

FILED

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

UNITED STATES DISTRICT COURT
for the

JUN -9 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

AJAY SINGH
 Petitioner
 TODD M. LYONS, Acting Director, I.C.E.
 PAMELA BONDI, US ATTORNEY GENERAL
 KRISTI NOEM, SECRETARY, DEPARTMENT
 OF HOMELAND SECURITY

SA 25CA0659 JKP

Case No.

(Supplied by Clerk of Court)

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

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

Personal Information

1. (a) Your full name: AJAY SINGH
 (b) Other names you have used: _____
2. Place of confinement:
 (a) Name of institution: KARNES COUNTY IMMIGRATION PROCESSING CENTER
 (b) Address: 409 FM1144, KARNES CITY, TX, 78118
3. (c) Your identification number: A SS#
 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)

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☐ 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: I.C.E. DEPARTMENT of Homeland Security

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

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

ESSENTIALLY CHALLENGING CONTINUED detention BY the United States
Department of Homeland Security, Bureau of Immigration and
Customs Enforcement. (I.C.E.)

(d) Date of the decision or action:

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:

(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:

8. **Second appeal**

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

☐ Yes

☐ No

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(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: _____

N/A

(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: _____

N/A

(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

N/A

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If "Yes," provide:

- (1) Name of court:
- (2) Case number:
- (3) Date of filing:
- (4) Result:
- (5) Date of result:
- (6) Issues raised:

N/A

- (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:

N/A

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: MARCH 2, 2025
- (b) Date of the removal or reinstatement order: JAN 8, 2001
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

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If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____

N/A

(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: _____

N/A

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: _____

N/A

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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 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: Denial of my 8th Amendment Right to be Free from Cruel, Unusual and Inhumane Detention.

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

(SEE Attached Declaration)

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

☐ Yes

☒ No

GROUND TWO: Entitled to Immediate Release from ICE Custody Pursuant to the Supreme Court's holding in ZADVYDAS V. DAVIS, 533 U.S. 678, 698-701 (2001) holding that removable Aliens may only be detained for a

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

"REASONABLE PERIOD" which is Presumed to be 90 days/180, unless it can be shown that there is a significant likelihood of removal in the reasonable foreseeable future.

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

☐ Yes

☒ No

N/A

GROUND THREE: No Conviction for a Crime involving Moral turpitude, not even a traffic violation in last 7 years. Good moral character.

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

(See Attached Declaration)

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

☐ Yes

☒ No

N/A

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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:

N/A

Request for Relief

15. State exactly what you want the court to do: Release from I.C.E detention Pursuant to An Order of Supervision and a Continuing Prohibition on I.C.E detaining me. DUE to complexity of ISSUES at hand, and my indigent status, request that the Honorable Court please appoint counsel for me.

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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:

06/04/25



Signature of Petitioner

Signature of Attorney or other authorized person, if any

INTRO: Submitting Attached Documents For The Release

BODY: STORY & FACTS

* Since 1994; working & paying taxes, at age of 15 I left India with a British family who then dropped me off with their so called family friend in San Jose, CA, who forced me to work 12 to 16 hours a day with little pay. He used my Social Security for loans and put phone bills in my name that he never payed. Which is why my credit history become very bad until today. He also used my driver's license and got multiple tickets that took a long time in court to be cleared up. I witnessed him in heavy drug use and theft at an early age. Some time later that person got caught and deported and I was thus set free from his abuse and captivity.

* I have zero felonies, zero disciplinary actions against me in my last three visits to detention centers and never violated the conditions of supervision.

* I have been on ICE Parole since 2011 after my release from York County, PA Detention Center where I was taken to the Indian Embassy in New York. However India denied my travel documents and ICE released me after six months.

* I moved back to Florida after my wife's untimely death in 2017.

* By order of Supervision I was transferred to ERO Miramar, FL.

* I was ordered to be on ISAP (ankle bracelet for seven months, report bi-weekly).

* In 2019 I was detained by ICE as I was doing the bi-weekly ISAP check at the meeting an ICE officer become upset with me because I do not have any passport. In fact the officer become very enraged and shouted at me that I am going to be arrested and taken to jail for no reason. Subsequently I was taken to Broward Transition Center, FL for removal proceedings. I thus remained detained once again this time from September 11 through

December 2019.

*** In December 2019 I was transfered to Krome Detention, FL in the middle of (Covid19) and things become horrible and dangerous in Pod 5 with more than 90+ detainees in a maximum 60-person capacity for more than 60 days of quarantine. On top of that the ICE officer there prolonged my detention and threatened me that if I filed Habeas corpus he would send me "where no one will find you". And once again that ICE officer had me contact the Indian Consultate from Texas via phone and yet again India denied to issue any travel documents for me. My total detention time was seven months. I was finally released in April 2020 under the order of Supervision.**

*** And now yet again, On March 2nd 2025, ICE came to my house in larger numbers and traumatizing appearences that shook the entire neighbourhood including my landlord, even though I was freed on the order of a Supervision.**

*** ICE then moved me to Krome Processing Center again on March 2nd 2025 and I was in intake for 12 days sleeping next to the toilet with more than 50 plus detainees in a maximum 20-person capacity cell. I never felt so disgusted, sick, angry, degraded and sad. It was totally inhuman, cruel, unusual and injustice. That reminded me of 2020 Covid19. It was so degrading. I had to sleep on the floor for more than a month. Then again on April 17th, ICE transfered me to Broward Detention Center.**

*** On April 20 around 3am, I was shackled by the hands, body and legs and put on the bus to Karnes County processing Center in Texas. I had to spent more than 35+ hours in that bus. Also the aeroplane was not a great experience. It was having a very bad turbulance in a normal weather. It was an experience, a torture I wish on no one. A few days later I was called to meet with an ICE officer and he told me that "I have been in the US for way too long" and this time he will make sure that I be sent back to my home country as soon as possible. And then he took my picture with his camera.**

And now I fear that he will make fake travel document for me and mix me in an ICE aeroplane with other detainees and drop me off in Lebanon, El Salvador, Pakistan or Afghanistan or anywhere in the world.

* I also fear that if the ICE aeroplane dropped me off in India, I will be questioned and tortured about my identity by the Punjab or New Delhi Police. They will call me a spy or a terrorist from Pakistan since I have no one to contact in India as I do not have any family, relatives or friends left in India.

* I have spent all my life here in the United States and I have no clue which direction I will go to or how to earn a living if they removed me from the USA. Thinking about this situation gives me mental trauma and nightmares. I turned 50 this month, on May 28th.

I am not a flight risk or a threat to the community or society

- Since 2021, I have been working at the Wawa in Miami, Florida as a maintenance supervisor, and my bosses are waiting for me to return, regularly contacting my friends to inquire about my well-being and professional prospects

- I have a valid driver license and work permit

- I quit drinking after my wife's death and have become a clean and much better person

- I have a good relationship with Pastor Sandro Palacios

 my step son Shaun Dela Cruz and my grandson Miles



• I am emotionally, mentally, physically and psychologically drained, entirely exhausted, by this constant problem of recurring, unending incarcerations over the past 14+ years!

I have spent a total of more than 21 months in detention centers and here I

find myself once again. It is like a Ground Hog day, a recurring nightmare of non stop cruel, unusual punishment in contravention of the 8th Amendment. ICE detains me any time they wish to. It is not my fault I was smuggled, In fact human-trafficked, to the United States by foreigners as a minor early age of only 15, abandoned by my biological parents. The Immigration and Nationality Act that prohibits detentions of over 90 or 180 days. I have now in incarcerated total been for some 480 or 500 days.

Compliance; I regularly plead with the Indian Consultates in NY, with Washington, DC, California and Texas to issue me with a passport and birth certificate. They have been refusing for well over a decade now (I am in limbo). And ICE is adding me to their statistics when there is no real hope of returning me to India. These detentions have shattered my life, leaving me hopeless and depressed.

Your honor, as Immigration Judge, you are my last hope, Sir!

PIS See Attached documents :

- W-2's, 2023
- Job history and Certificates
- I-220 B from Philly, PA 2011 to 2017
- I-220 B from ICE/ERO Miramar, FL. 2017 to 2024
- Employment Authorization, Exp 04/14/2026
- Interview with ICE officer @ Krome, FL
- Application for Indian Passport sent to Indian Consultates all over USA.
- Certified mail Receipt for passport application.
- Family friend ROGER MAS, ICE AGENT, who for my last habeas corpus application in 2020, filed a supporting affidavit on my behalf.