

Case No. 26-3125-JWL

FILED

**U.S. District Court
District of Kansas**

05/12/2026

**Clerk, U.S. District Court
By: SND Deputy Clerk**

Exhibit A

Pro se petition for writ of Habeas Corpus

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

WILLIAM MUIRURI,
A# 
Petitioner,

v.

Civil Action No. 26-3125

TODD LYONS, Acting Director, U.S. Immigration and Customs Enforcement;
FIELD OFFICE DIRECTOR, ICE ERO KANSAS CITY;
WARDEN, CORECIVIC MIDWEST REGIONAL RECEPTION CENTER,

Respondents.

PRO SE PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

Petitioner William Muiruri, proceeding pro se, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and states as follows:

I. INTRODUCTION

1. Petitioner William Muiruri ("Petitioner") is currently detained by Immigration and Customs Enforcement ("ICE") at the CoreCivic Midwest Regional Reception Center located at 100 Highway Terrace, Leavenworth, Kansas 66048.
2. Petitioner has remained continuously detained since October 23, 2025.
3. Petitioner was arrested by ICE while lawfully attending a biometrics appointment at the Kansas City USCIS office connected to his pending T-Visa application.
4. Petitioner's T-Visa application remains pending before United States Citizenship and Immigration Services ("USCIS").
5. Petitioner challenges the constitutionality and legality of his prolonged immigration detention under the Due Process Clause of the Fifth Amendment to the United States Constitution.

6. Petitioner seeks immediate release from detention, or alternatively, an individualized bond hearing before a neutral decision-maker.

II. JURISDICTION AND VENUE

7. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody in violation of the Constitution and laws of the United States.
8. Jurisdiction is also proper pursuant to:
 - 28 U.S.C. § 1331
 - 28 U.S.C. § 2201
 - U.S. CONST. amend. V
 - U.S. CONST. art. I, § 9, cl. 2
9. Venue is proper in the District of Kansas because Petitioner is detained within this judicial district.

III. PARTIES

10. Petitioner William Muiruri is currently detained at CoreCivic Midwest Regional Reception Center in Leavenworth, Kansas.
11. Respondent Todd Lyons is the Acting Director of ICE and is responsible for the administration of immigration detention policies.
12. Respondent Field Office Director of ICE Enforcement and Removal Operations (“ERO”) Kansas City exercises legal control over Petitioner’s detention.
13. Respondent Warden of CoreCivic Midwest Regional Reception Center is Petitioner’s immediate custodian.

IV. FACTUAL BACKGROUND

14. Petitioner was issued a Notice to Appear (“NTA”) on or about June 30, 2010.
15. Petitioner was ordered removed on or about May 29, 2013, in Kansas City, Missouri.
16. Petitioner appealed to the Board of Immigration Appeals (“BIA”), but the appeal was denied on or about December 17, 2014.
17. In 2018, Petitioner was arrested for an alleged domestic disturbance.
18. The criminal matter was later dismissed or resolved without conviction during the same year.
19. Petitioner spent approximately three days in jail related to that incident.
20. Petitioner’s criminal records relating to that matter are not presently available while detained.

21. On or about May 21, 2025, Petitioner filed a T-Visa application with USCIS.
22. Petitioner's T-Visa application remains pending to this day.
23. On October 23, 2025, Petitioner appeared for a lawful biometrics appointment at the Kansas City USCIS office related to his pending T-Visa application.
24. While attending that appointment, Petitioner was arrested and detained by ICE.
25. Because of the arrest, Petitioner was denied the opportunity to complete his biometrics appointment.
26. Petitioner was subsequently transferred to Kay County Jail in Oklahoma.
27. On or about October 24, 2025, through counsel, Petitioner attempted to file a motion to reopen immigration proceedings.
28. Petitioner was informed that the filing had to occur in Kansas City rather than Oklahoma.
29. Approximately one to two months later, the motion was denied because it was allegedly filed in the incorrect court.
30. On December 30, 2025, Petitioner filed a motion to reopen before the Board of Immigration Appeals.
31. The BIA denied the motion on or about March 17, 2026.
32. Approximately one month later, Petitioner was transferred to Chase County Jail in anticipation of removal.
33. Petitioner continued pursuing additional legal remedies and relief while detained.
34. Petitioner was later transferred back to Leavenworth and eventually returned to CoreCivic Midwest Regional Reception Center.
35. On or about March 23, 2026, Petitioner filed pro se proceedings before the United States Court of Appeals for the Eighth Circuit seeking review of the BIA denial.
36. Petitioner also sought habeas-related relief concerning his detention and removal proceedings.
37. Petitioner remains detained to this day.
38. Petitioner continues pursuing all lawful remedies available under the Constitution and laws of the United States.

V. CLAIMS FOR RELIEF

COUNT I

PROLONGED DETENTION IN VIOLATION OF DUE PROCESS

39. Petitioner re-alleges and incorporates all preceding paragraphs.
40. The Fifth Amendment prohibits arbitrary civil detention without adequate procedural safeguards.
41. Immigration detention that becomes unreasonably prolonged violates constitutional due process protections.
42. Petitioner has now remained detained for many months without a constitutionally adequate custody determination.
43. Petitioner's continued detention exceeds the limited and temporary detention contemplated under immigration statutes.

44. Petitioner continues actively pursuing lawful immigration remedies, including a pending T-Visa application and judicial review proceedings.
45. Petitioner's detention has become punitive rather than administrative in nature.
46. Continued detention without meaningful review violates the Due Process Clause of the Fifth Amendment.

COUNT II

FAILURE TO PROVIDE CONSTITUTIONALLY ADEQUATE BOND HEARING

47. Petitioner re-alleges and incorporates all preceding paragraphs.
48. Due process requires an individualized custody determination when immigration detention becomes prolonged.
49. Petitioner has not been provided a constitutionally adequate hearing before a neutral adjudicator where the Government bears the burden of proving danger or flight risk.
50. Continued detention without constitutionally sufficient procedural safeguards violates due process.

COUNT III

DETENTION INTERFERING WITH PENDING HUMANITARIAN RELIEF

51. Petitioner re-alleges and incorporates all preceding paragraphs.
52. Petitioner has a pending T-Visa application before USCIS.
53. Petitioner was arrested while appearing for a lawful biometrics appointment connected to that pending application.
54. Because Petitioner was detained during the biometrics process, his ability to fully pursue humanitarian immigration relief has been substantially impaired.
55. Continued detention interferes with Petitioner's ability to prepare evidence, communicate effectively, and pursue pending legal proceedings.
56. Continued detention under these circumstances is fundamentally unfair and inconsistent with due process.

VI. LEGAL AUTHORITIES

Petitioner relies upon, among other authorities:

- *Zadvydas v. Davis*
- *Demore v. Kim*
- 28 U.S.C. § 2241

- 28 U.S.C. § 1331
- U.S. CONST. amend. V
- 8 U.S.C. § 1226
- 8 U.S.C. § 1231

VII. IRREPARABLE HARM

- 57. Petitioner continues suffering emotional, psychological, and physical hardship due to prolonged detention.
- 58. Continued detention places Petitioner at risk of removal while legal claims remain pending.
- 59. Detention severely impairs Petitioner's ability to pursue legal relief and prepare filings.
- 60. Petitioner suffers continuing irreparable harm each day he remains detained.

VIII. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Grant this Petition for Writ of Habeas Corpus;
- B. Order Petitioner immediately released from ICE custody;
- C. Alternatively, order an immediate individualized bond hearing before a neutral adjudicator;
- D. Require the Government to justify continued detention through constitutionally adequate procedures;
- E. Grant such other and further relief as this Court deems just and proper.

IX. DECLARATION

I, William Muiruri, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed on this 11 day of May, 2026.

Respectfully submitted,

William Muiruri

A# 

Pro Se Petitioner
CoreCivic Midwest Regional Reception Center
100 Highway Terrace
Leavenworth, Kansas 66048

CERTIFICATE OF SERVICE

I certify that on this 11 day of May, 2026, I submitted the foregoing Petition for Writ of Habeas Corpus to the Clerk of the United States District Court for the District of Kansas for filing and service upon all appropriate parties, including:

United States Attorney's Office – District of Kansas

500 State Avenue, Suite 360
Kansas City, Kansas 66101

Office of Immigration Litigation

United States Department of Justice
P.O. Box 878
Ben Franklin Station
Washington, D.C. 20044

ICE Enforcement and Removal Operations (ERO)

11125 Ambassador Drive
Kansas City, Missouri 64153

Respectfully submitted,

William Muiruri
A# 
Pro Se Petitioner

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

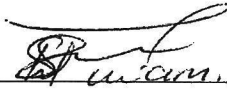
Declaration Under Penalty Of Perjury

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:

May 11, 2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

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