

3

UNITED STATES DISTRICT COURT
for the
Western District of Pennsylvania

No fee / IFP

Layee M. Sande
Petitioner

Leonard J. Oddo — MVPW Warden
Merrick B. Garland — Attorney General
Alejandro Mayorkas — DHS Secretary
USCIS
Respondent
(name of warden or authorized person having custody of petitioner)

RECEIVED

Case No. 2:25-cv-316 MAR 04 2025
(Supplied by Clerk of Court)

CLERK, U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

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

Personal Information

1.	(a) Your full name: <u>Layee Manadee Sande</u>
	(b) Other names you have used: _____
2.	Place of confinement:
	(a) Name of institution: <u>Moshannon Valley Processing Center</u>
	(b) Address: <u>555 Geo Dr, Philipsburg, PA 16866</u>
	(c) Your identification number: <u>A</u> XXXXXXXXXX
3.	Are you currently being held on orders by:
	<input checked="" type="checkbox"/> Federal authorities <input type="checkbox"/> State authorities <input type="checkbox"/> Other - explain: _____
4.	Are you currently:
	<input type="checkbox"/> A pretrial detainee (waiting for trial on criminal charges)
	<input type="checkbox"/> 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: _____
	<input checked="" type="checkbox"/> Being held on an immigration charge
	<input type="checkbox"/> 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: I am a citizen of the United States regardless of what crime I'm convicted of ICE cannot detain me
(b) Docket number, case number, or opinion number:
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
I am challenging immigration detention because I'm a derivative citizen and the living conditions here at Moshan-nan Valley Processing Center
(d) Date of the decision or action: 12/05/2023

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: ICE

(2) Date of filing: 01/20/2024

(3) Docket number, case number, or opinion number: A _____

(4) Result: Denied

(5) Date of result: 01/22/2024

(6) Issues raised:

I raised that I am a citizen of the United States because my father (Mamaslee Wafer Samo), became a citizen I was still a child. The CSPA of 2002 was to address the problem of those aliens who through no fault of their own lost the opportunity to adjust their status. My father applied for citizenship I was 17 years old and became a citizen when I was 20 years old. A child is defined in Section 101(b)(1) of the Act as unmarried son and under the age of 21 years.

(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

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: U.S.C.I.S(2) Date of filing: 03/21/2024(3) Docket number, case number, or opinion number: IOE 921 9814 191(4) Result: denied(5) Date of result: 04/24/2024(6) Issues raised: I raised claim of derivative citizenship because my father applied for citizenship when I was 17 years old, and he naturalized in 2016. I was 20 years old at that time which make me qualify me as child under the CSPA of 2002 and the definition of a child 101(b)(1) of the ACT. Please see copy of my father Naturalization certificate.

(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: U.S.C.I.S Appeal(2) Date of filing: 12/26/2024(3) Docket number, case number, or opinion number: A (4) Result: Pending(5) Date of result: Pending(6) Issues raised: The denial of my N-600 Form is in error because at [REDACTED] My C.A.T hearing on 09/11/2024 the IJ said under INA 203(d) I am a lawful permanent resident because when my father adjusted his status that my status was also adjusted automatically to L.P.R. Also the is also a lot of errors [REDACTED] in the denial letter. Please see the denial letter.

(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: 12/05/2023
(b) Date of the removal or reinstatement order: 09/11/2024
(c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

If "Yes," provide:

(1) Date of filing: 12/30/2024
(2) Case number: A ~~████████~~
(3) Result: Pending
(4) Date of result: Pending
(5) Issues raised: C.A.T. Claim. That it's more than likely not that I will be tortured if deported to Liberia

(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: I am a citizen of the United States

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

I'm a derivative citizen because my father applied for citizenship when I was 17 years old. I was still a child under his care. The CSPA of 2002 Protect my age from aging out doing the time. the application takes to process. My father became a citizen when I was 20 year old, I still a child under the CSPA of 2002 and 101(b)(1).

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

Yes

No

GROUND TWO: Malicious prosecution, I have an eye or seeing deficiency where I am unable to read or see my legal paper works. Even though the eye doctor findings Substantiated this eye problem or blindness but ICE won't still approve my medical evaluation and treatment.

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

I have attached my medical records note. Even though I am blind, ICE won't give me no accommodation at all. No eye-glass, Wheel Chair or anything to help me with movement. Please see in details the problems that I am enduring due to my eye problem on the body texts.

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

Yes

No

GROUND THREE: Non civil like detention. My detention is indistinguishable from that of a criminal detention. GEO, my jailer, is using excessive, cruel and brutal force on me, including using chemical agents on eye knowing that I am already partially blind.

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

Please find attachment when I was escorted to the medical for an eye examination when I was spray OTC. Spray or pepper Spray.

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

Yes

No

GROUND FOUR: Last Thursday, I failed to comply with ~~the~~ MS-13 gang bunk/lane fee payment by refusing to surrender or pay them through my commissary order as I did not have much food that I ordered that week. I refused to pay them last ~~Wednesday~~ week because I didn't have enough food to give.

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

When I refused to give them my commissary ~~they~~ a group of them attacked me and stabbed with shanks and knives multiple times around my lower abdomen area. After I tried to report the incident to the C.O.s, I was recorded on MS-13 targeted list as rat. Since then they continue to physically assault me as a rat and non-compliant more no. I currently cannot reside with these gangs as my life continue to be at imminent risk of death or injury. They are majority and G.O.s always agree with them.

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:

I respectfully ask this court to enjoin I.C.E. from detaining me and release me immediately under a Temporary Restraining Order (TRO) as I am a United States Citizen.

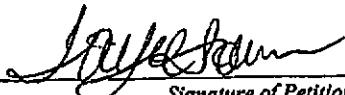
Declaration Under Penalty Of Perjury

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

01/15/2025

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: 01/14/2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any

These receipts are the prove that I originally sent my habeas out at Moshannon Valley Processing Center on the 01/15/2025 but they refuses to send my case to the court for whatever reason I don't know. I Respectfully ask this court to accept my case. I believe ICE moved me to Northwest ICE Processing Center, 1623 E "J" Street Tacoma, WA 98421, because they open my original mail and refuses to send it to the court and transferred me across the country over 1,000. mail away from my family and friends.

Thank you.

Jayann
02/14/2025

ORIGINAL COPY (PA) 788-1247
LAYER THE GEO GROUP, INC.
555 GEO DRIVE
PHILIPSBURG, PA 16866
UNITED STATES OF AMERICA

To US DISTRICT COURT

700 GRANT ST

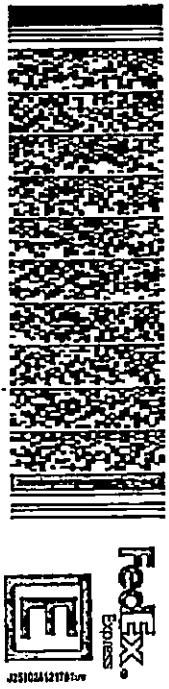
SUB DATE: 16/04/25
ACTWGT: 1.00 LB
CUST: 1001857024NET/4535
BILL SENDER

58CJ3JEC17/C6C4

PITTSBURGH PA 15219
(000) 000-0000
REF:

PG.
DTE:

DEPT:



FRI 17 JAN 10:30A
TRAC 7714 7265 0573
0201
PRIORITY OVERNIGHT

65 BTPA
PA-US PIT
15219

After printing this label:
CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH
1. Fold the printed page along the horizontal line.
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The GEO Group, Inc.

Resident Withdrawal form

Date 01/21/2025Resident Name Layee M. SanoUnit / Pod-Bunk XXXXXXXXXXA# XXXXXXXXXXAmount: \$ 5 .69*Indigent*

Recipient Name and Address:

U.S District Court for the Western District

Name/Relationship/Phone Number

of Pennsylvania

Address

700 Grant Street

Address

Pittsburgh PA 15219

Address

Reason I hereby request for you to send \$ 5 check pay to U.S District Court with my A# XXXXXXXXXX on the check. The check is the filing fee for my case. Thank you. Please send it as a priority overnight mail.

Resident Signature

Shift Supervisor

Facility Administrator

Resident Advisor

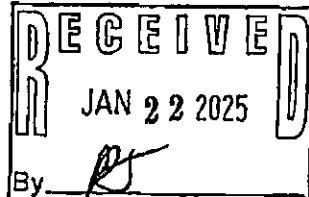
***Verified Resident A#

APPROVAL STAMP
 Print Name: Charis Proud
 Title: BUS.MGR
 Signature: Charis Proud
 Date: 01/22/2025
 Fac#/Corp Dept: 228

JAN 22 2025

Verd

MVPC



MOSHANNON VALLEY

Resident Transaction Receipt (Reprint)
Thursday, January 23, 2025 @14:11

Officer: VVAUX Station: 015 Drawer:

Transaction #: 102269094 Timestamp: Jan 23, 2025 10:56:30

CIN: Name: SANOE, LAYER MAMADEE

A 

Description:

FILING FEE FOR LAYER SANOE A094748514

Reference:

Block:



Tier:



Cell:



DOB:



Trans Type: Date: Amount: Current Funds:

WDRAWAL CHECK Jan 23, 2025 \$ 5.00

\$ 5.58

Resident Sig _____ Date _____

Date

Date

Authorized Sig _____ Date _____

Date

NW ICE Processing Center
Lauree M. Sance
094 748 514
1623 E "J" Street
Tacoma, WA 98421

Clerk of Court
U.S. District Court
700 Grant Street
Pittsburgh PA 15219

LEGAL MAIL