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UNITED STATES DISTRICT COURT
FOR THE MIDDLES DISTRICT of Columbus.

PHUOC-TAN TIET, Civil Action No. _____

Petitioner,

v.

Pam BONDI, ATTORNEY GENERAL;
KRISTY NOEM, SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY;
PAUL ONYANGO, U.S. ICE FIELD OFFICE DIRECTOR FOR THE JASON STREEVAL FIELD OFFICE; and WARDEN OF IMMIGRATION DETENTION FACILITY,

Respondents.

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

Petitioner, PHUOC TIET, hereby petitions this Court for a writ of habeas corpus to remedy Petitioner's unlawful detention by Respondents. In support of this petition and complaint for injunctive relief, Petitioner alleges as follows:

CUSTODY

1. Petitioner is in the physical custody of Respondents and U.S. Immigration and Customs Enforcement ("ICE"). Petitioner is detained at the

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CORE CIVIC IMMIGRATION CENTER
COLUMBUS, GEORGIA.
THIS PRIVATE FACILITY DETENTION.

Petitioner is under the direct control of Respondents and their agents.

JURISDICTION

2. This action arises under the Constitution of the United States, and the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101 et seq., as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), Pub. L. No. 104 - 208, 110 Stat. 1570, and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701 et seq.

3. This Court has jurisdiction under 28 U.S.C. § 2241; art. I § 9, cl. 2 of the United States Constitution ("Suspension Clause"); and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of the authority of the United States, and such custody is in violation of the Constitution, laws, or treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. § 2241, 5 U.S.C. § 702, and the All Writs Act, 28 U.S.C. § 1651.

4. Petitioner has exhausted any and all administrative remedies to the extent required by law.

VENUE

5. Pursuant to Braden v. 30th Judicial Circuit Court of Kentucky, 410 U.S. 484, 493 - 500 (1973), venue lies in the United States District Court for the

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_____, the judicial district in which Petitioner resides.

PARTIES

6. Petitioner is a native and citizen of VIET NAM Petitioner was first taken into ICE custody on OCT 14, 2025, and has remained in ICE custody continuously since that date. Petitioner was ordered removed on PETITIONER GOT FINAL ORDER ON NOV 4, 1999.

7. Respondent Pam BONDI is the Attorney General of the United States and is responsible for the administration of ICE and the implementation and enforcement of the Immigration & Naturalization Act (INA). As such, PAM BONDI has ultimate custodial authority over Petitioner.

8. Respondent KRISTY NOEM is the Secretary of the Department of Homeland Security. He is responsible for the administration of ICE and the implementation and enforcement of the INA. As such, KRISTY is the legal custodian of Petitioner.

9. Respondent Paul ONYANGO is the Field Office Director of the Paul ONYANGO Field Office of ICE and is Petitioner's immediate custodian. See Vásquez v. Reno, 233 F.3d 688, 690 (1st Cir. 2000), cert. denied, 122 S. Ct. 43 (2001).

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10. Respondent Warden of JASON STREGVAL where Petitioner is currently detained under the authority of ICE, alternatively may be considered to be Petitioner's immediate custodian.

FACTUAL ALLEGATIONS

11. Petitioner, PHUC TUET, is a native and citizen of VIETNAM. Petitioner has been in ICE custody since OCT 14, 2025 An Immigration Judge ordered the Petitioner removed on NOV 4, 1999 FINAL ORDER REMOVE.

12. PETITION OUT VIETNAM AFTER WAR 1982 WENT TO INDONESIA CAMP (REFUGEE) BEFORE COME TO AMERICA.

13.

14. PETITION FINISH all TIME IN PRISON ON AUG 25, 1999 THE ICE PICK UP and PETITIONER WAS THERE FOR

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32 month and Release Petitioner. 2002 and Petitioner Report every yearly!

15. To date, however, ICE has been unable to remove Petitioner to VIETNAM or any other country. Petitioner. NO REPATRIATION agreement EXISTS Between The UNITE STATE and VIETNAM Now ICE Reclaim Petition again!

16. Petitioner has cooperated fully with all efforts by ICE to remove him from the United States. Petitioner did all work With THE ICE OFFICER, LIKE PHOTO PAPER Documents vv... FINGERPRINTS.

17. Petitioner's custody status was first reviewed on OCT 15, 2025. On OCT 15, 2025, Petitioner was served with a written decision ordering his/her continued detention.

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18. On No Review YET Petitioner was served with a notice transferring authority over his/her custody status to ICE Headquarters Post-Order Detention Unit ("HQPDU").

LEGAL FRAMEWORK FOR RELIEF SOUGHT

19. In Zadvydas v. Davis, 533 U.S. 678 (2001), the Supreme Court held that six months is the presumptively reasonable period during which ICE may detain aliens in order to effectuate their removal. Id. at 702. In Clark v. Martinez, 543 U.S. 371 (2005), the Supreme Court held that its ruling in Zadvydas applies equally to inadmissible aliens. Department of Homeland Security administrative regulations also recognize that the HQPDU has a six-month period for determining whether there is a significant likelihood of an alien's removal in the reasonably foreseeable future. 8 C.F.R. § 241.13(b)(2)(ii).

20. Petitioner was ordered removed on Nov 4, 1999 and the removal order became final on Nov 4, 1999. Therefore, the six-month presumptively reasonable removal period for Petitioner ended on _____.

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CLAIMS FOR RELIEF

COUNT ONE

STATUTORY VIOLATION

21. Petitioner re-alleges and incorporates by reference paragraphs 1 through 20 above.

22. Petitioner's continued detention by Respondents is unlawful and contravenes 8 U.S.C. § 1231(a)(6) as interpreted by the Supreme Court in Zadvydas. The six-month presumptively reasonable period for removal efforts has expired. Petitioner still has not been removed, and Petitioner continues to languish in detention. Petitioner's removal to VIETNAM or any other country is not significantly likely to occur in the reasonably foreseeable future. The Supreme Court held in Zadvydas and Martinez that ICE's continued detention of someone like Petitioner under such circumstances is unlawful.

COUNT TWO

SUBSTANTIVE DUE PROCESS VIOLATION

23. Petitioner re-alleges and incorporates by reference paragraphs 1 through 22 above.

24. Petitioner's continued detention violates Petitioner's right to substantive due process through a deprivation of the core liberty interest in freedom from bodily restraint.

25. The Due Process Clause of the Fifth Amendment requires that the deprivation of Petitioner's liberty be narrowly tailored to serve a compelling

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government interest. While Respondents would have an interest in detaining Petitioner in order to effectuate removal, that interest does not justify the indefinite detention of Petitioner, who is not significantly likely to be removed in the reasonably foreseeable future. Zadvydas recognized that ICE may continue to detain aliens only for a period reasonably necessary to secure the alien's removal. The presumptively reasonable period during which ICE may detain an alien is only six months. Petitioner has already been detained in excess of six months and Petitioner's removal is not significantly likely to occur in the reasonably foreseeable future.

COUNT THREE

PROCEDURAL DUE PROCESS VIOLATION

26. Petitioner re-alleges and incorporates by reference paragraphs 1 through 25 above.

27. Under the Due Process Clause of the Fifth Amendment, an alien is entitled to a timely and meaningful opportunity to demonstrate that s/he should not be detained. Petitioner in this case has been denied that opportunity. ICE does not make decisions concerning aliens' custody status in a neutral and impartial manner. The failure of Respondents to provide a neutral decision-maker to review the continued custody of Petitioner violates Petitioner's right to procedural due process.

PETITIONER Request TO Release OR VIETNAM Please. For Back TO WORK help petitioner Family.

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PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

1) Assume jurisdiction over this matter;
2) Grant Petitioner a writ of habeas corpus directing the Respondents to immediately release Petitioner from custody;
3) Enter preliminary and permanent injunctive relief enjoining Respondents from further unlawful detention of Petitioner;
4) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other basis justified under law; and
5) Grant any other and further relief that this Court deems just and proper.

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I affirm, under penalty of perjury, that the foregoing is true and correct.

Petitioner

Jan 15, 2026.
Date executed

PHUOC TAN TIET
A# [redacted]
CoRE Civic Detention
146 CCA Road
Lumpkin, GA 31815

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