

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the

FILED
APR 16 2026
MDG-CDL

Alhassan Suradji
Petitioner

v.

Case No. _____
(Supplied by Clerk of Court)

Jason Streeval
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: Alhassan Suradji
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: Stewart Detention Center
(b) Address: 146 CCA Rd, Lumpkin GA 31518
(c) Your identification number: [REDACTED]
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: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

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)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- ☐ 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: Stewart Detention Center(b) Docket number, case number, or opinion number: [REDACTED]

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

Prolong detention in violation of the Due Process of the Fifth Amendment.(d) Date of the decision or action: Starting from 10/03/2024 to date.**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: Immigration Court, Lumpkin GA. 31518. and ICE office.(2) Date of filing: 05/24/2025(3) Docket number, case number, or opinion number: [REDACTED](4) Result: I was denied because of flight risk(5) Date of result: 05/24/2025(6) Issues raised: Flight Risk because I have only as a cousin known in the system.2. I have not receive any response for my request of parole from ICE office at Stewart Detention Center, Lumpkin GA.

(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

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(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: _____

*Because I do not have counsel anymore and do not know where I can appeal further.*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

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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: 10/03/2024(b) Date of the removal or reinstatement order: 10/29/2025

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

☐ Yes☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(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: Prolong detention in violation of my due process right under the Fifth Amendment.

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

I have been detained for the past 18 months and still counting because of DHS's appeal which is not likely to end in the reasonable foreseeable future.

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

☐ Yes

☐ No

GROUND TWO: Due Process Right to the Fifth Amendment

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

My detention and continuous detention has not been justify through any constitutional sufficient procedure.

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

☐ Yes

☐ No

GROUND THREE: Substantive Due Process Violation

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

The application of my mandatory detention lead to the deprivation of my core liberty interest in freedom from bodily restrain and imprisonment.

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

☐ Yes

☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

GROUND FOUR:

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

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

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: ① Grant my petition for habeas ordering for my release from custody or arrange a bond hearing for me. ② Enter preliminary or permanent injunctive relief enjoining Respondents from further detaining me as long as my case is still pending. ③ Order Respondents not denied me bond because I am being detained under 1225(b). etc...

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

A# 

ALHASSAN SURADJI
(petitioner)

CASE NO.....

V

TODD BLANCHE
ACTING ATTORNEY GENERAL
MARKWAYNE MULLIN
SECTARY FOR THE DEPARTMENT OD HOMELAND SECURITY
TODD LYON
ACTING DIRECTOR ICE
DIRECTOR FOR THE GEORGIA FIELD OFFICE FOR ICE
JASON STREEVAL
WARDEN OF STEWART DETENTION CENTER

(respondents)

PETITIONER FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C SECTION 2241

Petitioner **ALHASSAN SURADJI** appearing hereby petition this court for a writ of habeas corpus to remedy petitioners pro-long detention by respondents . In writ of habeas corpus to remedy petitioner's prolong detention by respondents. In support of this petition and complain for an injunctive relief, I petitioner alleges as follows

CUSTODY

1. I petitioner, I am in the physical custody of the respondents and U.S. Immigration and customs enforcement (ICE).Petitioner is currently detained at

Stewart detention center Lumpkin Georgia, pursuant to a contractual agreement with the Department of Homeland Security. Petitioner is under the direct control of respondents and their agents.

JURISDICTION

2. This action arises under the constitution of the united states, and Immigration and Nationality Act (“INA”), 8 U.S.C Section 1101 et seq, as amended by the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (“IIRIRA”) pub. L. No. 104-208, 110 stat. 1570, and the Administrative Procedure Act (“APA”), 5 U.S.C section 701 et seq.
3. This court has jurisdiction under *28 U.S.C Section 2241; art I Section 9, cl.2* of the United States Constitution (“suspension clause”); and *8 U.S.C Section 1225(b)*, as I the petitioner I am currently in custody under the color of the authority of the United States, and such custody is in violation of the constitution, laws, and all treaties of the United States. *See Maleng v. Cook, 490 U.S 488, 490 109 S. Ct. 1923, 104 L. Ed.2d 540 (1989)*. This court may grant relief pursuant to *28 U.S.C. Section 2241, 5 U.S.C Section 702, and the All Writs Act, 28 U.S.C Section 1651*, since I am presently detained within this district. *See United States v. Figueroa, 349 F.App'x 727, 730 (3d Cir. 2009)*.

4. I petitioner have exhausted any and all administrative remedies within my knowledge to the extent require by the 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 Georgia, the judicial district in which I am detained.

PARTIES

6. I ALHASSAN SURADJI (**PETITIONER**), a native and citizen of Ghana. Petitioner was first apprehended and taken to ICE custody on 10/03/2024 and has remained in ICE custody continuously since that date. Petitioner have never committed any crime in the United States or abroad, only came to seek protection which the Immigration Judge (IJ) granted him asylum and withholding of removal.

7. Respondent **TODD BLANCHE** is the acting attorney general for the United States and is responsible for the administration of ICE and the implementation and enforcement of the Immigration and Naturalization Act (INA). As such TODD BLANCHE has ultimate custodial authority over petitioner.

8. Respondent **MARKWAYNE MULLIN** 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 **MARKWAYNE MULLIN** is the legal custodian of the petitioner.

9. Respondent **UNKNOWN** is the field director for the Atlanta ICE field office and is petitioner's immediate custodian. *see VASQUEZ V RENO 233 F. 3d 688,690 (1st cir. 2000), cert. Denied, 122 S.Ct. 43 (2001).*

10. Respondent **JASON STREEVAL** is the warden of Stewart Detention Center (STD), where petitioner is currently detained under the authority of ICE, alternatively may be considered to be petitioner's immediate custodian.

FACTUAL ALLEGATIONS

11. I petitioner, **ALHASSAN SURADJI** is a native and citizen of Ghana and have been in ICE custody since October 3rd, 2024 upon my apprehension at the United States - Mexico border, I was immediately detained by ICE.

12. I was held by ICE or DHS in at least three (3) different detention facilities during my total period of detention. After my initial arrest, the DHS transferred me to Eloy Detention Center in Arizona (AZ). DHS later transferred me to Folkson

ICE Processing Center in Georgia (GA), and finally, they transferred me to my current facility by name Stewart Detention Center also in Georgia (GA).

13. I was detained as an arriving alien without being admitted or parole pursuant to 8 U.S.C. *Section 1225(b)* and charged pursuant to *INA Section 212 (a)(6)(A)(i) and 212 (a)(7)(A)(i)(I)*.

14. On **March 26th, 2025** I have conceded the charges of the NTA and sort admission by requesting a form I 589 application. On **August 20th, 2025** I had my individual hearing. I seek asylum, withholding of removal, and protection under CAT.

15. I filed my asylum application on **06/04/2025**. I diligently pursued my asylum case till the IJ found me eligible for asylum and withholding of removal and granted my application on **10/02/2025**, denied my application for protection under CAT as moot, and thus found me admissible on that basis.

16. The IJ granted my application for asylum based on my fear of persecution to Ghana on the account of my sexual orientation.

17. The DHS appealed the IJ's ruling to the Board of Immigration Appeals (BIA) on **10/29/2025** pending briefing. In fact I now received my briefing date.

18. Indeed the Immigration court granted my asylum application in a careful and thorough decision, which indicates that I sought asylum in good faith and DHS only exercise it's right to appeal for undisclosed reasons.
19. It is undisputed fact that the respondents (DHS) persisted in detaining me in jail-like settings where I am kept in a confinement with all sort of restrictions such as communication control, movement limitations, insufficient food, inadequate medical attention, visitation limitations and many more which meant for harden criminals. Even though the IJ granted my application for asylum and withholding of removal, I am being detained with people considered to be violent criminals (High Custody) and are in red color uniforms whiles I have never committed any crime in the United States or abroad.
20. The Immigration Judge with an approval rating less than 10% granted my asylum application which occurred in less than 10% of asylum cases at Stewart Detention Center (SDC) in 2025. This indicates that my case is very strong compared to others.
21. It is totally unlikely that DHS's appeal would succeed because, counsel for DHS never presented any documentary evidence or make any substantial legal argument at my individual hearing. Counsel never objected any of my submitted

evidence and never identified any inconsistency during my cross examination.

Counsel only speculated on some erroneous issues which the IJ found not strong enough to tarnish my credibility. For the above reason I have anticipated filing another appeal base on the outcome of DHS's appeal from the BIA. Even if the DHS's appeal is sustained, it may be remanded for further proceedings, which means I would continue to be in detention for another indefinite period of time.

22. After the granting of my asylum application and as my detention is approached one and half year mark I requested for discretionary parole under 8 *U.S.C. Section 1182 (d)(5)* through the Talton Tablet but my ICE O officer said I have to remain in detention till my appeal case is adjudicated.

23. on **February 5th, 2026**, I officially submitted a letter requesting for release on parole with ICE Office at Stewart Detention Center. Served by mail box. ICE has not responded to my parole request.

24. ICE Respondent's decision to detain me while appealing the IJ's grant of asylum is in contravention of it's own policies.

25. However, my detention has spanned well over a year under conditions indistinguishable from those meant for criminal punishment. This place my family

into a severe hardship, as a result has affected me emotionally and mentally. I am currently on anti-depression medications for the first time in my life to assist me overcome my suicidal thoughts.

26. On 05/24/2025 I requested for custody re-determination through a counsel where I was denied because of flight risk. Though I have my courson who is my sponsor and fully ready to take full responsibility of me. Provide me with accommodation and all the financial support that I need. This led to my continued detention till date.

LEGAL FRAMEWORK FOR RELIEF SOUGHT

27. However though it is mandatory under 1225(b) to be detained during deportation proceedings, my prolonged detention even after being granted asylum, without an individualized custody determination or consideration for a parole violates the *Due Process Clause of the Fifth Amendment*.

28. In *Zadvydas v. Davis*, 533 U.S 678 (2001), the Supreme Court held that **6 months** is the presumptively reasonable period during which ICE may detain an alien in order to effectuate their removal. Id at 702.

29. In *Clark v. Martinez*, 543 U.S 371 (2005), the Supreme Court also held that it's

ruling in *Zadvydas* applies equally to inadmissible aliens.

30. Department of Homeland Security's Administrative Regulations also recognized that the HQPDU has **6 months** period for determining whether there is a significant likelihood of an alien's removal in the reasonable future. 8 *U.F.R. Section 241.13(b)(ii)*.

31. In *Pierre v. Doll*, 350 *Supp 3d*. 327, 332 (*M.D. Pa.* 2018), *Tuser E. v. Rodriguez*, 370 *F. Supp. 3D* 435, 445 (*D.N.J.* 2019) and *A.L. v. Oddo*, 761, *F. Supp. 3D* 822,826 (*W.D. Pa* 2025), agreeing with the weight of authority finding that arriving aliens detained pre- removal under 1225 (b) have a due process right to an individualized bond consideration once it is determined that the duration of their detention has become unreasonable.

32. In *Maksin v. Wadern, Golden State Annex, No. I:25-CV-00955-SKO(HC)*, 2025 *U.S Dist. LEXIS* 200588, 2025, *WL* 2879328, at *3 (*E.D.Cal. Oct. 9, 2025*), Several courts including third, sixth and ninth circuits as well as numerous district courts have found that unreasonably long detention periods may violate due process clause (collecting cases).

33. In *Abdul Sammad v. Wadern of Golden State Annex Det. Facility, No I:25-00-00098-SAB-HC*, 2025 *U.S Dist. LEXIS* 142973, 2025 *WL* 2099343 at *6 (*E.D. Cal. July*

25, 2025). Essentially all district courts that have considered the issue agreed that prolonged mandatory detention pending removal proceedings without a bond hearing will at a point violate the right to due process.

34. In *Kydyrali v. Wolf*, 499 F.supp 3d 768, 772 (S.C. Cal. 2020), The court joins the majority of courts across the country in concluding that an unreasonable prolonged detention under 8 U.S.C. Section 1225 (b) without an individualized bond hearing violates due process.

35. My detention has spanned way more than a year. I have been detained for about 18 months or more and still counting because, I just receive my briefing due date.

CLAIMS FOR RELIEF

COUNT ONE (1)

PRO-LONG DETENTION IN VIOLATION OF DUE PROCESS.

36. I petitioner re-alleges and incorporated by paragraph 1 through to 35 above

37. I have been detained for 18 months or more and still counting because of DHS's

appeal. And the appeal just received a briefing date. In *Banda v. McAleenan*, 385 F.supp 3d 1099, 1116-17 (W.D. Wash, 2019). Appeal cases to the the BIA and subsequent judicial reviews takes about 2 years. Which means I will continue to be in detention awaiting the final decision of DHS's appeal, which if sustained may be remanded for further proceedings and if the IJ's decision is vacated, I also intend to file an appeal further. Because DHS never presented any evidence or made any legal argument during my merit hearing. Respectfully request from the court to use the **six factor analysis** in *Banda v. McAleenan* to determine if my detention is duly prolong.

38. In *Hoyos Amando v. U.S Dep't of Justice*, 2025 U.S Dist. LEXIS 217453, 2025 WL 3079052, at*5 and *Cabral v. Decker*, 331 F.supp 3d 255, 261 (S.D.N.Y. 2018). Courts find detention over 7 months without bond hearing to be unreasonably prolong and weigh in favor of the petitioner.

39. In *Brisseth v. Decker*, 324 F.supp 3d 444, 452 (S.D.N.Y. 2018) and *Masood v. Barr* No.19-07623, 2020 U.S Dist. LEXIS 4809, 2020 WL 95633, at*3 (N.D.Cal. Jan. 8, 2020). Finding detention for nearly or over 9 months weigh in favor of the petitioner

COUNT TWO (2)

DUE PROCESS RIGHT TO THE FIFTH AMENDMENT.

40. I, petitioner re-alleges and incorporated by paragraph 1 through to 39 above

41. My detention and continues detention has not been justified through any constitutional sufficient procedure. The Supreme Court in *Zadvydas v. Davis* held that liberty and freedom from detention and from bodily restrain is the main clause which the Fifth Amendment Right to Due Process protects. All aliens are entitled to the Due Process of the Fifth Amendment once their present on the territory of the United States of America, whether detained or not, legal or illegal. I respectfully believe I have the same rights to Due Process of the Fifth Amendment as am currently present in the United States. All I need is my freedom from continues detention so that I can wait for the result of the DHS's appeal.

COUNT THREE (3)

SUBSTANTIVE DUE PROCESS VIOLATION

42. I, petitioner re-alleges and incorporated by paragraph 1 through to 41 above

43. The application of this mandatory detention regime violates my substantive Due Process through a deprivation of the core liberty interest in freedom from bodily restrain and imprisonment. Thus my prolong detention violates fundamental Due Process Right under the Fifth Amendment.

44. The Due Process Clause of the Fifth Amendment requires that, the deprivation of my liberty be narrowly tailored to serve a compelling government interest. While Respondents would have an interest in detaining me during removal proceedings, however, that interest does not justify prolong and indefinite detention, where my removal proceedings is not likely to end in a reasonable foreseeable future. Because the delay inherent in the BIA appellate process and subsequent judiciary review may take up 2 years or more, which means I would continue to face prolong detention without release or bond hearing as stated in *Banda v. McAleenan*, 385 F.supp 3d 1099, 1116-17 (W.D. Wash 2019).

1/5

45. In *Demore v. Kim* 538, U.S 510, 523, 123 S.Ct 1708, 155 L.Ed 2d 724 (2003) and *Reno v. Forest* 507 U.S 292, 306, 113, S.Ct 1439, 123, L.Ed 2d 1 (1993), it was well established that the Fifth Amendment entitle aliens to Due Process of the law in deportation proceedings.

46. In *Zadvydas* the Supreme Court recognized that ICE may continue to detain an alien only for a period reasonable necessary to secure the aliens removal. The presumptive reasonable period during which ICE may detain an alien is only 6 months. In my case I have already been detained for 18 months pending the end of my removal proceedings which is not significantly likely to occur in the reasonable foreseeable future because of DHS's own appeal at the BIA.

PRAYER FOR A RELIEF.

WHEREFORE; I petitioner respectfully pray that this noble court grant the following reliefs;

1. Assume Jurisdiction over this matter.
2. Grant petitioner a Writ of Habeas Corpus directing the Respondents to immediately release petitioner from custody or in the alternative arrange an expedited bond hearing for the petitioner.
3. Enter preliminary in permanent injunctive relief enjoining Respondents and their agents from further detaining the petitioner as long as he does not have a final order of removal.
4. Award petitioner Attorney's fees and cost under the Equal Access to Justice Act ("EAJA") as amended, *5 U.S.C. Section 504 and 28 U.S.C. Section 2412* and on any other basis justified under the law.
5. Order for the petitioner not to be denied bond because, petitioner is being detained under *1225 (b)*.
6. Grant any other and further relief that your noble court deems just and proper.

I affirm, under the penalty of perjury, that all provided information and allegations are true and correct.



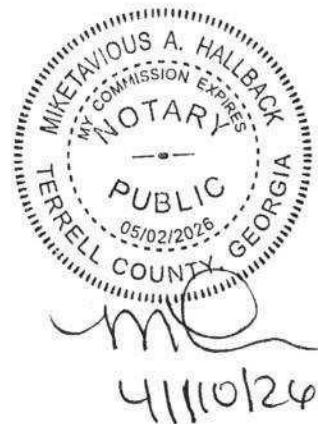
ALHASSAN SURADJI

04/06/2026

Stewart Detention Center
146 CCA Rd,
P.O BOX 248
Lumpkin, GA. 31518.

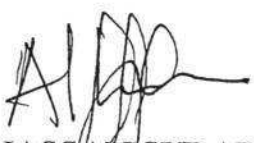
04/07/2026

NOTARY



Certificate of Service; Delivered by Mail Box.

I, ALHASSAN SURADJI hereby certify that on the date below a copy of this petition for a Writ of Habeas Corpus was mailed through mail box at Stewart Detention Center, 146 CCA Road, Lumpkin, GA. 31518, to United States District Court, for the Middle District of Georgia, Columbus Division, P.O. BOX 124, Columbus, GA.31902.


ALHASSAN SURADJI

04/07/2026.

Executed on the 7th day of April, under the penalty of perjury pursuant to 28 U.S.C Section 1746.


Alhassan Suradji

04/07/2026

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

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

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: _____

Signature of Petitioner

Signature of Attorney or other authorized person, if any

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

Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and _____ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.