

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

MAY 30 2025

Irina Ianova (A# [REDACTED]),
Petitioner,

v.

Merrick Garland, U.S. Attorney General;
Alejandro Mayorkas, Secretary of the Department of Homeland Security;
Patrick J. Contreras, ICE New Orleans Field Office Director;
Warden of South Louisiana ICE Processing Center,
Respondents.

BY: DANIEL J. MCCOY, CLERK

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

I. INTRODUCTION

Petitioner, Irina Ianova, currently detained by Immigration and Customs Enforcement (ICE) at the South Louisiana ICE Processing Center in Basile, Louisiana (3843 E Stagg Ave, Basile, LA 70515), through her daughter and next friend, Mariia Ianova, respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner seeks immediate release from immigration detention on the grounds that her prolonged detention violates the U.S. Constitution and the Immigration and Nationality Act (INA).

II. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 and the Suspension Clause of the U.S. Constitution. Venue is proper in the Western District of Louisiana because Petitioner is currently detained within this district.

III. STATEMENT OF FACTS

1. Irina Ianova (A# [REDACTED]) is a citizen of the Russian Federation.
2. She crossed the U.S.-Mexico border with her daughter Mariia Ianova on May 6, 2024, via CBP One near San Diego, California.
3. She has been held in ICE detention ever since, for over one year as of the date of this petition.
4. While detained at Richwood Correctional Center, Louisiana, she passed a credible fear interview in June 2024 and received a positive finding, as did her daughter.
5. Despite the positive determination, she was not released and was transferred to South Louisiana ICE Processing Center in Basile, Louisiana.
6. Her individual hearing before an immigration judge took place on October 8, 2024. The judge denied her application for relief.

7. She filed an appeal to the Board of Immigration Appeals (BIA) on February 18, 2025.
8. The BIA dismissed the appeal on April 11, 2025.
9. On May 9, 2025, she signed papers consenting to deportation or voluntary departure, yet remains detained.
10. Despite her positive interview, multiple parole requests were submitted and denied.
11. She was ineligible for bond due to her CBP entry classification.
12. Her daughter Mariia Ianova was released on June 11, 2024, after also receiving a positive credible fear determination, but Petitioner was not, despite the same circumstances.
13. Petitioner has strong ties to the U.S. community, especially through her religious affiliation. She is an active member of the Seventh-day Adventist Church.
14. Irina Ianova's entire family are devout members of the Seventh-day Adventist Church. Her daughter, Mariia Ianova, regularly attends church in Maryland and is awaiting her mother's release, along with members of the local religious community.
15. Her sponsor, Ekaterina Tomenko, is a member of the same church and has provided housing and support. She lives at [REDACTED] Silver Spring, MD 20905. The sponsor guarantees full supervision and care for Irina Ianova upon her release.
16. Numerous friends, church members, and her sponsor have submitted recommendation letters and are committed to providing ongoing support and community reintegration.
17. While in custody, Irina Ianova has endured inhumane conditions, including cold, damp cells, insufficient food, denial of medical care, and verbal abuse by detention officers. These conditions have significantly harmed her mental and physical health, causing new illnesses and psychological deterioration.
18. Irina Ianova is not a flight risk and has no criminal history. She came to the U.S. seeking asylum and protection after years of religious discrimination and persecution in Russia. She is a peaceful church member and humanitarian.
19. Mariia Ianova, her daughter, is submitting this petition on her mother's behalf, with legal standing as next friend.
20. Irina Ianova is also participating in the lawsuit and has provided a written declaration, attached herein.

In support of this petition, the following documents are attached:

- Copies of recommendation letters from the sponsor and friends;
- Immigration documents (court decisions, parole denials, interview results);
- IDs and proof of family relationship between Mariia and Irina Ianova;
- Documentation of Irina Ianova's church membership in Stavropol, Russia.

IV. CLAIM FOR RELIEF

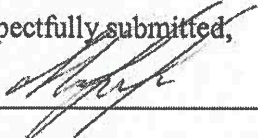
Petitioner's prolonged and indefinite detention violates her Fifth Amendment right to due process under the U.S. Constitution, as recognized in *Zadvydas v. Davis*, 533 U.S. 678 (2001), and *Demore v. Kim*, 538 U.S. 510 (2003), especially given that her removal is not reasonably foreseeable and she has already been detained for over a year. Furthermore, ICE's failure to release her despite a positive credible fear determination contradicts its own internal guidelines and humanitarian parole policies.

V. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. **Issue a writ of habeas corpus** directing Respondents to immediately release Irina Ianova from ICE custody, as her prolonged detention violates her constitutional rights under the Fifth Amendment and *Zadvydas v. Davis*;
2. **Order her release under reasonable and humane conditions**, including release on parole, supervised release, or humanitarian parole, in accordance with ICE's internal policies and the totality of the circumstances;
3. **Declare that Petitioner's continued detention exceeds lawful limits** and constitutes a violation of her due process rights under the U.S. Constitution;
4. **Grant any such further relief** as the Court deems just and proper.

Respectfully submitted,



Mariia Ianova

On behalf of Irina Ianova as her daughter.

Date: 05/14/2025

My address: [REDACTED] MD 21740

Mailing address: [REDACTED] MD 21740

Phone: +1 [REDACTED]

Email: yanovamari65@gmail.com

Mariia Ianova
On behalf of Irina Ianova
My address: [REDACTED] Hagerstown, MD 21740
Mailing address: [REDACTED] Hagerstown, MD 21740
+ [REDACTED]
yanovamari65@gmail.com

05/14/2025

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U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

MAY 30 2025

DANIEL J. MCCOY, CLERK

BY: _____

Clerk of Court
United States District Court
Western District of Louisiana
300 Fannin Street, Suite 1167
Shreveport, LA 71101

Re: Habeas Corpus Petition on behalf of Irina Ianova

A# [REDACTED] currently detained by Immigration and Customs Enforcement (ICE) at the South Louisiana ICE Processing Center in Basile, Louisiana (3843 E Stagg Ave, Basile, LA 70515)

Dear Clerk of Court,

I respectfully submit the enclosed Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on behalf of my family member, Irina Ianova, currently detained at the South Louisiana ICE Processing Center in Basile, Louisiana.

Ms. Ianova has been in immigration custody since May 6, 2024, despite having received a positive credible fear interview result in June 2024 while held at Richwood Correctional Center. She has remained detained for over one year, even after my own release in June 2024, although we crossed the border together as a family.

Her immigration court hearing was held on October 8, 2024, and her appeal was denied on April 11, 2025, following the initial appeal submission on February 18, 2025. On May 9, 2025, Ms. Ianova signed removal documents under duress. Multiple applications for parole were submitted by her sponsor, all of which were denied without justification. We were unable to apply for bond because her case was marked ineligible by CBP policy.

Ms. Ianova is a long-standing member of the Seventh-day Adventist Church, both in Russia and among the U.S. Adventist communities. She has served faithfully in the children's department and as a Sabbath School teacher, and has actively participated in missionary and social work throughout her religious life.

She is supported in the United States by a strong circle of friends and religious community members, including her sponsor Ekaterina Tomenko, and a wide network of fellow churchgoers in the Washington, D.C. area. Many of these individuals worked with Ms. Ianova in the Stavropol church before coming to the United States, and they stand ready to provide her housing, supervision, and moral support upon her release from detention.