

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

APR 28 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY F. F. DEPUTY CLERK

Segid Mahari

Petitioner

v.

Case No.

SA25CA0478 XR

U.S. Department of Homeland Security
Respondent
(name of warden or authorized person having custody of petitioner)

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

Personal Information

1. (a) Your full name: Segid, Mahari
(b) Other names you have used:
2. Place of confinement:
(a) Name of institution: South Texas ICE processing center
(b) Address: 566 Veterans drive pearsall Tx, 78061
(c) Your identification number:
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
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)

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

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and _____ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

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

- ☐ 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: South Texas Ice processing Center
566 Veterans drive Pearsall TX, 78061
- (b) Docket number, case number, or opinion number: Event No IM [REDACTED]
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
I am challenging that I can't be deported to Sweden because I am
not a citizen and would not get the same opportunity as I would in
my country Eritrea.
- (d) Date of the decision or action: August 31, 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:

(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: I wasn't given a chance to Appeal

8. Second appeal

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

☐ Yes ☒ No

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

(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: Because I was never given a chance to do a first appeal much less 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: NO because I was never given a chance to appeal the first time.

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

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

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: 8-8-2023
- (b) Date of the removal or reinstatement order: August 31, 2023
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

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

If "Yes," provide:

- (1) Date of filing:
- (2) Case number:
- (3) Result:
- (4) Date of result:
- (5) Issues raised:

(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:

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

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: Challenging my final order of Removal

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

being detained

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

☐ Yes

☒ No

GROUND TWO: I been compliant with the deportation officer to go back to my country however, my country refused to issue travel documents for me.

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

Been detained almost two years illegally in immigration custody.

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

☐ Yes

☒ No

GROUND THREE: If I go back to Sweden I won't have the same opportunity I will in my country that's why I rather go back to Eritrea

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

Reinstate my removal to Eritrea

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

☐ Yes

☒ No

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

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: I pray that I get the opportunity to stay in the United States and if not to at least be sent to my country and not Sweden because in Sweden I was living in the streets and it was hard for me to support my family. I also had no medical please allow me to stay or at least return to my country so I may be able to provide for my family since I have more opportunities in America and in Eritrea than I do in Sweden.

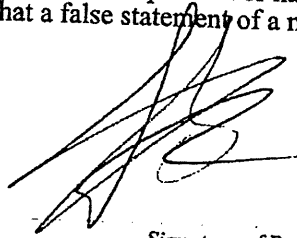
AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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: 4/7/25



Signature of Petitioner

Prose

Signature of Attorney or other authorized person, if any



Embassy of Eritrea
1708 New Hampshire Ave. NW
Washington, DC 20009
Tel: (202) 319-1991, Fax: (202) 319-1304

RECEIVED IN
COURT OF CRIMINAL APPEALS

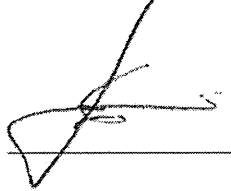
APR 14 2025

Deane Williamson, Clerk

Photo

APPLICATION FOR ID REPLACEMENT

1. FULL NAME: MAHARI SEGID ER ID # _____
FIRST FATHER'S NAME G RANDFATHER'S NAME
2. FORMER'S NAME: MAHARI SEGID
FIRST FATHER'S NAME GRAND FATHER'S NAME
3. FULL MOTHER' NAME: AMLASETH KIROSE
4. DATE OF BIRTH:  5. PLACE OF BIRTH: ERITREA 6. PLACE OF ORIGIN: BARKATHE
(VILLAGE/TOWN)
7. PLACE OF ISSUE: _____ 8. DATE OF ISSUE: _____
CITY ZOBA MEMHDAR COUNTRY
9. MAILING ADDRESS:  10. TELE: _____
(IN USA) CITY STATE ZIP CODE
11. Reason: I NEVER HAD AN ID OF ERITREA APPLYING FOR NEW

Date: 05/11/2024 CITY: PEARSALE SIGNATURE: 

REQUIREMENTS:

1. TWO PASSPORT SIZE PHOTO.
2. COPY OF ERITREAN ID BOTH SIDES (IF AVAILABLE).
3. PAYMENT OF 2% TAX (1992-PRESENT) AND DEFENCE CONTRIBUTIONS.
4. REPLACEMENT FEE \$80 MONEY ORDER PAYABLE TO : EMBASSY OF ERITREA.
5. SELF ADRESSED ENVELOPE WITH STAMP FOR RETURN.

FOR CONSULAR USE ONLY

REF _____ ID# _____ DATE OF REP. _____ PAYMENT STAMP:

REMARKS: _____

FORM A No. B51.7 10/2009



THE STATE OF ERITREA
DEP'T OF IMMIGRATION & NATIONALITY
APPLICATION FOR A PASSPORT

3

PASSPORT PHOTOGRAPH

(35x45)

DO NOT STAPLE

1. TYPE OF PASSPROT ORDINARY ☐ DIPLOMATIC ☐ SERVICE ☐ ALIEN ☒
2. REASON NEW ☒ REPLACEMENT ☐ LOST ☐ RENEWAL ☐
3. PHOTO: 35X45 (PLEASE FOLLOW INSTRUCTION)
4. SERVICE LIVE PHOTOGRAPH ☐ EXPRESS ☒
5. ERITREAN ID No. _____

PLEASE USE CAPITAL LETTERS

6. NAME

MANARI SEGID

6.3 BIRTH PLACE BARKATHE

6.1. FATHER'S NAME

MSFA SEGID

6.4 BIRTH DATE

DD MM YYYY

6.5 SEX

M

6.2. G/FATHER'S NAME

6.6 HEIGHT

5/8 cm

7. NAME/S OF UNDERAGE TO BE INCLUDED IN YOUR PASSPORT IF ANY (NAME/S ONLY)

1. _____ 2. _____ 3. _____

8. CURRENT ERITREAN PASSPORT No. _____ TYPE: NORMAL ☐ SERVICE ☐ DIPLOMATIC ☐ ALIEN ☒

9. OTHER COUNTRY'S PASSPORT IF ANY: 9.1 NUMBER _____ 9.2 COUNTRY _____ 9.3 TYPE _____

10. PERMANENT ADDRESS:



HOME PHONE _____

CITY

PEARSCALL

CELL PHONE _____

STATE

TIGAY

ZIP CODE



FAX _____

COUNTRY

U.S.A

EMAIL _____

11. I DECLARE THAT THE INFORMATION GIVEN ABOVE TO BE CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

11.1. APPLICANT'S SIGNATURE

11.2 DATE

05, 11, 2024

DD MM YYYY

(PLEASE SIGN INSIDE THE BOX WITHOUT CROSSING THE LINES)

