

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

UNITED STATES DISTRICT COURT

for the

FILED 25 FEB 24 AM 8:12 MDCA-COL

HARBANS SINGH

Petitioner

v.

IMMIGRATION CUSTOM AND ENFORCEMENT STEWART ICE FIELD OFFICE

Respondent

(name of warden or authorized person having custody of petitioner)

Case No.

(Supplied by Clerk of Court)

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

Personal Information

- 1. (a) Your full name: HARBANS SINGH
(b) Other names you have used:
2. Place of confinement:
(a) Name of institution: STEWART DENTION CENTER GEORGIA
(b) Address: 146 CCA RD, LUMPKIN, GA 31815
3. (c) Your identification number:
Are you currently being held on orders by:
Federal authorities State authorities Other - explain:
IMMIGRATION CUSTOM AND ENFORCEMENT
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)

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- 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: _____
146 CCA RD, LUMPKIN, GA 31815, STEWART DETENTION CENTER
- (b) Docket number, case number, or opinion number: _____
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
GOT FINAL ORDER OF REMOVAL 1 YEAR BEFORE AT DATE 23RD FEBRUARY 2024 BUT STILL DETAIN.
NO ANY PROCESS TO RELEASE OR DEPORT ME.
- (d) Date of the decision or action: _____

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: _____

MY HABEAS PETITION FILED BEFORE IN STATE WASHINGTON DISTRICT COURT BUT AFTER I TRANSFERED TO GEORGIA. BECAUSE OF MY LOCATION CHANGE I CAN'T FILE THE APPEAL.

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

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(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

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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: 07/28/2020
- (b) Date of the removal or reinstatement order: 02/23/2024
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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If "Yes," provide:

- (1) Date of filing: 05/13/2021
 - (2) Case number: _____
 - (3) Result: REMOVAL
 - (4) Date of result: 09/29/2021
 - (5) Issues raised: _____
- ASYLUM SEEKER

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court: 9TH CIRCUIT COURT
- (2) Date of filing: 10/04/2021
- (3) Case number: _____
- (4) Result: _____
- (5) Date of result: 02/23/2024
- (6) Issues raised: _____

ASYLUM SEEKER

I AM DETAINEE IN ICE CUSTODY MORE THEN 4 AND HALF YEAR. I WAS FIGHTING MY CASE INSIDE THE DETENTION. BUT I GOT FINAL ORDER OF REMOVAL 02/23/2024. ITS ONE YEAR GONE AND ICE UNABLE TO DEPORT ME BACK IN MY COUNTRY. THIS IS AGAINST THE LAW AFTER 6 MONTHS OF REMOVAL ORDER ICE HAVE TO RELEASE OR DEPORT THE DETAINEE.

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: _____

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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:

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

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

Yes No

GROUND TWO:

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

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

Yes No

GROUND THREE:

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

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

Yes No

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GROUND FOUR:

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

(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:

Request for Relief

15. State exactly what you want the court to do: this is law when got final order of removal ice have to deport or release the detainee after 6 months. but i am detained more then a 1 year. ice got my travel documents in december 2024 but still unable to deport me.they are torturing me to moving at different detention. If ice unable to deport me after final order removal then release me as soon as possible. this long detention after final order of removal against the law. ice don't have the space in stewart detention center so they transfered me at federal bureau of prison. this is against the law.

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Declaration Under Penalty Of Perjury

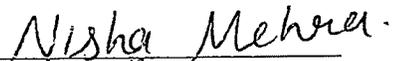
If you are incarcerated, on what date did you place this petition in the prison mail system:

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: 02/17/2024



Signature of Petitioner



Signature of Attorney or other authorized person, if any

RESPECTED JUDGES,

I harbans singh. A number 

My reason to file this habeas petition is long detention after final order of removal. If ice is unable to deport me then release me. 1 year after final order of removal but still in detention. Travel documents issued 2 months before still can't be able to arrangement of flight. I have danger in my home country, but this long detention is torture. I feel death is better than this detention. I can't tolerate this torture more. I have been in ice custody since 07/27/2020 its more than 4 years and got final of removal 1 year before but still ice detained me.

I have a pending U visa application if ice can't be able to deport me because of pending u visa application than release me. My travel documents are ready so what they are looking for.

More than 4 year detention not easy I tried my best to save my life to fight my case inside the detention because of life threatening danger in my country. But my bad luck is that I lost the case. So, now I am dying every day in detention. It's better to send me to my back country at least After my death my mom dad can see my body.

Currently I am detained at federal bureau of prison Atlanta Georgia SW BUILDING 2500 ATLANTA 30331 under STEWART DETAION CENTER. THE STEWART DETENTION CENTER transferred me at Atlanta prison because they said no space at DETENTION CENTER. BUT ICE SAID YOUR CASE STILL AT STEWART DETENTION CENTER YOU MOVED AT PRISON Facility just for sleeping because of lot of detainees at Stewart detention center. This is torture.

I am giving full authorization to my wife Nisha Mehra to receive any issued court order by mail in future. Because I don't know if I will get the copy of the court order in detention on time or not because of my transferred.

Please send court issued any future notice and order to my wife Nisha Mehra at address ~~XXXXXXXXXX~~ Kent WA 98031 if possible as well as to me at Stewart detention center and federal bureau of prison at Atlanta. My wife is helping me to file this petition with my permission. I have no family and lawyer at Georgia. I talked with the federal public defender. If they are available to fight my habeas petition. Then They will continue this petition but right now they said they are looking for the availabilities. Because it's a free pro bono attorney so, take time.

Yours respectfully,


02-17-2024