

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

UNITED STATES DISTRICT COURT

for the

Western District of Louisiana

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

JUN 09 2025

VIKTORIIA KARMANOVA

Petitioner

v.

SOUTH LOUISIANA ICE PROCESSING CENTER

Respondent

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


BY: DANIEL J. MACCOX, CLERK

Case No. 25-cv-0803 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: VIKTORIIA KARMANOVA
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: SOUTH LOUISIANA ICE PROCESSING CENTER
(b) Address: 3843 STAGG AVENUE, BASILE, LA 70515
(c) Your identification number: A# 
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): _____

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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: U.S. Immigration and Customs Enforcement (ICE)
South Louisiana ICE Processing Center 3843 Stagg Avenue, Basile, LA 70515
- (b) Docket number, case number, or opinion number: A# 249-138-137 (EOIR case pending)
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Prolonged immigration detention without parole or bond since August 2024,
despite positive Credible Fear Interview and pending asylum case.
- (d) Date of the decision or action: August 2024 (Initial detention at the port of entry)

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: ICE – Enforcement and Removal Operations (ERO)
- (2) Date of filing: Multiple requests submitted between October 2024 – May 2025
- (3) Docket number, case number, or opinion number: N/A (Parole requests were not assigned docket numbers)
- (4) Result: No response received
- (5) Date of result: N/A
- (6) Issues raised: Prolonged immigration detention since August 2024.
42 parole requests submitted; 38 ignored.
Petitioner is a plaintiff in two federal class actions. See attached Statement of Facts.

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(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: _____

Petitioner is an immigration detainee without legal counsel and received no formal response to the majority of parole requests.

As such, there was no available administrative mechanism to pursue 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: _____

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

No second appeal was filed, and Petitioner had no access

to a higher level of review while in ICE custody without legal assistance.

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: _____

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- (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: August 2024
(b) Date of the removal or reinstatement order: No removal order issued.
(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☒ No

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: _____

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(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: _____

My prolonged detention without parole review violates _____

my rights under the Due Process Clause of the Fifth Amendment. _____

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

I have been detained by ICE since August 2024 after I lawfully requested asylum at a U.S. port of entry.

I passed my Credible Fear Interview, yet I remain in detention without bond or parole.

I submitted 42 parole requests, but only 4 of them received responses, and none were based on individualized review. ICE provided no written decisions or explanations. I am also a plaintiff in the class actions

Mons v. McAleenan and Tereshchenko v. Mayorkas, which directly challenge

ICE's failure to review parole requests as required by law.

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

☐ Yes

☒ No

GROUND TWO:

My continued detention without proper medical evaluation or care puts my health at risk and violates my constitutional rights.

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

Before I arrived in the United States, doctors in my home country told me I might have a serious medical condition. At the border, I was told that initial tests were fine, but since then I have not received any follow-up testing or medical evaluation in detention. I have continued to experience health concerns while in ICE custody. I am worried about my condition and the lack of adequate medical attention, which puts me at risk and violates my rights under the Fifth Amendment.

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

☐ Yes

☒ No

GROUND THREE:

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

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

☐ Yes

☒ No

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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:

I did not have access to legal assistance or a meaningful appeals process while in ICE custody.

Most of my parole requests received no response, and I was unable to present these grounds through formal channels.

Request for Relief

15. State exactly what you want the court to do:

I respectfully ask the Court to order my immediate release from ICE custody, or in the alternative

to require ICE to provide an individualized parole determination

with written justification. I also ask the Court to grant any further relief it

deems just and proper.

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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: May 29, 2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any