

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the
Eastern District of Louisiana

Manna Massaquoi
Petitioner

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
Respondent

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

25-285

Case No.

(Supplied by Clerk of Court)

SECT. 1 MAG.2

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

Personal Information

1. (a) Your full name: Manna Massaquoi
(b) Other names you have used: None
2. Place of confinement:
(a) Name of institution: LaSalle Detention Facility, Louisiana ICE Processing Center
(b) Address: 8301 Pine Hill Road, Jena, LA 71342
(c) Your identification number: Alien #A [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☒ Other - explain: DHS & ICE
ICE Detention
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: U.S. Immigration & Customs Enforcement
refusal to release me from indefinite & prolonged immigration civil detention
- (b) Docket number, case number, or opinion number: None
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
U.S. Immigration & Customs Enforcement refusal to release me on ROR supervision
or minimum (\$1,500) bond pending removal proceedings & or finality of
all appeals thereafter
- (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:

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(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:

(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:

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- (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: August 10, 2022
(b) Date of the removal or reinstatement order: March 19, 2014
(c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes ☐ No

If "Yes," provide:

- (1) Date of filing: Unknown (GEO refused to allow me have all of my legal documents)
(2) Case number: A [REDACTED]
(3) Result: Immigration Judge's 3/19/14 decision was affirmed.
(4) Date of result: August 6, 2014
(5) Issues raised: Unknown (GEO refused to allow me have all of my legal documents)
Petitioner filed a Motion to Reopen [Exa Sponte] on 9/12/22 with the BIA & was denied on 4/13/23

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

☒ Yes ☐ No

If "Yes," provide:

- (1) Name of court: U.S. Court of Appeals for the Third Circuit
(2) Date of filing: Unknown (GEO refused to allow me have all of my legal documents)
(3) Case number: 23-1777

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(4) Result: Petition for Review Granted & Case Remanded to the BIA
 (5) Date of result: Unknown (GEO refused to allow me have all of my legal documents)
 (6) Issues raised: Unknown (GEO refused to allow me have all of my legal documents & they have it store in their property rooms & are subjecting me penal conditions of confinement in civil detention)

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.

GROUND ONE:

Violation of 8 U.S.C. § 1231(a)(6)

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

I have been detained in civil detention by ICE since August 10, 2022. ICE is not likely to remove me in the near future as I intend to appeal all applicable issues if I'm ordered removed & denied asylum or convention against torture.

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

☐ Yes

☐ No

GROUND TWO: Violation of the Due Process Clause of the Fifth Amendment to the U.S. Constitution.

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

ICE & GEO are subjecting me to penal conditions of confinement, they are intentionally causing my civil detention to be prolonged & indefinite, they are denying me access to the main general law library as punishment which hinders my pro-se ability to successfully fight my removal proceedings & or appeals, and they are not providing me with criminal or civil lawsuit materials books to pursue my ongoing issues.

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

☐ Yes

☐ No

GROUND THREE: Denial of ROR Supervision & Minimum Bond

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

The more the conditions under which the alien is being held resemble penal confinement, the stronger the argument that the alien is entitled to a bond hearing, and as the length of the detention grows, the weight given to this aspect of the detention increases.

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

☐ Yes

☐ No

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:

Order my immediate release from ICE ^{detention} custody on RCR supervision or Minimum (\$1500) bond due to the length of detention and penal conditions of confinement until my removal proceedings and appeals thereafter are final.

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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:

January 27, 2025


Signature of Petitioner

None

Signature of Attorney or other authorized person, if any