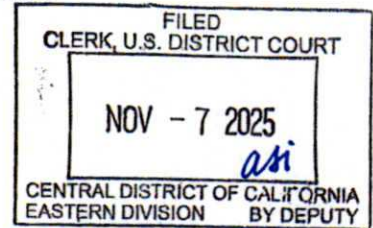


UNITED STATES DISTRICT COURT

for the



Oleksii Vasylevskiy
Petitioner

v.

2:25-cv-10824-MWC-DTB
Case No. 
(Supplied by Clerk of Court)

CBP/ICE/DHS

Respondent

(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Oleksii Vasylevskiy
(b) Other names you have used: NA
2. Place of confinement:
(a) Name of institution: Port Isabel detention center
(b) Address: Los Fresnos, 27991 Buena Vista Blvd, Texas 78566
(c) Your identification number: 4# 
3. Are you currently being held on orders by:
☐ Federal authorities ☐ State authorities ☒ Other - explain:
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: 27991 Buena Vista Blvd Los Fresnos, Texas 78566
(b) Docket number of criminal case:
(c) Date of sentencing: 06.04.2025
☐ Being held on an immigration charge
☒ Other (explain): return me in Russia LNR!

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Immigration court 27991 Buena Vista Blvd
Los Fresnos, Texas 78566

(b) Docket number, case number, or opinion number: case 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

removal to Russia LNR. (filed evidence 12.05.2025 #5,6) 

(d) Date of the decision or action: Cancel return process to Russia LNR

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Board of Immigration Appeal

(2) Date of filing: 08/12/2025

(3) Docket number, case number, or opinion number: 

(4) Result: N/A

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☒ Yes ☐ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☐ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 07.12.2024

(b) Date of the removal or reinstatement order: 06.04.2025

(c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes

☐ No

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If "Yes," provide:

(1) Date of filing: 08/12/2025

(2) Case number: 

(3) Result: N/A

(4) Date of result: N/A

(5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: The judge ignored the evidence

(a) Supporting facts (Be brief. Do not cite cases or law.): filed 12.05.2025

#5 Report Jacobson
#6 Report UNHCR and FBI

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO: The interpreter at the trial was not my native language.

(a) Supporting facts (Be brief. Do not cite cases or law.):

transcription from case

(b) Did you present Ground Two in all appeals that were available to you?

☒ Yes

☐ No

GROUND THREE: For an operation (surgery) without rehabilitation, he immediately sent immigration to court. With poor health

(a) Supporting facts (Be brief. Do not cite cases or law.):

evidence in claim

(b) Did you present Ground Three in all appeals that were available to you?

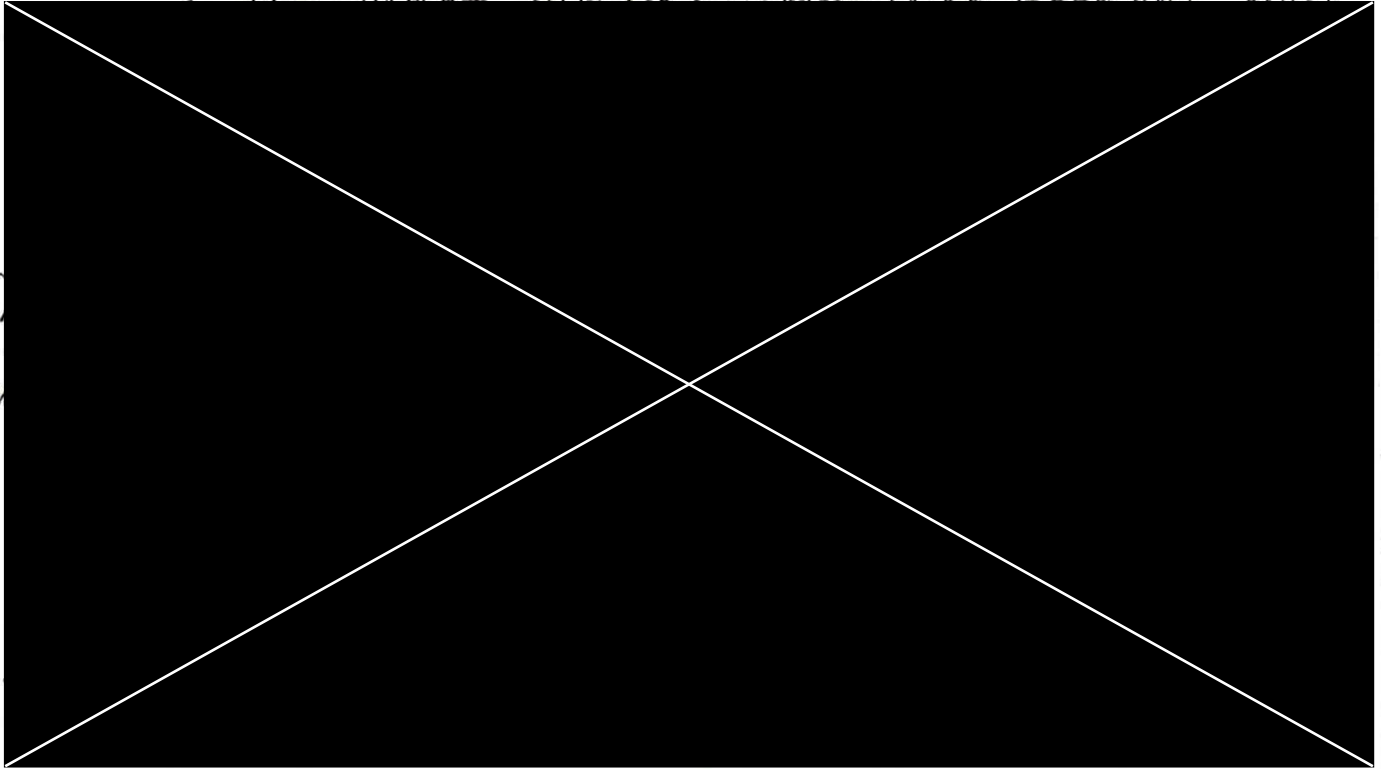
☒ Yes

☐ No

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GROUND FOUR:

The judge did not take into account that



14.

Request for Relief

15. State exactly what you want the court to do: Cancel my return process to
Russia LNR and open case for claim on the CBP; ICE/DHS.
OMDC San Diego CA; DVA Adelanto CA; CBP SAN YSI/PRO Akimova and
Vella; ICE Langill and Chambers and Rodriguez DHS; PIDC Los Fresnos, T.
I pray Help me!!!

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

10/23/2025

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 10/23/2025

Oleksii Vasylevskiy O.V.
Signature of Petitioner

Signature of Attorney or other authorized person, if any

Check List

1. History

EVIDENCE

2. Report CBP officers from border San Ysidro	1-3
3. My sick call request	4-4/28
4. X-Ray report	5-6
5. My grievance	7-9/22
6. Request from medical OMDC to offside MRI	10
7. Travel medical record from OMDC to DVA Adelanto	12
7/1. Complaint about the discrepancy of my transportation from OMDC to DVA	12/1
7/2. Grievance that I am not being treated in Adelanto DVA	12/2
7/3. My sick call in DVA	12/3-12/11
7/4. My grievance is that I am not being treated and not given any pills	26/1-26/9
8. Report medical DVA Adelanto "hungry strike"	13-14
9. Report from MRI	15-18
10. Report doctor offside hospital Victorville CA and plan surgery	19-22
11. Report when Immigration officer Langill send from DVA to OMDC	23
12. How OMDC denied me a wheelchair and rubbed me with mentally ill people	24-26
13. report physical therapist <i>and lose my weight</i>	27-27/2
14. Plan surgery in San Diego hospital	28-46
15. Cancel in parole	47-49
16. Immigration officer said I'm lose case	49(1)
17. I'm use wheelchair	50
18. Report doctor Brownsville	51-52
19. Tortured security PIDC on me	53-55
20. Medical grievance on PIDC	56-58
21. First surgery replacement hip joint right and lose blood	59
22. Report doctor Brownsville TX. Replacement knee and hip joint right	62-65
23. Medical report send me from hospital to PIDC	66-74
24. Decision judge show my medical problem(disabled) <i>(cancel my asylum)</i>	120
25. [REDACTED]	75-85
26. My second surgery replacement left hip joint	86-92
27. Came back from hospital Brownsville to PIDC and from PIDC to rehabilitation	93-102
28. Send me from rehabilitation to PIDC	103-105
29. Report doctors from offside Brownsville my disabled	106-109
30. Report on me because I'm lost balance	110-115

After the attack on me and my son [REDACTED] who is 15 years old, in Mexico near Tijuana, we turned to the CBP officer at the San Ysidro border for Help. And we were allowed to enter the US on the 07/12/2024. On the border disappeared from my doctors' documents, a temporary passport of the Lugansk People's Republic which was added to the evidence, a master's degree, a passport of a citizen of Ukraine, and some other certificates that I am not familiarized with or informed about. They gave me unknown papers to sign in a language I didn't know and told me that if I signed the paper, my son would be released to the sponsor. And I would be released in 10 days. Then they asked me if I had a disease and I replied that I had medical certificates for avascular necrosis of hip joints in the initial stage and gastritis and that I had undergone two courses of biochemical therapy in a liquor form Norway they treat my disease and cure it maybe because it is in the initial stage. At the border officer Akimova and Vela in the documents (Evidence Page 1-3) they wrote that I have no health problems. But if I don't get treatment, I could become disabled. Officers send me to Otay Mesa Detention Center 'Core Civic' 07/14/2025 and they took my son away. I told the doctors about my detention illness, but they didn't pay attention to it. They took my medicine away. I told them that I had medical certificates from Norway, but they refused to accept them. They said they had to do they didn't do anything. From July 28, 2024 I started writing to the doctors about the detention (Evidence page 4), but they barely paid attention. The pain was getting worse all the time, they started giving me painkillers and all the time I asked for a cure instead of trying to reduce the pain, they ignored me. On 08/02/2024, the X-ray report showed (Evidence page 5-6) that I have early stage osteoarthritis and it can progress to avascular necrosis of the hip joints but I need to have an MRI for an accurate diagnosis. But I was not sent away by my appeals to doctors and complaints that I was not being treated and the food they gave me was terrible (Evidence page 7-9). Then the doctors submitted a request for MRI and meeting with an orthopedic doctor 09/12/2024. (Evidence page 10-11). But later the doctor Uche replied that the request was canceled by the immigration officer for an unknown reason. I contacted the OIDO but it didn't help. The pain was getting worse, the time for treatment was affecting me, they sent me to another detention 10/07/2024 DVA Adelanto.

DVA (Desert View Annex) Adelanto – Detention center near Los Angeles

Without giving me medical records from OMDC, just a slip that I can transport (Evidence page 12). But I can barely walk on one leg. I can barely sit down and travel on the bus for 7 hours it's hard and painful to ride on a hard seat for 7 hours.

DVA Adelanto doctors looked at the medical certificate from Norway and started treatment, but a lot of time was lost. I went out for a MRI and immigration not approved. The pain intensified and began to starve, hungry strike. (Evidence page 13-14). Since 10/22/2024, the immigration officer has passed through Langill twice and threatened me that if I didn't eat, I would be sent to a place where they would tie me up and force-feed me through a tube. The third time, the immigration officer Langill came and promised that I would be cleared for an MRI and an orthopedic doctor. I started eating and was given a walker to ease the pain. 11/12/2024 they did an MRI and the report showed that my disease had progressed from the initial stage to the third stage, but more precisely, they sent me to a specialist doctor and he will give an option. I asked for a wheelchair, but they didn't give me one. In 12/02/2024 I was referred to a doctor, an orthopedic surgeon (evidence page 19-20), who showed that I already had one leg significantly shorter than the other, and that my right hip joint was destroyed and needed a hip joint replacement surgery, and provided a surgical plan to prepare me (Evidence Page 21-22). But on 12/19/2024, I was picked up by the immigration officer Langill from DVA Adelanto who said with a sneer that Adelanto wouldn't be doing the surgery, and he personally drove me to the San Diego OMDC "Core Civic" times in a pickup truck. I told him that Adelanto had promised to do the surgery, but he didn't hear me, and I was already in a lot of pain, and my left hip joint of pain, and my left hip joint was already starting to hurt, and it was painful. On 12/19/2024 in OMDC I was informed that I was scheduled at Adelanto (Evidence page 23). They said they didn't know anything and they anything and DVA Adelanto didn't tell any medical records.

I asked in OMDC for a wheelchair, but they put me in solitary confinement door, and there were people in the next cells who were screaming and singing and knocking on doors all day and night, and I couldn't sleep (Evidence page 24-25). Two days later, I asked to come back in general people unit, and when I was sent, the paramedic said that I didn't need a wheelchair anymore, and they treated me with ridicule. They kept giving me painkillers and sometimes the pills ran out and I was told that I could buy more if I didn't have enough but I wrote a complaint and reported it through OIDO but still they didn't do anything for my treatment. They took me to the physical therapist (Evidence page 27), but then the doctor, my orthopedic surgeon, said that no exercise is forbidden. I had this bigger, I couldn't sleep at night, I lost 45 pounds, I wrote a request to be deported because I wanted to die, I couldn't stand this kind of bullying. I was taken to the hospital on 02/24/2025 to see an orthopedic surgeon (Evidence page 28-46) (Evid p. 27/1)

My lawyer filed a request for a medical discharge for exhibit (Evidence page 47-49) but it was denied for no reason. Then I was taken to San Diego Hospital, and doctor said that I needed hip joint replacement surgery, rehabilitation, and me needed to be discharged. 03/10/2025 the immigration officer came to the unit OMDC and said that would lose the immigration case and that my son was taken away from me or not. The officer wore a mask and didn't say his name. I signed that I didn't have a lawyer and I didn't know what to do with the (Evidence page 49(1)). 03/11/2025 I was sent from OMDC to Texas PIDC Port Isabel Detention Center, Los Fresnos for treatment with pain she received. I had trouble falling asleep in the morning and it was hard to get up for breakfast at 5 am I reported my illness to the doctors in PIDC, but they said they didn't know anything and didn't send them any records via iMessage. But after x-ray, they gave me a wheelchair (Evidence page 50). On 03/27/2025, I was brought to a video court hearing that was supposed to take place in California San Diego, and my lawyer filed a motion to leave the court in California. DHS/ICE filed a motion change court to Texas. I was worried because the immigration officers OMDC said that the judges in Texas are strict and the case is about to be thrown out. 04/01/2025, I was taken to the hospital Brownsville where the doctor prescribed surgery on my right hip joint and knee (Evidence page 51-52). I had a hard time falling asleep because of the pain in my hip joints and I stayed up almost all night. I fell asleep in the morning and the painkillers don't helped and I didn't wake up for breakfast at 5 am, but on 04/26/2025 the guard started hitting the pillow so hard that my head was jumping and there were stars in my eyes, then he shone a flashlight in my eyes. I was very sick. The next day I asked the guards not to do it because I have a disease, but he replied that he would mock me and smiled. On 04/27/2025 situation repeated itself in the morning and I contacted the supervisor and was taken to the medical (Evidence page 53-55). The pain was getting worse, I wrote a medical grievance 04/23/2025 (Evidence page 56-58). 05/09/2025 I was taken in Brownsville for surgery replacement hip joint right, but after the surgery there was blood loss 05/11/2025 (Evidence page 59-65) and 05/16/2025 was sent to a PIDC without rehabilitation (Evidence page 66-74). 05/28/2025 at the migration court, I reported

[REDACTED]

[REDACTED] The judge noted in the decision that I am in a wheelchair, there is no (Evidence page 120) and the decision to return me to Russia will return me to the occupied part (Lugansk People's Republic). [REDACTED] Without rehabilitation, it was difficult for me to take a shower, go to the toilet, and get dressed.



Even when they took me for a walk, then I lost my balance on 07/04/2025 and held on to another person's shoulder, then the security guard wrote a violation on me and after looking and appealing that the day was indicated incorrectly, didn't show me the video evidence and the guard used the word abuse it's I'll shake, put my hands and I'll hold on these are different meanings to me they used the worst thing they used to shake, but my appeal was thrown in the trash. After first right hip replacement surgery, the doctor said that the left one could be replaced in 6 weeks, but no one called me after 6 weeks. I started calling the hotline DHS and the United Nations wrote down the name of the officer at my request why aren't they doing the surgery for me? They called me that the surgery would be done in 08/07/2025.

On the 08/07/2025 I was send for surgery(Evidence page 86-90). But on the 08/10/2025 the hospital Brownsville said that the migration service was taking me away, I had nothing to pay for my, PIDC, they almost forcibly put me in a wheelchair and took me away improperly in PIDC was crying, the doctor in PIDC said that didn't know what was happened and I couldn't go to the toilet, take shower, the pain was terrible(Evidence page 91). On the second day of the 08/11/2025 they put me in a wheelchair in pain and took me to Harlgin I screamed all the way to the rehabilitation center where I was from 08/11/2025 to 09/17/2025 (Evidence page 96,102-104)

During this time 07/12/2024 to now, I was made DHS/ICE a disabled person, doctor reports show 09/23/2026 and 08/26/2025 (Evidence page 107,109)

Brought to a state one step away from death!

Illegally abducted my a child [REDACTED] d.b.

How ICE/DHS Immigration made me disabled.

I have suffered physical, moral and material damage by the ICE/DHS immigration customs

Because of the San Ysidro border CBP officer Akimova, Vella and the negligence of the immigration officers ICE/DHS and medical staff OMDC "Core Civic", DVA Adelanto and PIDC Los Fresnos I became disabled and lost my ability to work and they give me;

Moral and physical damage 2,500,000\$

Material damage salary 8000\$ in month * 12 month * 40 years =3,840,000\$

I ask the court to away me moral, material and physical damage with
Immigration Customs Enforcement /DHS 6,340,000\$



From: Oleksii Vasylerskyi
Port Isabel Detention center
27991 Buena Vista Blvd
Los Fresnos Tx 78566
To: U.S. District Federal Court
347012-TH st.
Riverside, CA 92501

Petition to the Federal
District Court.

Good afternoon Dear Judge of the Federal District Court

I Oleksii Vasylerskyi please help me

the U.S. and seven months later, my wife and son arrived. The wife said that America was bad, took her son and went to Ukraine occupied by Russia. My son called and asked to save him from death. I flew out and saved my wife and son from death. And took them to Norway. We were not allowed to leave the Lugansk People's Republic without their passport and to avoid death. And genocide had to take a passport LMR (Russia). In Norway, not everyone extended their residency and I read news how Joe Biden promised that America accepts the residents of Ukraine as its own. Then I flew with my son to the USA via Mexico. In Mexico, the police repeatedly attacked us, beat us and took money. We came to the Senesir border San Ysidro, CA, and asked for help the CBP officer. We were let into America. They made me disabled and took away my son. A minor received moral and physical trauma for life. Copies of evidence may be of poor quality, but I have the originals. Does not provide Form 95 for a lawsuit as well, as for filing a in federal court. My case has already been investigated in Europe. Please help me! UNHCR sent me a sample to file in federal court on this letter unknown to me. Immigration judges don't believe that we have Russian occupied territory in Ukraine. And he wants to send me there. I ask you to open a file on the lawsuit and my immigration case. I went to the library PDL for copies, to send DHS, Department of Health, but I was refused limiting us to this as well say supervisor E. Hernandez. I ask that my petition not be denied.

10/23/2025

Oleksii Vasylerskyi