

FILED

MAY 19 2025

IN THE UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

MAHARI SEGIO

A# [REDACTED]

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

Kristi Noem, Secretary, US
Department of Homeland
Security, and WARDEN, South-
Texas I.C.S processing Center

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SA-25-CV-00478-XR

RESPONSE TO DISPOSITIVE MOTION

Petitioner MAHARI SEGIO A# [REDACTED] is a native and citizen of Eritrea.

Petitioner was first taken in to ICE custody on 08/23/2023. Petitioner was issued an administrative order of removal on 08/28/23. Petitioner has remained in the custody since then. Therefore, the six month presumptively reasonable removal period for the petitioner ended on [REDACTED]. Petitioner is challenging his continued detention under **Zadvydas v. Davis, 533 U.S 678 (2001)**.

Petitioner has fully cooperate with ICE/DHS, signed all necessary documents and photograph as requested, applied for travel document and furnished all other information as requested, At this point my removal to Eritrea is remote because my deportation officer has not succeeded in getting my traveler's document and successfully remove me. As of today I am basically in the dark on my custody status, so my removal is not reasonable foreseeable.

Petitioner has contacted the Eritrean embassies requesting traveler's documents. Eritrean embassie orally denied his request for travel documents. Petitioner assert that he was denied by the Eritrean consul because he is unable to produce documents(National identity card, blue card)proving

his citizenship. Petitioner has attached copies of letter that was sent to the Eritrea Consulate.

See Habtegabber v. Jenifer, 256 F. Supp. 2D 692, 697-98 (E.D. Mich. 2003). *Okwilagwe v. Immigration Service*, No. 3-01-cv-1416-BD, 2002 WL 356758, *3 (N.D. Tex. Mar. 1, 2002). *Lew v. Immigration & Naturalization Service*, No. 00CV0758 (SJ), 2002 WL 1150158, *4-5 17 (E.D.N.Y. MAY 7, 2002). *Shafqet v. Ashcroft*, No. 02 C 7737, 2003 WL 1964290, 4 (N.D. Ill. Apr. 28, 2003). *Zhou v. Ashcroft*, Civ. No. 3: cv-01- 0863 (M.D. Pa. Apr. 15, 2002).

Petitioner has strong family ties in the United States. Petitioner has been living in the United States since 8/8/2023 petitioner's daughter, and parents are US citizens. Petitioner is neither a flight risk, nor does the petitioner pose any threat to the society. If released, petitioner will reside with his family at: Dallas Texas petitioner is confident that he will be very productive in society.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- 1) Assume jurisdiction over this matter;
- 2) Grant Petitioner a **Writ of habeas Corpus** directing the Respondents to immediately release Petitioner from custody;
- 3) Enter preliminary and permanent injunctive relief enjoining Respondents from further unlawful detention of Petitioner;
- 4) Grant any other and further relief that this Court deems just and proper.

I affirm, under penalty of perjury that the foregoing is true and correct.

MAHARI SEGIO

Respectfully submitted,

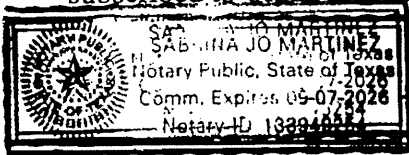
5/13/2025

Date executed

ACKNOWLEDGEMENT

SUBSCRIBED TO AND SWORN before me this 13th day of May, 2025 A.D.20

Notary, that Hagos Alula Fantaye, Personally appeared and known to me to be the man whose name
subscribed to within instrument and acknowledged to be the same.



Seal

Notary Public

My Commission Expires 09-07-2028

Mahari Segid
#A
South Texas Ice Processing Center
566 Veterans Drive
Pearsall, TX 78061

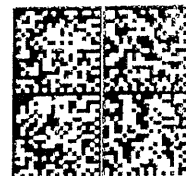
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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

CY-B

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