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

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FRANCIS ANDOH
Petitioner

(A [REDACTED])

v.

LEONARD J ODDO, WARDEN,
MOSHANNON VALLEY PROCESSING
CENTER,
Respondents

Case No. 3:25-cv-129

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

INTRODUCTION

1. Petitioner FRANCIS ANDOH has been detained since August 22, 2024 about 8 months ago. Petitioner's detention became unconstitutional without an individual bond hearing. Accordingly, to vindicate petitioner's statutory and constitutional right and to put an end to his continued arbitrary detention, after the Immigration Judge grants petitioner asylum to remain in the United States, this court should grant the instant petition for a writ of habeas corpus.
2. Absent an order from this court, petitioner will likely remain detained for many more months, if not years pending the outcome of DHS appeal on petitioner immigration proceedings.
3. Petitioner ask this court to find that his prolonged incarceration without an individual bond hearing is unreasonable and to order his immediate release.

PARTIES

4. Petitioner FRANCIS ANDOH is a citizen and national of Ghana, who have been detained at Moshannon Valley processing Center in Philipsburg, Pennsylvania.

He is under custody, and under the direct control, of Respondents and their agents.

5. Respondent Kristi Noem is sued in her official capacity as the secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Kristi Noem is responsible for the implementation and enforcement of the INA, and oversees ICE, the component agency responsible for the petitioner detention. Respondent Kristi Noem is empowered to carry out any administrative order against the petitioner and is a legal custodian of the petitioner.
6. Respondent Department of Homeland Security (DHS) is a federal agency responsible for implementing and enforcing the INA. DHS oversees ICE and the detention of noncitizens. DHS is the legal custodian of petitioner.
7. Respondent Pam Bondi is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and oversees the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA.
8. Respondent Tony Bryson is sued in his official capacity as the director of the Philadelphia Field Office of the U.S. Immigration and Custom Enforcement. Respondent Bryson is a legal custodian of the petitioner and has authority to release him.
9. Respondent Leonard J. Oddo is the warden of the Moshannon Valley Processing Center and he has immediate physical custody of the petitioner to a contract with ICE to detain noncitizens and is a legal custodian of petitioner.

JURISDICTION

10. This court has subject matter jurisdiction under 28 U.S.C. Section 2241(Habeas Corpus), 28 U.S.C. section 1331(Federal Question), and article 1 to section 9, cl 2 of the United States Constitution (Suspension Clause). This court may grant relief pursuant to 28 U.S.C Section 2241, the declarato-

ry judgement Act, 28 U.S.C Section 2201 et seq., and the all writ act, 28 U.S.C. Section 1651.

VENUE

11. Venue is proper because petitioner is detained at City, State, which is within the jurisdiction of this district. Venue is proper in this district pursuant to 28 U.S.C. Section 1391(e), because respondents are officers, employees, or agencies of the United States, a substantial part of the event or omission giving rise to their claims occurred in this district, and no real property is involved in this action.

STATEMENT OF FACTS

12. Petitioner FRANCIS ANDOH is 40 years old citizen and national of Ghana. petitioner entered the United States on about 20th of February, 2023 through a California land border, petitioner have remain in the country ever since. Petitioner was then arrested by ICE official from [REDACTED], petitioner was then processed and transfered to the Moshannon Valley Processing Center. Petitioner has remained in Moshannon Valley for approximately 8 months , the Immigration Judge grants petitioner Asylum to remain in the United States but ICE filed an appeal while petitioner remained detained.

CONFINEMENT CONDITIONS

13. The confinement condition at Moshannon Valley Processing Center is not meaningfully different from that of [REDACTED]. And for more than 8 months, DHS detained petitioner at MVPC while petitioner await the resolution of ICE appeal. Petitioner claims that the conditions at MVPC is worst than that of [REDACTED] is coming from where he spent a total of 7 months.

The Condition at Moshannon Valley Processing Cennter includes:

- Solitary confinement as form of punishment.
- Holding Cells.
- Five times daily head counts including holidays.
- Being restricted to pod from 20-22 hours a day.
- Communal toilet shared by up to 70 individuals.
- Being forced to be on uniform at everytime.
- Being threatened with solitary confinement on any complain on staffs.
- Different security designations among the detainees.
- Being house alongside " other high security individuals'
- Restricted priviledges due to petitioner security status.
- Wages for scarce inmate jobs being extremely low , and controlled by prison staffs.
- Limited access to phone calls at exorbitant rates.
- No in-coming phone call;
- Limited food choices.
- Restricted access to medical care, which can be denied by prison staffs.
- Violent interaction with other detainees and prison guards.
- No contact visits.
- Razor wired fences.

RELIEF REQUESTED

14. Petitioner prays that this court grant Immediate Release enjoining ICE from continuing to detain petitioner pending the resolution of ICE BIA appeal or set a reasonable amount to bond(Alternative to detention).

FRANCIS ANDOH

A 

April 24, 2025



RESPECTFULLY SUBMITTED