending T-visa application as a human trafficking victim. She has fully complied with all conditions of her prior release from DHS custody, including annual ICE check-ins, and has valid work authorization and a Social Security number. Raquel lives in Dunn, North Carolina, with her family and has no criminal history. She occasionally works part-time at a car maintenance business but is primarily a full-time caregiver to her 3-year-old U.S. citizen son, who has autism and requires constant care and supervision.

On April 28, 2026, Kelvin attended his regularly scheduled annual ICE check-in in Charlotte, North Carolina, accompanied by his U.S. citizen mother. Despite having a pending T-visa application, no criminal history, and full compliance with all conditions of his prior release from DHS custody, ICE detained him, claiming he did not have a pending asylum case. His circumstances had not changed since his last check-in. Kelvin showed the officer proof of his pending T-visa application and explained that his 3-year-old son has autism and relies on him for care. The ICE officer said, "tell that to a judge, not me." They handcuffed Kelvin and detained him.

Kelvin was placed in removal proceedings and eventually released on bond with the assistance of his attorney. His detention was financially devastating for the family. They could barely afford to pay an attorney for the bond process. In addition to the financial burden, Kelvin's detention was extremely traumatic for his family, particularly their young son, who cried daily and experienced increased physical aggression and behavioral difficulties because he was frustrated and confused about where his dad was. His behavior improved significantly after Kelvin returned home.

Raquel now fears being arbitrarily re-detained at her next ICE check-in in March 2027, despite her continued compliance with all requirements. She is particularly concerned about the devastating impact her detention would have on their son, who relies on her for constant care and has difficulty being separated from her for even short periods of time. She also fears the financial and legal consequences of another detention, the difficulty of pursuing her pending immigration case while detained, and potential deportation to Honduras, where she fears further violence and persecution. If Raquel is detained, her family would likely not be able to afford another attorney.

"It was always my dream to have a child, and now I have one, so even just the thought of being separated from him is terrifying... all I can do is pray to God that I am not re-detained like my husband was," said **Raquel**.

"I will also continue to pursue my asylum case, but my life has a lot more uncertainty now that I have seen how arbitrarily ICE took away my husband's freedom. I know that I could be re-detained by ICE at any time even though I follow all the rules. I worry that ICE will re-detain me or my husband again even though we are trying to be careful, and we have always complied with all of the conditions of our release," said **Raquel**. "I am committed to being a class representative because I do not want other people to be unlawfully re-detained or live in fear of being re-detained and losing everything, as I do."

Alvaro Ibañez-Cardenas, a 35-year-old Venezuelan man who resides in Athens, Georgia

Alvaro is a 35-year-old from Venezuela and a Colombian citizen who entered the U.S. in 2022. After approximately 5-6 days in immigration detention, he was released and placed in removal proceedings. He has consistently complied with all release conditions and attended his required ICE check-ins, including transitioning from the Miramar, Florida, ICE field office to the Atlanta ICE field office after moving to Athens, Georgia. He has valid work authorization and a Social Security number and has maintained employment at a warehouse for the past two and a half years. He lives with his wife in Athens, where they have established their home and community.

On September 11, 2026, Alvaro attended his required, routine appointment at the Atlanta ICE field office. At his prior check-ins, the officers would usually ask him to confirm his address and contact information and give him a document for his next check-in, but this time was different. The officer asked Alvaro if he had any children or illnesses. He was not provided an interpreter and the officer spoke to him in English, which Alvaro is actively learning. Officers told him to wait in the lobby for another officer. He was later taken up to the fourth or fifth floor, where a different officer began fingerprinting him and filling out a questionnaire. There was another woman in the room and she was crying. About halfway through the questionnaire, the ICE officer asked the woman to explain to Alvaro what was going on because she spoke both English and Spanish. She told him he was being detained. The officers did not ask Alvaro anything about if his circumstances had changed since his last check-in, which they had not.

Alvaro was shocked and alarmed that he was being re-arrested. He was chained at his wrists and ankles and placed in a small holding cell in the basement with multiple other people for most of the day. That evening, he was transferred to a detention facility in Clayton County and held for two days before being transferred again to Irwin Detention Center in Georgia. Each time he was transferred, he was chained at his wrist and ankles. At Irwin, the lights are kept on all the time, except for a couple hours at night, which made it difficult for Alvaro to sleep. He lost about 17 pounds in four weeks while detained. Many people were sick in the facility, and he eventually fell ill too. When he made several requests for medical attention, he was only seen once.

After his attorney successfully filed a habeas petition and secured a bond hearing, Alvaro was released from detention in early October 2026 on a $20,000 bond. The immigration judge found that he was not a danger or flight risk. Alvaro was arrested in 2020 for driving without a license, but the court dismissed the charge after he demonstrated that he had received his license and documentation.

His attorney told him his re-detention also resulted in the cancellation of his pending asylum application, which he submitted in January 2023. He lost his warehouse job for missing work while detained, leaving his family without its primary source of income. Before he was detained in September, his family had been financially stable, but they are now struggling to pay bills and have gone into debt from the legal fees and the bond. Following his release, Alvaro was placed in the Intensive Supervision Appearance Program (ISAP). He is required to wear an ankle monitor, answer calls from his supervisor at any time, and report to the ISAP office after each immigration court hearing. The ankle monitor is physically uncomfortable and causes him to worry that police officers will stop and question him.

"This re-detention has affected me so much. I feel very paranoid and worried all the time, but I have to keep going in order to make money to take care of my family," said **Alvaro**. "I am extremely worried that I can be detained again even though I do everything I'm supposed to. Despite my fear, I have complied with every requirement set by DHS since my re-release and will continue to do so."

Ambrosio Trujillo Zavaleta, a 46-year-old Mexican man who resides in Savannah, Georgia.

Ambrosio is a 46-year-old from Mexico who has lived in Savannah, Georgia, for the past 22 years with his family. He entered the country without inspection in November 2004 and was never detained by Border Patrol. He has since obtained a Social Security number and valid work authorization. He has worked consistently, first in construction and now as a plumber, paying taxes and serving as the sole financial provider for his family.

In 2014, after being arrested for driving without a license, Ambrosio was detained by ICE for approximately 72 hours and questioned about his background and circumstances. He refused to sign a voluntary departure form and expressed his desire to obtain a lawyer and pursue his immigration case, which is his right. ICE ultimately released him and placed him in removal proceedings, requiring him to attend any immigration hearings and check-ins scheduled for him,

comply with the law, and obtain written permission before changing his address. Ambrosio fulfilled all requirements, resolved his driving case by paying the fines and obtaining his license, and has had no further trouble with the law. He was not required to attend any ICE check-ins after his release.

On September 15, 2026, Ambrosio was pulled over by ICE while driving on with his wife and adult son on a road he had traveled on regularly for 22 years without incident. ICE officers provided no reason for the stop, asked for his identification and questioned his work authorization, then handcuffed him and transported him to a federal building in Savannah. ICE also arrested his wife and son, leaving their car abandoned on the roadside with the keys inside.

Upon arrival at the Savannah processing facility, ICE confiscated Ambrosio's phone and wallet, which he has still been unable to recover. He had to buy a new phone. He was shocked by his re-detention because nothing had changed since his 2014 release, and he had complied with all DHS conditions. He was transferred to Folkston Detention Center, where he lost weight due to a lack of appetite while confined to his cell. His detention traumatized both him and his family and left them without their sole source of income for nearly a month. His U.S. citizen daughter, a full-time college student on a merit scholarship at the University of Georgia in Athens, learned of his detention through social media and had to travel to Savannah unexpectedly to help her parents, disrupting her ability to focus on school. While detained, Ambrosio also worried how his daughter would manage college without the support of either parent.

Following a bond hearing in early October 2026, Ambrosio was released on a $20,000 bond after nearly a month in detention. At the hearing, the immigration judge found that he was not a danger or a flight risk. Since his release, Ambrosio must submit a weekly photograph of himself to ICE through a phone application every Thursday. Despite being granted bond, he fears ICE may re-detain him. Every weekday on his way to work, he fears driving on the same road where he was arrested. He has an upcoming ICE check-in, which he fears may result in another detention, though he intends to attend and continue pursuing Cancellation of Removal and a green card. As his family's sole financial provider, he worries that another detention would leave his family without support and force him to incur additional legal expenses to secure his release.

"My wife and I both fear being re-detained. My wife, who was also detained at the same time as me, now lives in constant fear of leaving the house," said **Ambrosio**. "I get very nervous going out in public or driving to work because I know ICE might choose to re-detain me at any time. My whole family is scared to go to church now."