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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Meina Gaballa Shaker Soliman **Petitioner,** **v.** **John Doe, in his official capacity as Moshannon Valley ICE Processing Center ;** **BRIAN MCSHANE, ICE FOD ERO Philadelphia;** **PAM BONDI, in her official capacity as Attorney General of the United States;** **and KRISTI NOEM, in her official capacity as Secretary of the U.S. Department of Homeland Security,** **Respondents.**	**CASE NO.:** **HON.:**

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

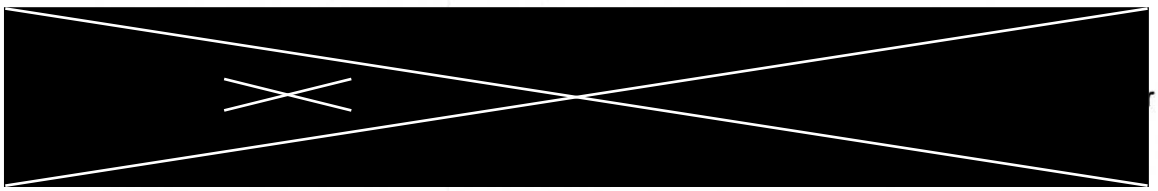
Petitioner, Meina Gaballa Shaker Soliman A# [redacted], by and through undersigned counsel, respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. §

2241 to challenge his ongoing civil immigration detention by the United States Department of Homeland Security and U.S. Immigration and Customs Enforcement.

Petitioner is currently in removal proceedings before the Immigration Court, with Immigration Judge Joshua Hawkes presiding over his case.

Petitioner has filed an application for asylum, withholding of removal, and protection under the Convention Against Torture, which remains pending.

Petitioner is presently detained by ICE at the Moshannon Valley Processing Center.



Petitioner challenges the legality of his continued detention under the Constitution and laws of the United States. Because Petitioner is detained within the Western District of Pennsylvania and seeks relief from unlawful federal custody, this Court has jurisdiction to grant habeas relief pursuant to 28 U.S.C. § 2241.

JURISDICTION AND VENUE

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 2241 because Petitioner challenges the legality of his ongoing civil immigration detention and seeks relief from custody that is in violation of the Constitution and laws of the United States. Federal courts retain jurisdiction under 28 U.S.C. § 2241 to review the lawfulness of immigration detention notwithstanding the jurisdiction limiting provisions of the Immigration and Nationality Act. The Supreme Court has repeatedly affirmed that federal courts possess authority to hear habeas corpus petitions challenging the constitutionality of civil immigration detention. See, for example, Demore v. Kim, 538 U.S. 510 (2003), and Jennings v. Rodriguez, 138 S. Ct. 830 (2018).
2. This Court has jurisdiction under Article III of the Constitution because Petitioner is suffering an ongoing and concrete injury traceable to the actions of Respondents and redressable by a favorable decision from this Court. The relief sought falls squarely within the scope of federal habeas corpus review, which permits individuals in federal custody to challenge detention that is arbitrary, excessive, or contrary to statutory and constitutional limits.
3. Venue is proper in the Central District of Pennsylvania pursuant to 28 U.S.C. § 2241 and 28 U.S.C. § 1391(e) because Petitioner is currently detained within this District at the Moshannon Valley ICE Processing Center in Philipsburg, Pennsylvania. The immediate custodian responsible for Petitioner's detention is located within this District, and Petitioner's present confinement is occurring within the territorial jurisdiction of this Court.
4. Venue is proper in the United States District Court for the Western District of Pennsylvania because Petitioner is currently detained at the Moshannon Valley ICE Processing Center, located in Philipsburg, Pennsylvania, within this District. Petitioner's

immediate custodian exercises physical control over his confinement within the territorial jurisdiction of this Court.

5. The Warden or Facility Administrator of the Moshannon Valley ICE Processing Center is Petitioner's immediate custodian and is responsible for Petitioner's day-to-day detention and physical confinement.
6. Respondent, the Field Office Director of U.S. Immigration and Customs Enforcement, exercises supervisory authority over immigration enforcement operations related to Petitioner's detention and is named in his official capacity.
7. Respondent Pam Bondi, in her official capacity as Attorney General of the United States, and Respondent Kristi Noem, in her official capacity as Secretary of the United States Department of Homeland Security, are named as Respondents because they exercise legal and supervisory authority over the federal agencies and officers responsible for Petitioner's detention and the policies governing immigration custody.

PARTIES

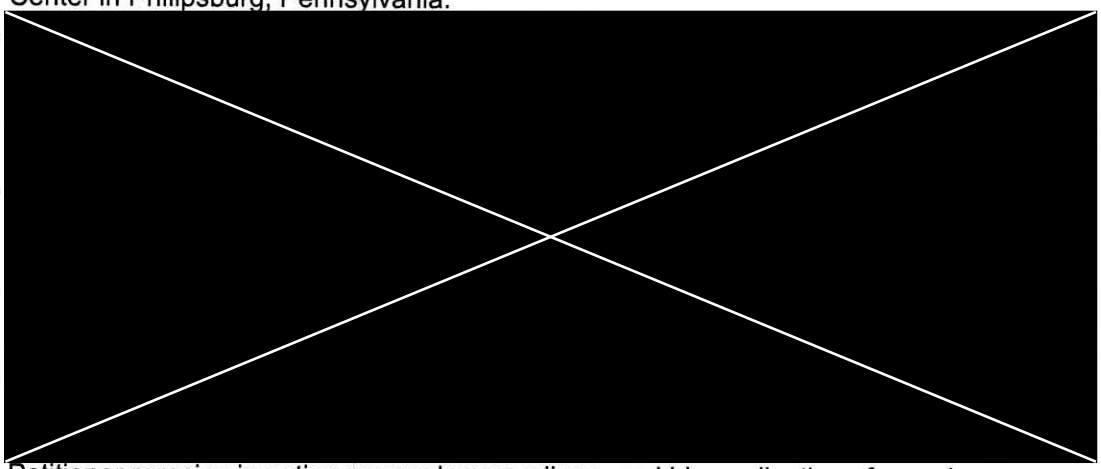
8. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt who is currently detained at the Moshannon Valley Processing Center in Philipsburg, Pennsylvania. He is held in the civil immigration custody of the United States Department of Homeland Security. Petitioner brings this habeas action to challenge the legality of his continued civil immigration detention.
9. Respondent, the Warden or Facility Administrator of the Moshannon Valley ICE Processing Center, is Petitioner's immediate custodian and exercises direct physical control over Petitioner's confinement. The Warden is therefore a proper respondent in this habeas action.
10. Respondent, the Field Office Director of U.S. Immigration and Customs Enforcement, exercises supervisory authority over immigration enforcement operations relevant to Petitioner's detention and is named as a respondent in his official capacity.
11. Respondent Pam Bondi, in her official capacity as Attorney General of the United States, is the chief legal officer of the federal government and exercises supervisory authority over the Executive Office for Immigration Review, including the Immigration Courts and the Board of Immigration Appeals, whose proceedings relate to Petitioner's detention.
12. Respondent Kristi Noem, in her official capacity as Secretary of the United States Department of Homeland Security, has ultimate legal and supervisory authority over the agencies and officers responsible for Petitioner's civil immigration detention, including oversight of detention policies and enforcement operations.

FACTUAL BACKGROUND

13. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt. He is currently in removal proceedings before the Immigration Court under A-Number [redacted].
14. Petitioner has filed applications for asylum, withholding of removal, and protection under the Convention Against Torture, which remain pending before the Immigration Court.
15. Petitioner fled Egypt on June 20, 2023, traveled through multiple countries, and ultimately entered the United States by crossing the border from Mexico without waiting

for an official appointment due to imminent danger. He entered the US on July 19, 2023 at or near Lukeville, Arizona.

16. Petitioner is presently detained by the United States Department of Homeland Security and U.S. Immigration and Customs Enforcement at the Moshannon Valley Processing Center in Philipsburg, Pennsylvania.

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21. Petitioner remains in active removal proceedings, and his applications for asylum, withholding of removal, and protection under the Convention Against Torture have not yet been adjudicated.
22. The administrative record does not reflect that Petitioner has received a final order of removal.
23. Petitioner's detention is civil in nature and arises solely from his pending immigration proceedings.
24. Petitioner remains confined while his removal proceedings and applications for protection remain unresolved.
25. Petitioner's continued detention constitutes an ongoing deprivation of liberty while his immigration case remains pending before the Immigration Court.
26. Petitioner challenges the legality of his continued civil immigration detention under the Immigration and Nationality Act and the Due Process Clause of the Fifth Amendment, asserting that his confinement exceeds statutory and constitutional limits.
27. Because Petitioner remains detained without relief from custody while his immigration case remains pending, he seeks habeas corpus relief to secure his release or other appropriate relief consistent with constitutional and statutory requirements.

COUNT I: UNLAWFUL DETENTION IN VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT (INA) AND IMPLEMENTING REGULATIONS

28. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

29. The Immigration and Nationality Act authorizes civil immigration detention only when it serves a legitimate statutory purpose, namely, to ensure appearance at future proceedings or to protect public safety. Zadvydas v. Davis, 533 U.S. 678, 690 (2001); Clark v. Martinez, 543 U.S. 371, 381 (2005). Detention that is unnecessary, arbitrary, or

prolonged beyond what is reasonably required to serve these statutory objectives exceeds the government's lawful authority.

30. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt who is currently in removal proceedings before the Immigration Court.

31. Petitioner has filed applications for asylum, withholding of removal, and protection under the Convention Against Torture, which remain pending before the Immigration Court.

32. Petitioner is currently detained by the United States Department of Homeland Security and U.S. Immigration and Customs Enforcement at the Moshannon Valley Processing Center in Philipsburg, Pennsylvania. His detention is civil in nature and arises solely from his pending immigration proceedings.

33. Petitioner remains detained while his removal proceedings and applications for protection are unresolved. The administrative record does not reflect that a final order of removal has been entered in his case.

34. The Immigration and Nationality Act does not authorize civil detention that is untethered from its statutory purposes or that continues without adequate procedural safeguards. Detention must bear a reasonable relation to its stated objectives and may not become arbitrary or excessive.

35. The administrative record does not reflect that Petitioner has received a custody determination by a neutral adjudicator addressing whether his continued detention is necessary to serve a legitimate statutory purpose.

36. The administrative record does not reflect that Respondents have provided Petitioner with any individualized custody determination establishing that detention is required to ensure his appearance or to protect public safety.

37. Because Petitioner remains detained without an individualized custody determination establishing that his confinement is necessary under the standards governing civil immigration detention, his continued detention exceeds the authority granted under the Immigration and Nationality Act and its implementing regulations.

38. Petitioner therefore respectfully requests that this Court grant habeas relief by ordering his immediate release from custody, or, in the alternative, by directing the government to

provide a prompt and legally sufficient custody determination consistent with statutory limits on civil immigration detention.

COUNT II: VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION

39. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.
40. The Fifth Amendment guarantees that no person shall be deprived of liberty without due process of law. Noncitizens physically present in the United States, including those who entered without inspection—are entitled to full procedural due process protections. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001); *Landon v. Plasencia*, 459 U.S. 21, 32 (1982).
41. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt who has been placed in removal proceedings and has filed applications for asylum, withholding of

removal, and protection under the Convention Against Torture, all of which remain pending before the Immigration Court.

42. Petitioner is currently in the civil immigration custody of U.S. Immigration and Customs Enforcement and is detained at the Moshannon Valley ICE Processing Center in Philipsburg, Pennsylvania.
43. Petitioner's detention is civil in nature and is not the result of a criminal conviction or sentence. His confinement arises solely from his pending immigration proceedings.
44. Because Petitioner is detained during ongoing removal proceedings and without a final order of removal, his detention is governed by 8 U.S.C. § 1226(a).
45. The record does not reflect that Petitioner has received an individualized custody determination by a neutral adjudicator, at which the government bears the burden to justify continued detention, as required by the Due Process Clause.
46. The record further does not reflect that Petitioner has been afforded a hearing at which he could meaningfully present evidence or arguments regarding the necessity of continued detention or the availability of release from custody.
47. As a result, Petitioner remains detained without an opportunity to obtain an individualized determination as to whether continued confinement is justified under applicable constitutional standards.
48. Civil immigration detention implicates a substantial liberty interest. Due process requires that detention remain reasonably related to its purposes and be accompanied by adequate procedural safeguards.
49. When detention is discretionary under 8 U.S.C. § 1226(a), due process requires a meaningful opportunity to contest confinement before a neutral decisionmaker.
50. Petitioner's detention has continued while his removal proceedings and applications for protection remain unresolved, without the procedural protections required to ensure that continued confinement is not arbitrary or excessive.
51. The absence of an individualized custody determination by a neutral decisionmaker renders Petitioner's continued detention constitutionally infirm under the Due Process Clause.
52. Petitioner's ongoing confinement without adequate procedural safeguards violates the Fifth Amendment's Due Process Clause.
53. Petitioner therefore respectfully requests that this Court grant habeas relief by ordering his immediate release from custody, or, in the alternative, by directing the government to provide a prompt and constitutionally adequate custody determination before a neutral adjudicator with authority to order release.

COUNT III: VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT – ARBITRARY AND CAPRICIOUS AGENCY ACTION

54. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.

55. The Fifth Amendment guarantees that no person shall be deprived of liberty without due process of law. Noncitizens physically present in the United States, including those who entered without inspection, are entitled to full procedural due process protections.

Zadvydas v. Davis, 533 U.S. 678, 693 (2001); Landon v. Plasencia, 459 U.S. 21, 32 (1982).

56. The Administrative Procedure Act prohibits agency action that is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, including agency action that exceeds statutory authority or is taken without a reasoned explanation.

57. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt who is currently in removal proceedings and has filed applications for asylum, withholding of removal, and protection under the Convention Against Torture, all of which remain pending before the Immigration Court.

58. Petitioner is currently detained by the United States Department of Homeland Security and U.S. Immigration and Customs Enforcement at the Moshannon Valley Processing Center in Philipsburg, Pennsylvania.

59. Petitioner's continued detention constitutes final agency action for purposes of judicial review because it results in an ongoing deprivation of liberty and is not subject to meaningful administrative review or correction through the immigration court process.

60. The administrative record does not reflect that Immigration and Customs Enforcement has made an individualized determination, supported by a reasoned explanation, that Petitioner's continued detention is necessary or authorized under the Immigration and Nationality Act.

61. The record further does not reflect that Immigration and Customs Enforcement has provided Petitioner with a procedural mechanism through which he may obtain individualized custody review or challenge the factual or legal basis for his continued confinement.

62. By maintaining Petitioner in civil immigration detention without an individualized assessment and without articulating a lawful basis grounded in statutory authority, Respondents have acted in a manner that is arbitrary, capricious, and contrary to law within the meaning of the Administrative Procedure Act.

63. Immigration detention implicates a substantial liberty interest, and agency action resulting in prolonged confinement without adequate procedural safeguards exceeds the scope of discretion afforded to the executive branch under governing statutes.

64. Respondents' continued detention of Petitioner, absent an individualized and reasoned custody determination, constitutes unlawful agency action that must be set aside under the Administrative Procedure Act.

65. Petitioner therefore respectfully requests that this Court grant habeas relief by ordering his immediate release from custody, or, in the alternative, by directing Respondents to

provide a prompt and legally sufficient custody determination consistent with statutory and constitutional requirements.

COUNT IV: VIOLATION OF THE EQUAL PROTECTION GUARANTEE OF THE FIFTH AMENDMENT

66. Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.
67. The Due Process Clause of the Fifth Amendment contains an implicit guarantee of equal protection that prohibits the federal government from treating similarly situated individuals differently without a rational and legitimate governmental purpose. Reno v. Flores, 507 U.S. 292, 302 (1993); Plyler v. Doe, 457 U.S. 202, 210 (1982); Bolling v. Sharpe, 347 U.S. 497, 499 (1954).
68. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt who has been placed in removal proceedings and is currently in the civil immigration custody of the United States Department of Homeland Security and U.S. Immigration and Customs Enforcement.
69. Petitioner remains detained at the Moshannon Valley ICE Processing Center while his removal proceedings and applications for asylum, withholding of removal, and protection under the Convention Against Torture remain pending.
70. The administrative record does not reflect that Petitioner has been afforded an individualized custody determination by a neutral adjudicator addressing whether his continued detention is warranted under the standards governing civil immigration custody.
71. As a result, Petitioner is being treated differently from other individuals in removal proceedings who are afforded individualized custody review, without any articulated or reasoned explanation in the record for the disparate treatment.
72. The Fifth Amendment prohibits the government from subjecting a person to materially different treatment without a rational basis. Where liberty is at stake, equal protection requires that similarly situated individuals receive comparable procedural protections absent a legitimate justification for deviation.
73. The record contains no individualized findings, no custody determination, and no reasoned agency explanation justifying Petitioner's continued detention without the procedural protections afforded to others in removal proceedings.
74. Detaining Petitioner without an individualized custody assessment, while permitting such assessments for other similarly situated individuals, is not rationally related to any legitimate governmental objective and constitutes arbitrary differential treatment.
75. The government's unequal treatment of Petitioner in the administration of civil immigration detention violates the equal protection guarantee embedded in the Fifth Amendment.
76. Petitioner therefore respectfully requests that this Court grant habeas relief by ordering his immediate release from custody, or, in the alternative, by directing Respondents to

provide Petitioner with an individualized custody determination consistent with the equal protection principles embodied in the Fifth Amendment.

COUNT V: VIOLATION OF THE SUSPENSION CLAUSE OF THE UNITED STATES CONSTITUTION

77. Petitioner re-alleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
78. The Suspension Clause of the United States Constitution provides that "[t]he Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it." U.S. Const. art. I, § 9, cl. 2. The Clause guarantees the availability of judicial review to challenge the legality of executive detention. *Boumediene v. Bush*, 553 U.S. 723, 745–46 (2008); *INS v. St. Cyr*, 533 U.S. 289, 300–05 (2001).
79. Habeas corpus remains available to all individuals detained by executive authority within the United States, including noncitizens held in civil immigration custody. The Supreme Court has expressly held that Congress may not eliminate all avenues of meaningful judicial review of the legality of detention. *St. Cyr*, 533 U.S. at 305–06.
80. Petitioner Meina Gaballa Shaker Soliman is a citizen and national of Egypt who is currently detained by the United States Department of Homeland Security and U.S. Immigration and Customs Enforcement at the Moshannon Valley Processing Center in Philipsburg, Pennsylvania.
81. Petitioner's detention is civil in nature and arises from his pending removal proceedings and applications for asylum, withholding of removal, and protection under the Convention Against Torture, all of which remain unresolved.
82. The record does not reflect that Petitioner has been afforded a meaningful opportunity to obtain judicial or administrative review of the legality or necessity of his continued detention pending resolution of his immigration case.
83. In the absence of an individualized custody determination by a neutral adjudicator, Petitioner lacks an effective mechanism within the administrative process to challenge the basis or duration of his confinement.
84. Where no adequate alternative avenue exists to test the legality of executive detention, the Suspension Clause requires that habeas corpus remain available as a means of judicial review.
85. Petitioner's continued detention without meaningful review implicates the core protections of the Suspension Clause by effectively foreclosing any mechanism, other than habeas corpus, to challenge the legality of his confinement.
86. Without access to habeas corpus review, Petitioner would have no effective means to contest the lawfulness of his ongoing civil immigration detention.
87. Petitioner therefore respectfully requests that this Court grant habeas relief by ordering his immediate release from custody, or, in the alternative, by directing Respondents to

provide a prompt and meaningful custody determination consistent with constitutional requirements.

PRAYER FOR RELIEF

Petitioner respectfully requests that this Court grant the following relief:

A. Issue a writ of habeas corpus ordering Petitioner's immediate release from immigration detention;
B. In the alternative, order Respondents to provide Petitioner with an individualized bond hearing before a neutral Immigration Judge within seven (7) days of the Court's order, at which the government bears the burden to prove by clear and convincing evidence that continued detention is justified based on danger to the community or risk of flight;
C. Declare that Petitioner's continued detention without access to a bond hearing violates the Immigration and Nationality Act, its implementing regulations, and the Due Process Clause of the Fifth Amendment to the United States Constitution;
D. Award Petitioner reasonable costs and attorneys' fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, to the extent applicable;
E. Grant such other and further relief as the Court deems just and proper.

/s/ Sherif Bishara
Dated: January 21, 2026

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Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of January 2026, I electronically filed the foregoing Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all registered counsel of record.

A copy of the foregoing document has also been served by U.S. Mail, postage prepaid, on the following parties:

1. **Warden**
   Moshannon Valley ICE Processing Center
   555 GEO Drive
   Philipsburg, PA 16866

2. **Field Office Director**
   Philadelphia ICE
   114 North 8th Street
   Philadelphia, PA 19107

3. **Pam Bondi**
   Attorney General of the United States
   U.S. Department of Justice
   950 Pennsylvania Avenue NW
   Washington, DC 20530

4. **Kristi Noem**
   Secretary
   U.S. Department of Homeland Security
   2707 Martin Luther King Jr. Avenue SE
   Washington, DC 20528

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