

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

**FILED**

June 17, 2025

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_western\_ District of \_Texas\_\_\_\_\_

BY: \_\_\_\_\_lad\_\_\_\_\_  
DEPUTY

Vladimir Chernev

\_\_\_\_\_  
*Petitioner*

v.

Case No.

6:25cv255

(Supplied by Clerk of Court)


Bret Bradford – Houston Field Office Director Enforcement  
And Removal Operations, U.S. Immigration and Customs  
Enforcement; Todd Lyons – Director, U.S. Immigration  
and Customs; Kristi Noem – Secretary, U.S. Department  
of Homeland Security; Warden Limestone County Detention  
Center, 910 Tyus Street, Groesbeck, TX 76642.

\_\_\_\_\_  
*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: Vladimir Chernev  
(b) Other names you have used \_\_\_\_\_;
2. Place of confinement:  
(a) Name of institution: Limestone County Detention Center  
(b) Address: 910 Tyus Street, Groesbeck, TX 76642.  
  
(c) Your identification number: A 

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3. Are you currently being held on orders by:

☒ Federal authorities      State authorities      ☒ Other - explain:

Currently detained by federal authorities pending release after approval of asylum.

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:

7. (a) Name and location of the agency or court: 500 HILBIG ROAD CONROE, TX 77301. U.S.

Department of Justice executive office for immigration review Conroe immigration Court.

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(b) Docket number, case number, or opinion number: \_\_\_\_\_

(c) Decision or action you are challenging (*for disciplinary proceedings, specify the penalties imposed*):  
The migrant is in prison. He has won asylum but an appeal has been filed against the court is decision. The migrant wants to file a habeas corpus to challenge the legality of his detention.

(d) Date of the decision or action :  
December 23, 2024 \_\_\_\_\_

**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:

My understanding is that the court is decision was fair and valid, so I did not file an 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: \_\_\_\_\_

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

My understanding is that the court is decision was fair and valid, so I did not file an 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 : \_\_\_\_\_

My understanding is that the court is decision was fair and valid, so I did not file an appeal.

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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: \_\_\_\_\_

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: The remedy under 28 U.S.C. § 2255 is inadequate in my case because I am not a convicted person in a criminal court, but rather I am in the process of appealing a decision regarding my grant of asylum. In this situation, I am facing the risk of deportation despite having been granted asylum due to the action of the prosecutor which calls in to question the reliability of the protection of my rights. The available legal remedies do not provide adequate protection in a situation where the prosecutor is

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appealing the asylum decision and as a result, I have no effective way to defend my interests and rights as a refugee.

**11. Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: June 9, 2024  
 (b) Date of the removal or reinstatement order: asylum was granted, November 26, 2024

(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: petition for parole

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

Detention Otay Mesa, CA – September 2024, Detention Joy Corley – January 2025 and February 2025.

(c) Date of filing: \_\_\_\_\_

(d) Docket number, case number, or opinion number: \_\_\_\_\_

(e) Result: denial of parole

(f) Date of result : September 2024, Detention Joy Corley – January 2025 and February 2025

(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 due process rights

(a) Supporting facts (*Be brief. Do not cite cases or law*): I won my political asylum case on November 26, 2024 based on substantiated evidence of persecution in my country of origin. However, the prosecutor filed on appeal against this decision, which resulted in a delay in my status and the opportunity to receive protection.

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

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☒ Yes☐ No**GROUND TWO: illegal detention**

(a) Supporting facts (*Be brief. Do not cite cases or law.*): I continue to be held in detention despite the favorable decision regarding my asylum case. This detention is not based on any specific reasons or threats to security making it arbitrary and a violation of my rights under the First Amendment of the U.S. Constitution.

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

☒ Yes☐ No**GROUND THREE: Unjustified detention**

(a) Supporting facts (*Be brief. Do not cite cases or law.*): My detention following the court is decision to grant political asylum is unjustified, as I process all necessary document and evidence supporting my refugee status. This creates unnecessary stress and undermines my psychological stability.

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

☒ Yes☐ No**GROUND FOUR: Prolonged process.**

(a) Supporting facts (*Be brief. Do not cite cases or law.*): The appeal process has been excessively slow and has been dragging on for months, which has had a serious negative impact on my live. I live in a state of uncertainty, not knowing when a decision will be made regarding my case. This causes me constant stress and anxiety, as I fear that I could be deported back to a country where I face persecution.

Additionally, the lack of clarity regarding my status prevents me from planning my future, including the possibility of employment or educational opportunities. I feel trapped in this situation, and it significantly undermines my mental and emotional stability.

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

☒ Yes☐ No**GROUND FIVE: Health Issues in Prison.**



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(a) Supporting facts (*Be brief. Do not cite cases or law.*): I suffer from a chronic condition that requires regular medical intervention. While in prison, I have not received adequate medical care, which has led to a deterioration of my health. For example, I contracted scabies, which caused me significant discomfort and itching, as well as skin infections due to a lack of proper treatment. Additionally, my vision has significantly declined, and I have difficulties with daily activities such as reading or recognizing people. Furthermore, I need to regularly see a cardiologist to monitor my health condition. However, the prison medical staff has not provided me access to cardiological care, which puts me at risk for serious complication. I also do not receive the necessary medication and procedures that have been prescribed by doctors. This cruel treatment of my medical situation violates my rights under the Constitution, as I am not receiving adequate treatment and care.

**GROUND SIX:** Problems with Relationships with Cellmates.

(a) Supporting facts (*Be brief. Do not cite cases or law.*): I am facing serious problems in my relationships with cellmates that jeopardize my safety and psychological well-being. I am subjected to constant threats and intimidation from some of my cellmates, which creates a dangerous and tense atmosphere.

**GROUND SEVEN:** Poor Nutritional Conditions.

(a) Supporting facts (*Be brief. Do not cite cases or law.*): The nutritional conditions in the prison are a serious problem. The food provided does not meet my medical requirements, and I cannot consume much of what is served. As a result, I have significantly lost weight and am not receiving an adequate amount of nutrients. These circumstances exacerbate my health condition, as I am not satiated and do not receive the necessary elements to maintain my health.

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

#### Request for Relief

15. State exactly what you want the court to do: Dear Court, I, Vladimir Chernev a migrant to whom political asylum was granted on November 26, 2024, respectfully submit a request for relief in connection with the appeal filed by the prosecutor against the court is decision.

In light of the above, I request that the court: 1. Consider the migration rights and the situation I find myself in.

2. Review the possibility of dismissing the prosecutor is appeal and affirming the decision to grant me political asylum.

3. Release me from immigration detention, as my detention violates my rights, and I have a legal basis to remain free based on the political asylum granted to me.

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4. If necessary, provide an opportunity to continue the process under habeas corpus to protect my rights and legal interests.

Thank you in advance for your attention to my case.

Sincerely,

Vladimir Chernev

Limestone County Detention Center, 910 Tyus Street, Groesbeck TX 76642.

June 9, 2025

**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

June 9, 2025

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:

June 9, 2025

Vladimir Chernev

*Signature of Petitioner*

Vladimir Chernev

*Signature of Attorney or other authorized person, if any*

Retail



RDC 99

FROM:

7532 Maple Avenue

Citrus Heights, CA 95610

Dmitrii Muzhikov



TO:

Clerk of Court

U.S. District Court

Western District of Texas - Wood Division

800 Franklin Avenue, Room 380

RECEIVED, TX 76701

JUN 17 2025

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY DEPUTY CLERK

Utility Mailer

10 1/2" x 16"