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

UNITED STATES DISTRICT COURT

for the

Northern District of New York

U.S. DISTRICT COURT – N.D. OF N.Y.
FILED
Oct 13 - 2026
John M. Domurad, Clerk

Louinel Coulanges, by Daphney C Joseph
Petitioner
Proposed Next Friend

v.

Case No. 9:26-cv-2096 AJB
(Supplied by Clerk of Court)

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: Louinel Coulanges
   (b) Other names you have used:
2. Place of confinement:
   (a) Name of institution: Champlain US Customs & Border Protection
   (b) Address: 237 W Service Rd, Champlain, NY 12919
   (c) Your identification number: A 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)

☐ 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: US Border Patrol Champlain NY
(b) Docket number, case number, or opinion number: A[redacted]
(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*:
Continued detention by U.S Border Patrol and the reported plan to deport me and my family to Haiti even after expressing the fear of returning and have not received an asylum officer fear interview
(d) Date of the decision or action: 10-12-2026

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:
(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 appeal: I did not appeal because I never received any notice of immigration court hearing, I was unaware I was supposed to appear before a judge.

8. **Second appeal**
After the first appeal, did you file a second 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 second appeal:

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

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: 10-03-2026

(b) Date of the removal or reinstatement order: 07-18-2023

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

☐ Yes ☑ No

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: Continued immigration detention with 2 minor children including a [redacted] US Citizen.

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 Do not cite cases or law.)*:

I have been held by US ~~Gov~~ Border Patrol in Champlain NY for approximately one week. I have been informed that I may be removed Haiti on October 13th, 2026. The legal basis and review Procedures for my continued detention have not been explained to me.

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

☐ Yes ☐ No

GROUND TWO: I express my fear of persecution or serious harm if returned to Haiti. I report that I have not received an interview with a U.S asylum officer and have been told that I will be deported

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

I fear returning to Haiti because of widespread gang violence and insecurity. Armed gangs have taken over my home, leaving me without a safe place to live. I fear serious a life or death situation for me and family.

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

☐ Yes ☐ No

GROUND THREE: Difficulty Accessing Legal Review

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

I have asked my niece to seek legal assistance on my behalf while remaining in CBP custody. I have been told that my removal is imminent. My ability to receive legal counsel and the courts before removal needs to be established.

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

☐ Yes ☑ No

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GROUND FOUR: Good Moral Character and Community Ties

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

I have no criminal record and I'm a hard working, responsible and a family man who has lived an exemplary life, supported my wife and 2 children, maintained employment and purchased a home in North Carolina. I have established a strong family and community ties in the United States. I love this country and my children call it home.

(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: I did not previously raise this ground because I was unaware that a removal order had been issued against me I never received notice of my immigration court hearing and was therefore unaware that I had missed the hearing or needed to file an appeal

Request for Relief

15. State exactly what you want the court to do: An opportunity to remain in the country and follow path to legal status and maintain this strong family I was able to build thanks to this beautiful country.

Declaration Under Penalty Of Perjury

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

N/A

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: 10-12-2026

Signature of Petitioner

Daphney Orlanes Joseph

Signature of Attorney or other authorized person, if any