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UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

BOLAS, RAMEZ

Petitioner,

V.

KRISTI NOEM, Secretary of the United States Department of Homeland Security; PAM BONDI, United States Attorney General; TODD LYONS, Director of United States Immigration and Customs Enforcement; Kelei Walker, Field Office Director for Detention and Removal, U.S. Immigration and Customs Enforcement, Department of Homeland Security; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT;

Respondents

[redacted]

Case File No.:

Immigration file No.: [redacted]

PETITIONER'S PETITION FOR WRIT OF HABEAS CORPUS

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

This is a petition for a writ of habeas corpus filed on behalf of Ramez Bolas ("Petitioner") seeking relief to remedy his unlawful detention. Respondents are detaining Petitioner pending his removal from the U.S. Petitioner has fully cooperated with Respondents for said removal. To date, Petitioner has been detained for more than one-hundred and ninety (190) days since he was ordered removed but granted Withholding of Removal on August 29, 2025. *See,* Exhibit A.

Petitioner is not a flight risk or a danger to the community. His prolonged detention is no longer justified under the Constitution or the Immigration and Nationality Act (INA).

Nevertheless, Respondents continue to detain Petitioner and keep him in their custody.

Respondents' actions defy the U.S. Constitution and the Immigration and Nationality Act (INA). Petitioner seeks an order from this Court declaring his continued and prolonged detention unlawful and ordering Respondents to release Petitioner.

CUSTODY

1. Petitioner is in the physical custody of Respondents. Petitioner is under the direct control of Respondents and their agents.

JURISDICTION

2. This action arises under the Constitution of the United States, 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. 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 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.

VENUE

3. Venue lies in the United States District Court for the District of Colorado, the judicial district where Petitioner was ordered removed but granted Withholding of Removal. *See, Ahrens v. Clark,* 335 U. S. 188 (1948)*; Armentero v. INS,* 340 F.3d 1058 (9th Cir., 2003).

PARTIES

4. Petitioner is a national and citizen of Egypt.

5. Respondent KRISTI NOEM is the Secretary of the U.S. Department of Homeland Security ("DHS"), an agency of the United States. She is responsible for the administration of immigration laws pursuant to 8 U.S.C. § 1103(a). Secretary Noem is a legal custodian of Mr. Bolas. She is named in her official capacity. Respondent's address is Department of Homeland Security, Washington, D.C. 20528.

6. Respondent Pam Bondi is the Attorney General of the United States and the most senior official in the U.S. Department of Justice ("DOJ"). She has the authority to interpret immigration laws and adjudicate removal cases. 8 U.S.C. § 1103(g). The Attorney General delegates this responsibility to the Executive Office for Immigration Review ("EOIR"), which administrates the immigration courts and the BIA. She is named in her official capacity. Respondent's address is 950 Pennsylvania Avenue, NW, Washington, D.C. 20520-0001.

7. Respondent TODD LYONS is the Director of the United States Immigration and Customs Enforcement within the Department of Homeland Security, an agency of the United States. He is responsible for the administration and enforcement of immigration laws. He is named in his official capacity. Respondent's address is 500 12th St. SW, Washington, D.C. 20536.

8. Respondent Kelei Walker is the Field Office Director for Detention and Removal, U.S. Immigration Customs and Enforcement, Department of Homeland Security. Pursuant to Respondent Walker's orders, Mr. Bolas remains detained. Respondent Walker is named in her official capacity. Respondent's address is Denver Field Office, 12484 E Weaver Pl, Centennial, CO 80111.

9. The Department of Homeland Security (DHS) is a federal agency charged with administering statutes and regulations governing immigration pursuant to 6 U.S.C. §§ 111-115. Respondent's address is Department of Homeland Security, Washington, D.C. 20528.

10. The United States Immigration and Customs Enforcement is a federal sub-agency under DHS responsible for the administration and enforcement of the United States' immigration laws pursuant to 22 C.F.R. 127.4. Respondent's field office address is Denver Field Office, 12484 E Weaver Pl, Centennial, CO 80111.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

11. Petitioner has exhausted his administrative remedies to the extent required by law. Petitioner's only remedy is by way of this judicial action.

STATEMENT OF FACTS

12. Petitioner is a national and citizen of Egypt who entered the U.S. on or about December 16, 2024.

13. Petitioner was ordered removed but granted Withholding of Removal on August 29, 2025 in the Aurora, Colorado Immigration Court. *See,* Exhibit A.

14. Petitioner has now been in detention for more than one-hundred and ninety (190) days pending his removal from the U.S. after being ordered removed.

15. Petitioner is not a danger to the community.

16. Petitioner is not a flight risk.

17. Petitioner was complying with all ICE requirements and pursuing asylum relief in his removal proceedings.

18. Respondents' continued detention of Petitioner is contrary to the law.

CLAIMS FOR RELIEF

COUNT ONE CONSTITUTIONAL CLAIM

19. Petitioner alleges and incorporates by reference paragraphs 1 through 18 above.

20. Petitioners' detention violates his right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution. *Hope v. Warden York City Prison*, 972 F.3d 310, 323-25 (3d Cir. 2020) (seeking release due to unconstitutional conditions of confinement); *Yanes v. Martin*, 464 F. Supp. 3d 467, 468 n.1 (D.R.I. 2020); *Zepeda Rivas v. Jennings*, 465 F. Supp. 3d 1028, 1035-36 (N.D. Cal. 2020).

COUNT TWO STATUTORY CLAIM

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

22. Petitioner's continued detention violates the Immigration and Nationality Act, 8 USC §1226, and the U.S. Constitution.

COUNT THREE

23. If he prevails, Petitioner requests attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief: 1. Assume jurisdiction over this matter; 2. Issue an order directing Respondents to show cause why the writ should not be granted; 3. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, 8 U.S.C. § 1226, and the Immigration and Nationality Act; 4. Issue a writ of habeas corpus ordering Respondents to release Mr. Bolas; 4. Award Petitioner reasonable costs and attorney's fees; and, 5. Grant any other relief which this Court deems just and proper.

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Respectfully submitted,

/s/ Stacey King

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Attorney for Petitioner

VERIFICATION OF COUNSEL

I, Stacey King, hereby certify that I am familiar with the case of the named petitioner and that the facts as stated above are true and correct to the best of my knowledge and belief.

/s/ Stacey King

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