

25CV 526

(F)

I have not received an answer from Warden Tate yet. The time set for him to respond is past over due for no more than \_\_\_\_\_ days. Due to this fact I humbly ask the court to grant me relief.

United States Courts  
Southern District of Texas  
FILED

MAR 24 2025

Nathan Ochsner, Clerk of Court

(A)

Zadvydas relief under 28 U.S.C. § 2241

Statement two

The fifth Amendment Due Process clause forbids the government to deprive any person of liberty without due process or law. Freedom from imprisonment - from government custody detention or other forms of physical restraint lies at the heart of the liberty that the clause protects. Government detention violates that clause unless the detention is ordered in a criminal proceeding with the adequate procedural protection or in certain special and narrow non-punitive circumstances where a special justification, such as harm threatening, mental illness outweighs the individual constitutionally protected interest in avoiding physical restraint.

(B)

Petitioner: Response to the motion to Dismiss.

I have been in custody of ICE since 04/09/2024 over 10 months in violation of the fifth Amendment Due Process Clause under 28 U.S.C.S § 2241, see the warrant for my arrest date and you can see my interview for review of custody. And my removal was final on 09 July /19 /2024 By Judge Billy Sapp and I haven't been deported yet, that is more than 8 months since ordered removed, my embassy and me have been working with my ICE officer, Kevin Alexis and my embassy has issued FOUR travel documents, the last one issued on Jan 30<sup>th</sup>, 2025 and to this day I have been here in custody. so I believe that my 180 days removal period has passed, that's why the court should grant the writ. addition and in support of that, I am not a flight risk or danger to the community see additional statements sent along with the writ. for this reason my writ of Habeas Corpus should be granted under Zadvyas V. Davis 533 U.S. 678, 701 (2001)

\* IN ADDITIONAL SUPPORT OF MY WRIT OF HABEAS CORPUS

(C)

- See exhibit "B" document coming from UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS. which states I do not have a pending case before the court, and the court can only grant relief through a motion filed in a pending case. meaning I am being detained illegally.

- See exhibit "A" shows the case has been closed and been ordered removed on July/19/2024. Same document shows I have been detained past 180 days which is illegal and unconstitutional according to see *Zadvydas v. Davis*, 533 U.S. 678 (2001).

- Showing that I am not a danger to the community, I have taken classes for recovery and educational becoming a good person for society and the community. I attached to this letters the certificates as a proof of my statements.

Exhibit B



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

TO: Mr. Balil Fawzi Basheer Alhalabi  
A# [REDACTED]  
Montgomery Processing Center  
806 Hilbig Road  
Conroe, TX 77301

DATE: January 28, 2025

FROM: Nathan Ochsner, Clerk  
United States District Court, P.O. BOX 61010, Houston, Texas 77208.

PLEASE BE ADVISED THAT THE CLERK'S OFFICE HAS RECEIVED YOUR  
CORRESPONDENCE/PLEADINGS RECEIVED January 24, 2025

- ☐ The materials are being returned unfiled because they are incoherent/unintelligible.
- ☐ When any action is taken in your case, the Court will notify you. Because of the Court's heavy caseload, disposition time cannot be predicted.
- ☒ You do not have a case pending before the Court at this time. The Court can only grant relief through a motion filed in a pending case. If you wish to bring your complaint to the Court's attention by way of a civil rights suit or a habeas corpus petition, you must use the proper forms available at the prison law library.
- ☒ I have enclosed 2241 Petition for Writ of Habeas Corpus form, and an Application to Proceed as a Pauper form. I have also enclosed your letter as unfiled.

By: [Signature]  
DEPUTY CLERK



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
CONROE IMMIGRATION COURT

Respondent Name:

ALHALABI, BILAL FAWZI

To:

ALHALABI, BILAL FAWZI  
806 HILBIG ROAD  
CONROE, TX 77301

A. Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

01/07/2025

ORDER OF THE IMMIGRATION JUDGE

The Court received correspondence from Respondent requesting his release from custody because he has been detained since the Court entered a final administrative order of removal on July 19, 2024, which is nearly 180 days.

The Court is unable to grant his request. Respondent is subject to detention pursuant to INA 241. As such, this Court lacks the authority to review DHS custody determinations in this post-removal period or decisions relating to whether removal is reasonably foreseeable to justify his continued detention. See *Zadvydas v. Davis*, 533 U.S. 678 (2001).

Order:

Request for Release is DENIED.

*BMS*

Immigration Judge: Sapp, Billy 01/07/2025

Appeal: Department of Homeland Security: ☐ waived ☐ reserved  
Respondent: ☐ waived ☐ reserved

Appeal Due:

### Certificate of Service

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable  
To: [ ] Noncitizen | [ M ] Noncitizen c/o custodial officer | [ ] Noncitizen's atty/rep. | [ E ] DHS  
Respondent Name : ALHALABI, BILAL FAWZI | A-Number 

Riders:

Date: 01/08/2025 By: JAG, Court Staff

Certificate of Service

I, Bilal Fawzi Basheer Alkalabi, hereby certify that I hand-delivered a copy of this document to a representative of ICE/DHS Litigation on the date below.

Signed: Bilal

Date: 3/24/2025



