

25-cv-0679 Sec P

# UNITED STATES DISTRICT COURT

FOR THE  
WESTERN DISTRICT OF LOUISIANA

RECEIVED  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MAY 19 2025

BY: DANIEL J. MCCOY, CLERK  
*KW*

ARTEM KONEV  
Petitioner,

v.


JAMIEN A. ARWIE  
Oakdale Field Office Director;  
MELISA HARPER,  
New Orleans Field Office;  
TODD LYONS  
Acting Director of United States Immigration  
and Customs Enforcement;  
KRISTI NOEM,  
Secretary of the Department of Homeland  
Security;  
PAM BONDI,  
United States Attorney General;  
MICHAEL J. MANUEL  
Warden of Allen Parish Public Safety Complex,  
Respondents.

Case No.

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

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

**Personal Information**

1. (a) Your full name: Artem Konev  
(b) Other names you have used \_\_\_\_\_
2. Place of confinement:  
(a) Name of institution: Allen Parish Public Safety Complex  
(b) Address: 7340 Highway 26 West, Oberlin, La. 70655  
(c) Your identification number: (A Number): 
3. Are you currently being held on orders by:  
☒ Federal authorities      ☐ State authorities      ☐ Other - explain:  
ICE DETENTION:
4. Are you currently:  
☐ A pre-trial 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 Acting 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 calculating of good time credits)  
☐ Pre-trial 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 challenging:  
(a) Name and location of the agency or court: U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT REFUSAL TO REALESE ME FROM IMMIGRATION 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 AND CUSTOMS ENFORCEMENT  
REFUSAL TO REALESE ME FROM IMMIGRATION DETENTION  
\_\_\_\_\_  
\_\_\_\_\_

(d) Date of the decision or action: \_\_\_\_\_

**Your Earlier Challenges of the Decision or Acting**

**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 needed an attorney at the end of my initial  
immigration held proceedings before the immigration court, for an appeal with the BIA.

\_\_\_\_\_

**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 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 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 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) 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 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (c) Explain why 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: \_\_\_\_\_
- (b) Date of the removal or reinstatement order: \_\_\_\_\_
- (c) Did you file an appeal with Board of Immigration Appeals?

☐ Yes ☐ No

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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

☐ Yes ☐ No

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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**12. Other appeals**

**Other than the appeals you listed above, have you filed any petition, application, or motion about the issue 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 Constitutional 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:** Violation of 8 U.S.C. §1231(a)(6)

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(a) Supporting facts

I have been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove me in near future. See attached memorandum with additional specific facts. Question (b) below is not applicable.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(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:

ICE is depriving me of my right to liberty. I have been detained by ICE for a prolonged period. See attached memorandum with additional specific facts. Question (b) below is not applicable.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

☐ Yes

☐ No

**GROUND THREE:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting facts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

☐ Yes

☐ No

**GROUND FOUR:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting facts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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: This is not applicable for this matter.

14. State exactly what you want to the court to do: Order my immediate release from ICE custody

**Request for Relief**

15. State exactly what you want to the court to do: Order my immediate release from ICE custody



**Declaration Under Penalty of Perjury**

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

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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: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Petitioner)

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