

YAYA ABATAN AMUSA OLATUNDE
A249-003-015
USP Leavenworth Pobox 1000
1300 Metropolitan St
Leavenworth, K.S 66048

To the Court clerk
Robert Cole US Courthouse
500 State
Kansas City, KS 66101.
FILED
District Court
District of Kansas
MAR 13 2025

25-3041-JWL

03-10-2025

Clerk, U.S. District Court
By [Signature] Deputy Clerk

HABEAS CORPUS PETITION UNDER 28 U.S.C. 2241 DEMANDING

IMMEDIATE RELEASE FROM DETENTION (ICE CUSTODY).

Citing Wang v. Ashcroft 320 F.3d 130, 140 (2d Cir 2003)

"Federal Courts may grant writ of habeas corpus to an individual if he is in custody in violation of the Constitution or laws or treaties of the United States".

"The fifth amendment entitles aliens to due process of law in deportation proceedings" *Remore*, 538 U.S. at 523.

Zadvydas v. Davis, 533 U.S. 678; 701, 121 S. Ct 2491, 150 L. Ed. 2d 653 (2001) (holding that section 2241 grants Federal Courts the authority to answer whether the detention in question exceeds a period reasonably necessary to secure removal."

My name is Yaya Abatan Amusa Olatunde alien number A249003015. I am a citizen of Nigeria but have been living in the United States since 2016. I have been in ICE custody since November 23rd 2023. The Immigration Judge in my case entered an order of removal on March 26 2024, I filed an appeal but my appeal was dismissed on July 5th 2024 by the board of Immigration Appeals, triggering a final order of removal since July 5th or August 5th 2024. The DHS/ICE have had over a 6 months period required to secure my removal from the United States since the final order of removal but have not been able to, multiple 90 day periods have passed since the order of removal.

has been final and there seems to be no significant likelihood of removal in the near future, see 8: U.S.C.S §1231 (a)(1)(A) and in my case the continued detention has become unreasonable and unjustified and a violation of my Constitutional rights under the due process clause so for this reason i am praying and asking this court to grant my habeas corpus petition and order the DHS/ice to release me from detention pursuant to the supreme court ruling in *Zadvydas v. Davis*, 533 U.S. 678, 701-1215-ct 2491, 150 L Ed 2d 653 (2001) the supreme court decision barring the long term detention of most non citizens unless there is a "significant likelihood of removal in the reasonably foreseeable future". In my case the DHS/ice have had enough reasonable time to complete removal and there is no significant likelihood of removal in the near future so i ask the court to grant my habeas petition and order my release, i am also open to supervised release, i do have family ties and two united states citizen children.

Respectfully submitted

Yaya-abatan Amusa Olatunde

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