NKWETA NADESH MANTAP A# 221307100
Name and Prisoner Number/Alien Registration Number

Eloy Detention Center
Place of Confinement

1705 East Hanna Road
Mailing Address

Eloy Arizona AZ 85131
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

FILED LODGED
RECEIVED COPY
AUG 24 2026
CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
BY DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

NKWETA NADESH MANTAP,
(Full Name of Petitioner)

Petitioner,

v.

ENC BOKOSKY, et al,
(Name of Warden, Jailor or authorized person having custody of Petitioner)

Respondent.

CASE NO. CV26-06003-PHX-SMB
(To be supplied by the Clerk)

PETITION UNDER 28 U.S.C. § 2241
FOR A WRIT OF HABEAS CORPUS
BY A PERSON IN FEDERAL CUSTODY

PETITION

1. What are you challenging in this petition?
   - [X] Immigration detention
   - [ ] Bureau of Prisons sentence calculation or loss of good-time credits
   - [ ] Probation, parole or supervised release
   - [ ] Other (explain): _____

2. (a) Name and location of the agency or court that made the decision you are challenging: E.O.I.R Executive office for Immigration Review Eloy Arizona

   (b) Case or opinion number: A# [redacted]

   (c) Decision made by the agency or court: Immigration Judge denied Asylum, withholding of Removal and protection under the convention against torture

   (d) Date of the decision: July 29, 2025

3. Did you appeal the decision to a higher agency or court? Yes ☒ No ☐

If yes, answer the following:

(a) First appeal:

(1) Name of the agency or court: BOARD OF IMMIGRATION APPEALS

(2) Date you filed: August 27, 2025

(3) Opinion or case number: A [redacted]

(4) Result: Remanded

(5) Date of result: 06/15/2026

(6) Issues raised:

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Second appeal:

(1) Name of the agency or court: BOARD OF IMMIGRATION APPEALS

(2) Date you filed: 07/15/2026

(3) Opinion or case number: A H [redacted]

(4) Result: Pending

(5) Date of result:

(6) Issues raised:

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(c) Third appeal:

(1) Name of the agency or court:

(2) Date you filed:

(3) Opinion or case number:

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

4. If you did not appeal the decision to a higher agency or court, explain why you did not: _____

5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes ☐ No ☒

If yes, answer the following:

(a) Name of the agency or court: _____

(b) Date you filed: _____

(c) Opinion or case number: _____

(d) Result: _____

(e) Date of result: _____

(f) Issues raised: _____

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

6. **For this petition, state every ground on which you 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.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available administrative remedies on each ground on which you request action by the federal court.

GROUND ONE: Prolonged detention after the Immigration Judge gave me an order of removal

I appealed my case to the B.I.A and it was remanded

I requested a Review with the B.I.A and it is currently pending

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

In July 29, 2025 Immigration Judge Michael Schnitzer gave me an order of removal.

Asylum denied, WHOR denied, CAT denied

I reserved my right and filed an appeal to the B.I.A.

My case was remanded to the same Judge and I requested a review of my case with the B.I.A and that review is pending

I have a comfirmed sponsor and address in New Jersey

My Sponsor is a united state citizen who is willing to receive and assist me with all my legal proceedings and immigration appointments if any

(b) Did you exhaust all available administrative remedies relating to Ground One? Yes ☐ No ☒

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground One, explain why:

There is no administrative process that order release from detention when removal is not realistically possible

ICE reviews had not resulted in any type of release in terms of personal recognition of supervised release.

GROUND TWO: Detention length. My detention has become unconstitutionally Prolonged and Violates the 5th Amendment of the Conbitution.

I have been in custody since January 19, 2025 and have been detained for more than 18 months.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

ICE has not offered any release plan after my P.O.C.R.

I have not concealed or refused to share my sponsors details.

I will have a stable residence with access to medical privilages for my eyes that continually have discharges with underaid blurry vision.

I have more likelyhood of been granted a relief from my removal

ICE is not likely to remove me in a reasonable foreseeable future.

I will comply with ICE visit appointments and will remain available to ICE outside detention facility.

my post order custody review is still on-going and discretionary.

(b) Did you exhaust all available administrative remedies relating to Ground Two? Yes ☒ No ☐

(c) If yes, did you present the issue to:

☒ The Board of Immigration Appeals
☐ The Office of General Counsel
☐ The Parole Commission
☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground Two, explain why:

GROUND THREE: Prolonged ICE detention; my post order detention has been more than six months after the Immigration Judge decision and almost one year after I appealed my asylum case with B.I.A

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

My post order custody review began running 8/29/2025

No release date has been communicated to me.

I am not a danger to the community and I have no criminal history.

I am not a flight risk because I have a sister, cousins and friends in the United state willing to support me in my immigration process as well as provide for my basic needs

I am attaching support letters from my family and friends to show that I have ties to the community and also a stable place to live while I continue my immigration proceedings

I am willing to cooperate with any and every condition ICE establishes.

(b) Did you exhaust all available administrative remedies relating to Ground Three? Yes ☐ No ☒

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground Three, explain why:

Appeal would be futile because the Board of Immigration Appeals cannot decide constitutional issues

GROUND FOUR:

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) Did you exhaust all available administrative remedies relating to Ground Four? Yes ☐ No ☐

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other:

(d) If you did not exhaust all available administrative remedies relating to Ground Four, explain why:

**Please answer these additional questions about this petition:**

7. Are you challenging your conviction or sentence in any of the grounds raised above? Yes ☐ No ☒
(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless the § 2255 motion is legally inadequate or ineffective.)

If yes, answer the following:

(a) Have you filed a motion under 28 U.S.C. § 2255? Yes ☐ No ☐

If yes, answer the following:

(1) Name of court: _____

(2) Case number: _____

(3) Opinion or case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Explain why the remedy under § 2255 is inadequate or ineffective: _____

8. If this case concerns immigration removal proceedings, answer the following:

(a) Date you were taken into immigration custody: January 19, 2025

(b) Date of removal or reinstatement order: August 29, 2025

(c) Did you file an appeal with the Board of Immigration Appeals? Yes ☒ No ☐

(1) Date you filed: August 29, 2025

(2) Case number: A# [redacted]

(3) Result: Remanded

(4) Date of result: 06/15/2025

(5) Issues raised:

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(d) Did you file an appeal with the federal court of appeals? Yes ☑ No ☐

(1) Name of the court: BOARD OF IMMIGRATION APPEALS

(2) Date you filed: 07/15/2026

(3) Case number: A 17 [redacted]

(4) Result: Pending

(5) Date of result:

(6) Issues raised:

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

9. Petitioner asks that the Court grant the following relief: Order my immediate release from detention or, in the alternative order a bond hearing at which the government must prove by clear convincing evidence that my continued detention is necessary.

or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 08/14/2026 (month, day, year).

Signature of Petitioner

Signature of attorney, if any

08/14/2026
Date

**DECLARATION**

I, NKWETA NADESH MANTAP, hereby declare under penalty of perjury that the following statements are true and correct.

**My background**

1. I was born in CAMEROON, on [redacted]
2. I entered the United States of America on 01/19/2025
3. I was placed in ICE custody on 01/20/2025
4. I have been in ICE custody since then.
5. Right now, I am detained at Eloy Detention center
6. The detention center is located in 1705, East Hanna Road Eloy, Arizona
7. Before being held at this detention center, I was held in/at
8. I have been at this detention center since January 2025
9. **I have a final order of removal and have been detained for more than six months after my order became final.**
10. In my removal proceedings, I applied for:
    An appeal with the BIA
    A review from the BIA
11. My case was denied on:
12. My removal order became final/ pending on:

**I have asked to be released from custody.**

13. While in detention, I have filed a bond request before the Immigration Judge.

14. While in detention, I have filed a parole request before ICE.

15. While in detention, I have filed custody review requests before ICE.

16. I have had Custody Reviews on the following dates:

August 29, 2025

17. ICE made the following decisions about my custody reviews:

Post order custody is still on-going and discretional

**I have cooperated with ICE to get my travel documents.**

18. I have provided all the information about my sponsor and everything ICE had requested.

19. I have cooperated with ICE and/or my home country's consulate to produce my travel document:

my case still pending with B.I.A

20. I have asked an ICE officer about my deportation through written forms and/or through a phone call:

21. ICE is not likely to be able to remove me to my country:

My case is still under review with the B.I.A

**I have a sponsor in the U.S. willing to receive me.**

22. My sponsor is:

David Timah who is my Sponsor is willing to assist and support me to be compliant with my immigration process. He is also willing to provide a stable place for me to live and provide for my basic needs.

**My medical conditions create hardship for me in detention.**

23. I suffer from the following medical conditions:

24. These conditions make my prolonged detention even more detrimental to my mental and physical well-being.

**I do not pose a danger to the community.**

25. I have been arrested in the U.S. and convicted of crimes.

No Criminal history

26. However, I have learned from these mistakes and have completed the following rehabilitation efforts:

27. I know that I will not make mistakes like this in the future because:

28. Despite my full cooperation with ICE, and a sponsor willing and able to receive me in the U.S., I have been detained in ICE custody for over eighteen months.

29. I have been held for more than twelve months after my order of removal became ~~final~~ pending

30. If released I will live with my sponsor in:

[redacted]

31. I will cooperate and fulfill the conditions ICE establishes.

Signed: [redacted]

Date: 08/14/2026

# BIA RESPONSE TO THE APPEAL ON

# Exhibit A

**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals*
*Office of the Clerk*

*5107 Leesburg Pike, Suite 2000*
*Falls Church, Virginia 22041*

**NKWETA, NADESH MANTAP**
**A** [redacted]
**ELOY DETENTION CENTER**
**1705 EAST HANNA ROAD**
**ELOY AZ 85131**

**DHS/ICE Office of Chief Counsel - ELO**
**1705 E Hanna Road**
**Eloy AZ 85131**

**Name: NKWETA, NADESH MANTAP** **A** [redacted]

**Date of this Notice: 06/15/2026**

Enclosed is a copy of the Board's decision in the above-referenced case. This copy is being provided to you as a courtesy. Your attorney or representative has been served with this decision pursuant to 8 C.F.R. § 1292.5(a). If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of the decision.

Sincerely,

Rachel R Alvarado
Chief Clerk

Enclosure

Userteam: Docket

# RECEIPT FOR MOTION TO REVIEW BIA DECISION ACCEPTED

# EXHIBIT B

**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals*
*Office of the Clerk*

*5107 Leesburg Pike, Suite 2000*
*Falls Church, Virginia 22041*

**NKWETA, NADESH MANTAP**
**A[redacted]**
**ELOY DETENTION CENTER**
**1705 EAST HANNA ROAD**
**ELOY, AZ 85131**

**DHS/ICE Office of Chief Counsel - EAZ**
**Eloy Detention Ctr,1705 E. Hanna Rd**
**Eloy, AZ 85131**

**Name: NKWETA, NADESH MANTAP** **A[redacted]**

**Type of Proceeding: Removal** **Date of this notice: 7/23/2026**

**Type of Motion: MTR BIA-REC** **Filed by: Alien**

**FILING RECEIPT FOR MOTION**

The Board of Immigration Appeals (Board or BIA) acknowledges receipt of your motion and fee or fee waiver request (where applicable) on 7/16/2026 in the above-referenced case.

The MTReconsider should not have been deleted and will be reopened for the board to review.

PLEASE NOTE:

Filing a motion with the Board DOES NOT automatically stop the Department of Homeland Security from executing an order of removal or deportation. If you are in DHS detention and are about to be deported, you may request the Board to stay your deportation on an emergency basis. For more information, call BIATIPS at (703) 605-1007.

In all future correspondence or filings with the Board, please list the name and alien registration number ("A" number) of the case (as indicated above), as well as all of the names and "A" numbers for each family member who is included in this motion.

If you have any questions about how to file something at the Board, please review the EOIR Policy Manual, Part III: Board Practice Manual, available on EOIR's website at www.usdoj.gov/eoir.

Certificate of service on the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals -- including correspondence, forms, briefs, motions, and other documents. If you are the Respondent or Applicant, the "Opposing Party" is the DHS Counsel at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service on the opposing party will be rejected. See Chapter 2.2 (Service) of the EOIR Policy Manual, Part III: Board Practice Manual.

If the respondent/applicant is unrepresented (also called pro se) and receives assistance on documents to be filed with the Board (such as help preparing an appeal, motion, form, briefs, or other

documents), a Notice of Entry of Limited Appearance for Document Assistance before the Board of Immigration Appeals (Form EOIR-60) must be submitted with the document(s) that assistance was provided when filed with the Board.

**FILING INSTRUCTIONS -- IMPORTANT REMINDER**

Electronic filing through ECAS is mandatory for attorneys and accredited representatives appearing as practitioners of record (filed a Notice of Entry of Appearance as Attorney or Representative before the Board of Immigration Appeals (Form EOIR-27)), as well as for DHS in every case that is eligible for electronic filing. See 8 C.F.R. §§ 1003.2(g)(4), 1003.3(g)(1), 1003.31(a).

Where electronic filing is not required, use of an overnight courier service to the address listed in the FILING ADDRESS: section below is encouraged to ensure timely filing.

**FILING ADDRESS:**

Board of Immigration Appeals
Clerk's Office
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

Business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

SalinasD
Userteam: Motions

# SPONSORS' SUPPORT LETTER EXHIBIT C

**David Timah**
[redacted]

August 1, 2026

**Re: Letter of Support for Mantap Nadesh Nkweta**

The Honorable Judge:

My name is David Timah and i am a citizen of the United States. I live in Newark, New Jersey. I am writing on behalf of Mantap Nadesh Nkweta, A-Number: [redacted], whom I have known since she was a child.

I understand that she is currently detained, and I am willing to sponsor her if she is released. I can provide her with a stable place to live and financial support. I will also support her with her immigration case by helping ensure she remains compliant and has access to the resources needed to meet all requirements of ICE and the immigration court.

I have lived at the address above for many years. I am hopeful that I will have the opportunity to help keep her safe as she seeks relief in the United States.

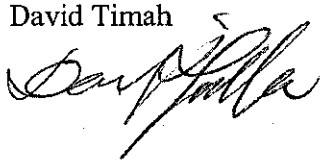
If you have any questions, I can be reached by telephone at [redacted] or by email at [redacted]

Under penalty of perjury under the laws of the United States, I declare that the above information is true and correct.

Thank you for your consideration.

Respectfully,

David Timah



**Larissa Malum Ketum**
[redacted]

July 30, 2026

The Honorable Immigration Judge

**Re: Letter of Support for Mantap Nadesh Nkweta**

**A-Number:** [redacted]

Dear Honorable Judge:

My name is Larissa Malum Ketum a citizen of the United States. I live in Laurel, Maryland, and I am writing in support of my cousin, Mantap Nadesh Nkweta, who is currently detained by ICE at the Eloy Detention Center in Arizona. I have known Nadesh for more than 30 years.

Throughout that time, I have known her to be a responsible, respectful, and caring person who values her family and community.

Nadesh has strong family and community ties in the United States. If released, she will reside at [redacted] where she will have a stable home and family support. She is also connected to a church community that provides additional positive support.

Although I live in Maryland, I understand the seriousness of her immigration proceedings and remain committed to supporting her. I am willing to travel when necessary, help her maintain communication with her attorney, assist with transportation and appointments, and encourage her to attend all required hearings and comply with every condition of release.

Based on my personal knowledge of Nadesh, I do not believe she is a flight risk or a danger to the community. She has no criminal history and has never engaged in conduct that would make her a danger to others.

I respectfully ask the Court to consider her strong family and community ties, stable residence,support system, lack of criminal history, and commitment to complying with the legal process when deciding her request for release.

Thank you for your time and consideration.

Respectfully,

Larissa Malum Ketum

**Certificate of Service: Delivered by Mail**

I, NKWETA NADESH MANTAP

(Write your name)

certify that on the date below I placed a copy in of this document and all attachments in first-class mail to the recipients below:

ICE Field Office
2035 N. Central Avenue
Phoenix, AZ, 85004

U.S. Attorney for the District of AZ
Two Renaissance Square,
40 N. Central Ave., Suite 1800
Phoenix, AZ 85004-4449

Warden, Detention Center
1705 East Henry Road
Eloy Arizona Az. 85131
(Insert the address of the detention center where you are being held above)

Signed: →

Date: 14 / 08 / 2026
Day / Month / Year