



AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

UNITED STATES DISTRICT COURT
for the

MKRTCHYAN, LEVON

Petitioner

v.

United States Immigration and Customs Enforcement
United States Department of Homeland Security

Respondent

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

Case No.

5:25-cv-56-KS-BWR
(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: LEVON MKRTCHYAN
- (b) Other names you have used: N/A
2. Place of confinement:
 - (a) Name of institution: ADAMS COUNTY DETENTION CENTER
 - (b) Address: 20 HOBO FORK RD.
NATCHEZ, MS 39120
 - (c) Your identification number: A#: [REDACTED]
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): _____

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)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

- ☐ 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: ADAMS COUNTY DETENTION CENTER
20 HOBO FORK RD., NATCHEZ, MS 39120

(b) Docket number, case number, or opinion number: A# [REDACTED]

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

The continued immigration detention of Petitioner despite serious, untreated
medical needs, including denial of necessary surgical care for a critical condition, in
violation of his constitutional rights.

(d) Date of the decision or action: No response was provided by the respective administrative agency

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: U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO)

(2) Date of filing: 05/13/2025

(3) Docket number, case number, or opinion number: N/A

(4) Result: NO RESPONSE

(5) Date of result: N/A

(6) Issues raised: The Detainee has critical medical condition, who is currently in custody.

The Detainee is suffering from severe hemorrhoids and is experiencing near-daily bleeding.

Despite repeated requests for medical attention, he has not received the necessary care in the detention facility.

The medical staff at the facility have acknowledged that the Detainee requires surgical intervention but have stated they are unable to provide the operation.

No meaningful action has been taken to alleviate the Detainee's suffering or address his deteriorating health.

(b) If you answered "No," explain why you did not appeal: N/A

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes ☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Director, Office of Professional Responsibility, U.S. Immigration and Customs Enforcement and
Field Office Director, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement

(2) Date of filing: 05/15/2025

(3) Docket number, case number, or opinion number: N/A

(4) Result: NO RESPONSE

(5) Date of result: _____

(6) Issues raised: The detainee is in critical condition, whose urgent surgery was acknowledged but ignored by the facility staff.

Violation of the Fifth Amendment Due Process Clause, Potential liability of ICE or federal officials

Noncompliance with ICE's Performance-Based National Detention Standards (PBNDS)

Neglect of basic human rights and dignity, Failure to assign a responsible officer or ensure oversight

Request for investigation, accountability, and immediate medical attention

(b) If you answered "No," explain why you did not file 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: _____

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

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

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: _____

- (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: 10/18/2024

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

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

☐ Yes

☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

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: _____

(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: _____

PAROLE REQUEST

(b) Name of the authority, agency, or court: _____

DEPARTMENT OF HOMELAND SECURITY

(c) Date of filing: 01/07/2025

(d) Docket number, case number, or opinion number: _____

N/A

(e) Result: No Result

(f) Date of result: N/A

(g) Issues raised: Importance of release the Petitioner from detention in connection with his health condition

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

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. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Deliberate indifference to serious medical needs while in immigration detention:

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

Petitioner is suffering from severe hemorrhoids and experiences near-daily bleeding. Despite repeated requests for medical treatment, the facility has failed to provide adequate care. Medical staff at Adams County Detention Center have acknowledged that surgery is necessary but admitted they cannot provide it. This failure to act has resulted in ongoing pain and poses a serious risk of permanent harm.

An administrative request for release or medical care was submitted to ICE on May 14, 2025, with a follow-up on May 19, 2025.

Both were confirmed as received, but no further response has been provided. This constitutes deliberate indifference to Petitioner's serious medical condition.

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

☒ Yes

☐ No

GROUND TWO: Unlawful prolonged immigration detention without justification or adequate access to medical care

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

Petitioner has been held in immigration custody for an extended period without access to necessary medical treatment.

DHS has acknowledged Petitioner's medical condition but continues to detain him in a facility unequipped to treat his serious health issues. Petitioner's requests for release were submitted on May 14 and May 19, 2025, and remain unanswered.

The prolonged detention under these circumstances lacks a legitimate purpose and is causing irreparable harm to Petitioner's physical and mental health.

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

☒ Yes

☐ No

GROUND THREE: Cruel and inhumane conditions of confinement resulting in psychological and physical harm

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

Petitioner is suffering not only physically, but also emotionally and psychologically due to the untreated medical condition and ongoing confinement.

He has reported experiencing anxiety, distress, and mental exhaustion caused by constant bleeding, pain, uncertainty about his health, and lack of medical intervention.

The knowledge that medical staff have acknowledged his condition yet continue to withhold treatment has exacerbated his suffering.

The absence of a clear plan for medical care or release has led to a deteriorating mental state, which is aggravated by prolonged isolation and neglect in the detention environment.

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

☐ Yes

☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. » 2241

GROUND FOUR: N/A

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

N/A

(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: N/A

Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully requests that the Court issue a writ of habeas corpus, ordering his immediate release from immigration custody due to the denial of necessary medical care, mistreatment, and prolonged detention. He further requests access to appropriate medical treatment and evaluation, and the opportunity for release based on humanitarian grounds.
Additionally, Petitioner seeks any other relief the Court deems just and proper.

AO 242 (Rev. 09/17) 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:

N/A – Petitioner is not incarcerated in a prison facility. Petition is being filed with the Court directly.

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: 06/04/2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any