

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

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

MAY 27 2025

Ekaferina Seledtsova

Petitioner

BY: DANIEL J. MCCOY, CLERK

Kristy Noem, Secretary of the DHS,
chief Counsel, U.S. DHS,
U.S. DHS; U.S. ICE


Respondent

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

Case No. 25-cv-0724 Sec P
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: Ekaferina Seledtsova
(b) Other names you have used: Ekaferina Fedotova
2. Place of confinement:
(a) Name of institution: South Louisiana ICE Processing Center
(b) Address: 3843 E Staggy Avenue, Basile, LA, 70585
(c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
U.S. Immigration and Customs Enforcement (ICE)
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: DHS, ICE office(b) Docket number, case number, or opinion number: N/A

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

I have been incarcerated since July 13, 2024, it will soon be one year since i have been incarcerated. My husband is in custody, we crossed the border with him on July 13 with the CBP one application. Now i do not have the right to go out under the password, because those who crossed the border under this application it is not provided and the judges deny the right to password.

(d) Date of the decision or action: May 1st, 2025**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: Appeal of immigration Court decision(2) Date of filing: 05/09/2025(3) Docket number, case number, or opinion number: A [REDACTED](4) Result: none(5) Date of result: none

(6) Issues raised: _____

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

(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: _____

The first appeal is still pending

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: _____

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

(b) If you answered "No," explain why you did not file a third appeal:

The first appeal is still pending

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: _____

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

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: Because they want to deport me to my home country, despite the fact that I was threatened with imprisonment for my comments on the internet.

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: July 13, 2024

(b) Date of the removal or reinstatement order: N/A

(c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes

☐ No

If "Yes," provide:

Appeal of immigration Court decision

(1) Date of filing: 05/09/2025

(2) Case number: A

(3) Result: none

(4) Date of result: none

(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:

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

(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: _____

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 28 U.S.C. § 2241 Under 28 U.S.C. § 2241, federal courts have the authority to review the legality of detention. Violation of the fifth Amendment to the U.S. Constitution Petitioner's continued detention violates the Fifth Amendment's guarantee of due process.*

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

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

The government has failed to provide any justification for her ongoing detention. Relevant precedents: 1. *Zadvydas v. Davis*, 533 U.S. 678 (2001): The Supreme Court ruled that detention for more than six months is unreasonable if the government cannot demonstrate that deportation is likely in the near future. 2. *Demore v. Kim*, 538 U.S. 510 (2003): The Court emphasized that mandatory detention is permissible only for a limited period and that extended detention

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

☐ Yes☒ No

GROUND TWO: 3. *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018): The Court reaffirmed that individuals in detention have the right to a bond hearing if their detention is prolonged have the right to a bond hearing if their detention is prolonged without individualized review.

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

Petitioner send the Sponsorship Package for many times, but ICE officer denied it with no reasons.

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

☐ Yes☒ No

GROUND THREE: 4. Violation of INA § 236(a) (8 U.S.C. § 1226(a))

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

The immigration and Nationality Act allows for discretionary detention but requires periodic review of the detention status. Petitioner's continued detention without such review violates federal law.

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

☐ Yes☒ No

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

GROUND FOUR: Violation and discrimination based on citizenship.
People seeking asylum from Russia are kept in US detention centers
for years. Even with winning cases. Although people from Arab countries
and Latin America are released even with a negative decision on
 (a) Supporting facts (Be brief. Do not cite cases or law.): the fear interview. This is
discrimination and a violation of US Law. Also, basically all
these people from latin countries entered the US without the CBP
one app (when it was still working) and exited under a bond, and
people from Russia, who waited for a date in the CBP one app
for 9 month or more, now cannot get the right to exit under
a bond or password in Mexico.

(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: no

Request for Relief

15. State exactly what you want the court to do: 1. Issue writ of Habeas Corpus requiring
the immediate release of Petitioner from Detention due to the unlawful
and unjust continuation of his detention.
2. Alternatively, order an individual bond hearing before an immigration judge.
3. To recognise such a long detention without grounds illegal.

AO 242 (12/11) 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: 05.22.2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any