

To United States District Court
Eastern District of Pennsylvania

U.S. Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA 19106-1707

From: Dmitrii Tropskii

A# ~~XXXXXXXXXX~~
Reg. # ~~XXXXXXXXXX~~
FDC Philadelphia
700 Arch Street
Philadelphia, PA 19106

Explanatory Note

I, Dmitrii Tropskii, respectfully submit to this court a package including a petition for a writ of habeas corpus pursuant to 28 U.S.C. §2241 with additional page; a memorandum of law in support of the petition; an order to show cause attached to the petition and the memorandum; a motion for appointment of counsel pursuant to 18 U.S.C. §3006A with additional pages and appropriate order; exhibits in support of the aforementioned documents; and a copy of the petition for file-stamping.

A check or money order showing payment of the \$5 filing fee required by 28 U.S.C. §1941(a)

Explanatory Note

should be sent to this court by mail separately by the institutional authorities, as so are the rules of the facility where I am detained for withdrawing funds from a detainee account.

Due to inability to type documents on computer in Federal Detention Center Philadelphia, all documents that I was not able to obtain in printed form were written by hand.

Respectfully request the Court to excuse this mixture of printed and handwritten pages and to accept the package for further legal consideration.

Additionally, there is enclosed a copy of the petition which petitioner requests the Court to file-stamp and return to him.

Respectfully submitted,

Dmitri Toposki
Dmitri Toposki

06.18.2025
Date

Explanatory Note

Petition for a writ of Habeas Corpus
 Under 28 U.S.C. §2241

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

Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and ___ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

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

UNITED STATES DISTRICT COURT
for the
Eastern District of Pennsylvania

Dmitrii Tropski

Petitioner

Pamela Bondi, U.S. Attorney General;
Kristi Noem, Secretary of DHS;
... (see additional page)

Respondent

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

Case No. _____
(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: *Dmitrii Tropski*
- (b) Other names you have used: *None*
2. Place of confinement:
 - (a) Name of institution: *Federal Detention Center Philadelphia*
 - (b) Address: *700 Arch Street, Philadelphia, PA 19106*
 - (c) Your identification number: 
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)

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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: U.S. Immigration and Customs Enforcement refusal to release me from immigration detention

(b) Docket number, case number, or opinion number: None

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

U.S. Immigration and Customs Enforcement refusal to release me from immigration detention

(d) Date of the decision or action: 01.31.2025 ... (see additional page)

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

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: _____

(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: _____

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

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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: 09.14.2023
- (b) Date of the removal or reinstatement order: 09.26.2024
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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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: 06.11.2024
- (2) Case number: A [REDACTED]
- (3) Result: Appeal was dismissed
- (4) Date of result: 09.26.2024
- (5) Issues raised: I was challenging the Immigration Judge ("IJ")'s denial of my application for asylum, for withholding of removal, and for protection under the United Nation's Convention Against Torture ("CAT") regarding 1) past persecution - the Judge found that the harm I had suffered did not rise to the level of persecution; ... (see additional page)

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court: 5th Circuit Court of Appeals
- (2) Date of filing: 10.22.2024
- (3) Case number: 24-60548
- (4) Result: appeal is still pending
- (5) Date of result: appeal is still pending
- (6) Issues raised: whether the Board of Immigration Appeals erred adopting and affirming the IJ's decision denying my application for asylum, withholding of removal, and protections under CAT concluding that I did not have a well-founded fear of future persecution based on my 1) previous involvement in ... (see additional page)

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: _____

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: Violation of 8 U.S.C. §1231(a)(6)

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

I have been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove me in the near future. See attached memorandum with additional specific facts. Question (b) below is not applicable.

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

Yes No

GROUND TWO: Violation of the due process clause of the Fifth Amendment to the U.S. Constitution

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

ICE is depriving me of my right to liberty. I have been detained by ICE for a prolonged period. See attached memorandum with additional specific facts. Question (b) below is not applicable.

(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: This is not applicable to this matter

Request for Relief

15. State exactly what you want the court to do: 1. Assume jurisdiction over this matter;
2. Grant a writ of Habeas Corpus directing the Respondents to release me from further unlawful detention;
3. Enter preliminary and permanent injunctive relief enjoining Respondents from unlawfully detaining me any further;
4. In the alternative, issue a conditional writ of habeas corpus requiring Respondents to provide me with an individualized bond hearing before a neutral arbiter at which Respondents must bear the burden of establishing by clear and convincing evidence that my continued detention is justified;
5. Order that in considering my detention, the Court should require Respondents must consider alternatives to detention and my ability to pay when setting a monetary bond;
6. Grant such further relief as 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:

I, Dmitrii Tropkii, placed this petition in the prison mail system on the date indicated below

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: 06.18.2025

Tropkii

Signature of Petitioner

Signature of Attorney or other authorized person, if any

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Petitioner: Dmitrii TropSKI

A# 

Additional page

Continuation of:

Page 2, Title, Respondents: ...

Angela Klapakis, Director of ICE Philadelphia Field Office;
J.L. Jameson, warden of Federal Detention Center Philadelphia.

Page 3, Section 6(d): ... The ICE's decision, dated 01.31.2025,
is enclosed as Exhibit A in this package.

On 05.21.2025, Petitioner put in the mail a letter with
new release request, see it attached herein in Exhibit A,
and supporting documents to be mailed to Headquarters
Post-Order Detention Unit of DHS/ICE. The next day, on
05.22.2025, Petitioner handed the identical letter to the
facility's unit ICE Officer MOREL, so that he would
submit it to the Petitioner's ICE deportation Officer.
As of today, there has been nothing heard from ICE
Headquarters Post-Order Detention Unit or from the
ICE Deportation Officer in response to the request.

Page 6, Section 11(c)(5): ... 2) well-founded fear of future
persecution - the IJ determined that there was insufficient
evidence that my fear was subjective and was objectively
reasonable; 3) the IJ's finding of my failure to establish
that it was more likely than not that I would be
tortured if returned to Russia.

Page 6, Section 11(d)(6): ... Alexei Navalny's prominent Russian
opposition leader's organizations; 2) donations to
Ukrainian humanitarian foundations.

Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- Additional page -

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Memorandum of Law
in support of Petition for
a Writ of Habeas Corpus
Under 28 U.S.C. § 2241

Name: Dmitrii Tropkii

Alien Registration No. 

Detention Center: Federal

Detention Center Philadelphia

Address: 700 Arch Street

Philadelphia, PA 19106

Memorandum of Law

Introduction

1. Petitioner Dmitrii Trotskii, petitions this Court for a writ of habeas corpus to remedy Petitioner's unreasonably prolonged detention by Respondents. Petitioner submits this Memorandum of Law in support of the Petition for a Writ of Habeas Corpus.
2. As the Supreme Court held in Zadvydas v. Davis, 533 U.S. 678 (2001), noncitizens cannot be detained indefinitely if the government is unable to carry out their removal. The Supreme Court's opinion in Zadvydas stands for the proposition that "[f]reedom from imprisonment - from government custody, detention, or other forms of physical restraint - lies at the heart of the liberty that [the Due Process] Clause protects." 533 U.S. at 690 (citing Foucha v. Louisiana, 504 U.S. 71, 80 (1992)). The Fifth Amendment's Due Process Clause forbids the federal government from depriving any "person... of... liberty... without of due process of law." U.S. Const. amend. V. Prolonged detention requires due process protections for individuals, even those whose "presence in this country is unlawful." Plyler v. Doe, 457 U.S. 202, 210 (1982). Thus, as the Court noted, "[a] statute permitting indefinite detention of [a noncitizen] would raise a serious constitutional problem." Zadvydas, 533 at 690.
3. 8 U.S.C.S. §1226 is the pre-removal provision of the Immigration and Nationality Act ("INA"). It provides that

Memorandum of Law

an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States. 8 U.S.C.S. §1226(a). An alien detained under §1226(a) must be afforded a bond hearing before an immigration judge to determine if the alien's detention is necessary while he or she awaits immigration proceedings. See Jennings v. Rodriguez, 138 S. Ct. 830, 837, 200 L. Ed. 2d 122 (2018). "[T]he Attorney General 'may release' an alien detained under §1226(a) 'on bond ... or conditional parole.'" Id. at 837.

4. 8 U.S.C.S. §1231(a) is the post-removal detention provision of the INA and applies to aliens who are subject to a final order of removal. The categories of aliens covered by 8 U.S.C.S. §1231(a)(6) include those who have "been determined by the Attorney General to be a risk to the community or unlikely to comply with the order of removal." 8 U.S.C.S. §1231(a)(6). The Court in Zadvydas established a presumption that detention after a final order of removal was permissible for six months. After that six-month period, once a noncitizen provides "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." And the longer a noncitizen has been detained, the stronger the government's showing must be.
5. Petitioner is entitled to release under the framework of the aforementioned provisions and cases unless the government promptly demonstrates that there is a significant likelihood of removal in the reasonably foreseeable future or shows by clear and convincing evidence that Petitioner is dangerous or a flight risk, and

Memorandum of Law

- that no conditions of release can reasonably mitigate that danger or flight risk.
6. Petitioner respectfully requests that the Court use its authority under 28 U.S.C. § 2243 to order the Respondents to file a return within three days, unless they can show good cause for additional time. See 28 U.S.C. § 2243 (stating that an order to show cause why a petition for a writ of habeas corpus should be denied is returnable "within three days unless for good cause additional time, not exceeding twenty days, is allowed").
7. In order to permit full judicial review of the claims herein and requested relief, Petitioner respectfully requests that the Court order Respondents not to transfer Petitioner outside the jurisdiction of this Court pending consideration of his Petition.

Statement of Facts

8. Petitioner was born in Russia [Soviet Union that time].
9. Petitioner entered the United States on 09.07.2023.
10. Petitioner was served with a Notice to Appear ("NTA") on 01.08.2024. See a copy of NTA attached as Exhibit B.
11. An Immigration Judge ordered Petitioner removed from the United States on 05.20.2024.
12. Regarding appeals: following the entry of the final order of removal, Petitioner appealed to the Board of Immigration Appeals ("BIA"). The BIA dismissed Petitioner's appeal on 09.26.2024. Petitioner appealed the BIA's decision to the United States Court of Appeals for the 5th Circuit. Petitioner's appeal is still pending.
13. Petitioner has cooperated fully with all ICE's efforts

Memorandum of Law



there is a cell system of detention is provided, where inmates are incarcerated per two or three persons in a cell. In both facilities, Petitioner faced multiple lockdowns when he was locked in a cell, even along, for three-four days. See Petitioner's affidavit and affidavits of his former cell-mate attached as Exhibit D. This issue is particularly acute in the F.D.C. Philadelphia. In both abovenamed facilities, Petitioner faced cold cells, consequent disease, and medical negligence. See Petitioner's complaints on medical and general conditions attached as Exhibit E. In sum, despite its civil label his detention is indistinguishable from criminal punishment.

- 16. If released, Petitioner will be supported by friends and individuals who know him, including U.S. citizens, and are ready to provide him with financial and any other type of help. If released, Petitioner will reside with Vladimir Cherenkov, the U.S. citizen, at  . See documents from Vladimir Cherenkov and letters of support from Petitioner's friends in the U.S. attached as Exhibit F. Petitioner has no criminal history in the USA and has never been criminally convicted anywhere else.

Argument

- 17. This action arises under the Constitution of the United States and the INA §§101-507, 8U.S.C. §1101-1537, amended by the Illegal Immigration Reform and Immigration Responsibility Act of 1996, Pub. L. No 104-208, 110 Stat. 5009-1570.
- 18. This Court has jurisdiction under 28 U.S.C. §2241, the Suspension Clause, U.S. Const. art. I §9, cl. 2, and

Memorandum of Law

28 U.S.C. §1331, as Petitioner is presently in custody under color of the authority of the United States, and Petitioner's custody is in violation of the Constitution, laws or treaties of the United States. See Zadvydas, 533 U.S. 678. This Court may grant relief under 28 U.S.C. §2241 (habeas corpus), 5 U.S.C. §702 (establishing the right of review for a person suffering a legal wrong due to agency action), and 28 U.S.C. §1651 (All Writs Act).

19. Under 8 U.S.C. §1231(a)(2) subject to final orders of removal "shall" be detained during the first 90 days - the "removal period" - and they shall be removed during that period under §1231(a)(1). Under 8 U.S.C. §1231(a)(6), the government "may" continue detention beyond the 90-day removal period if a noncitizen falls within certain broad categories of removability or is determined "to be a risk to the community or unlikely to comply with the order of removal". 8 U.S.C. §1231(a)(6).
20. In its Decision to Continue Detention - Stay, dated 01.31.2025, ICE determined Petitioner to be a flight risk, consequently, his detention is governed by 8 U.S.C. §1231(a)(6).
21. In Zadvydas, the Supreme Court construed 8 U.S.C. §1231(a)(6) to authorize detention only when it is significantly likely that removal will occur in the reasonably foreseeable future, in order to avoid serious due process concerns that would be presented by permitting detention for an indefinite period of time. Zadvydas, 533 U.S. 678. After a noncitizen meets his or her initial burden to show that no such likelihood of removal exists, the burden shifts to the Government to "respond with evidence sufficient to rebut [the alien's]"

Memorandum of Law

showing." *Id.* at 701. Six months is the presumptively reasonable period during which ICE may detain aliens in order to effectuate their removal. *Id.* at 702. In CLARK v. MARTINEZ, 549 U.S. 371 (2005), the Supreme Court held that its ruling in Zadvydas applies equally to inadmissible aliens. Department of Homeland Security administrative regulations also recognize that [ICE] has a six-month period for determining whether there is a significant likelihood of an alien's removal in the reasonably foreseeable future.

22. In GUERRERO-SANCHEZ v. WARDEN YORK Cty. PRISON, 905 F.3d 222 (3d Cir. 2018), the Court found "no substantial distinction between the liberty interests of aliens detained under §1226(a) and §1231(a)(6) because "[r]egardless of the stage of the proceedings, the same important interest is at stake — freedom from prolonged detention" — accordingly, "[t]he liberty interests of persons detained under §1231(a)(6) are comparable to those of persons detained under §1226(a)." Citing DIOUT v. NAPOLITANO, 634 F.3d (9th Cir. 2011) at 1087. Further, in GUERRERO-SANCHEZ, 905 F.3d at 224, the Third Circuit "adopt[ed] the Ninth Circuit limiting construction of §1231(a)(6) that "an alien facing prolonged detention under [that provision] is entitled to a bond hearing before an immigration judge and is entitled to be released from detention unless the government establishes that the alien poses a risk of flight or a danger to the community." Citing DIOUT, 634 F.3d at 1092.
23. Due process demands "adequate procedural protections"

Memorandum of Law

to ensure that the government's asserted justification for physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint." Zadvydas, 533 U.S. at 690 (quoting Kansas v. Hendricks, 521 U.S. 346, 356 (1997)).

24. In Querrero-Sanchez, 905 F.3d at 225, the Third Circuit "in order to identify 'the specific dictates of due process' in this context [of prolonged detention under §1231(a)(6)], ... applied] the three part test that the Supreme Court enunciated in Mathews v. Eldridge, 424 U.S. 319, 335, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976). First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail, id.

25. Under §1231(a)(6), "[w]hen detention crosses the 6-month threshold and release or removal is not imminent, the private interests at stake are profound" and "the risk of an erroneous deprivation of liberty in the absence of a hearing before neutral decisionmaker is substantial," Diout, 634 F.3d at 1091-92; id. at 1092 n.13 ("as a general matter, detention is prolonged [under §1231(a)(6)] when it has lasted six months (i.e. 180 days) and is expected to continue more than minimally beyond six months.")

26. The Third Circuit estimated the fiscal and administrative burden of the Government of conducting a bond hearing

Memorandum of Law

- before an immigration judge as manageable, 905 F.3d at 225, and "adopted] a six-month rule . . . - that is, an alien detained under §1231(a)(6) is generally entitled to a bond hearing after six months (i.e. 180 days) of custody," *id.* at 226.
27. In Santos v. Warden Pike County Correctional Facility, 965 F.3d at 211 (3d Cir. 2020), the Court outlined four factors for determining whether detention becomes unconstitutionally prolonged. "The most important factor is the duration of detention." *Id.* See also Chavez-Alvarez v. Warden York Cty. Prison, 783 F.3d at 475-78; Diop v. ICE/Homeland Sec., 656 F.3d at 233-34 (3d Cir. 2011). As the length of detention grows, the period of time that would be considered "the reasonably foreseeable future" shrinks. See, e.g., Zadvydas, 533 U.S. at 701 (stating that as the length of time in detention grows "what counts as the 'reasonably foreseeable future' conversely would have to shrink").
28. As the Third Circuit Court explained, "detention becomes more and more suspect 'after five months', Santos, 965 F.3d at 211 (citing Diop, 656 F.3d at 234). See also the Third Circuit "six-month" rule in Guerrero-Sanchez, 905 F.3d at 226; or Zadvydas, 533 U.S. at 702 (six months is the presumptively reasonable period during which ICE may detain aliens in order to effectuate their removal).
29. Petitioner has been subject to mandatory immigration detention for approximately 21 months while his removal proceedings are pending, which is well beyond six months, and more than 8 months after his order of removal became final, on 09.26.2024.
30. The Santos Court, 965 F.3d at 211, declined to adopt any

Memorandum of Law



presumption of unreasonableness of any duration. Instead, it "evaluate[d] duration all with all the other circumstances, including these three other factors:

- 31. First, whether the detention is likely to continue. "Id." see Chavez-Alvarez, 783 F.3d at 477-78 (3d Cir. 2015). Petitioner's detention is likely to continue for next several months while his immigration case is pending.
- 32. Second, the reasons for delay, such as detainee's request for continuencies, 965 F.3d at 211 (citing Diop, 656 F.3d at 234). Petitioner has never intentionally delayed his immigration proceedings. As Santos Court explained, "[the Court] does not hold an alien's good-faith challenge to his removal against him, even if his appeals... have drawn out the proceedings." Id. (citing Chavez-Alvarez, 783 F.3d at 476-77). And further, "detention can still grow unreasonable even if the Government handles the removal proceedings reasonably. Santos, 965 F.3d at 211 (see Chavez-Alvarez, 783 F.3d at 475).
- 33. Third, whether the alien's conditions of confinement are "meaningfully different [] from criminal punishment. Id. (citing 783 F.3d at 478). "So if an alien's civil detention ... looks penal, that tips the scales toward finding the detention unreasonable. And as the length of detention grows so does the weight... of this factor." Id. see Chavez-Alvarez, 783 F.3d at 478. As it is stated in section 15 of this memorandum, Petitioner's civil detention "is indistinguishable from criminal punishment", Santos, 965 F.3d at 213 (citing Chavez-Alvarez, 783 F.3d at 478).
- 34. Though the Santos Court considered detention under

Memorandum of Law

§1226(e), it held that "the cost of error could be [even] lower at §1226(e) [than at §1231(a)(6)] bond hearing.

Santos, 965 F.3d at 214. Further, "when a party stands to lose his liberty, even temporarily, ... the Government [is held] to a higher burden of proof." Id.

35. Without intervention of this Court, Petitioner's detention will continue, as his immigration case is ongoing.

36. When a person has ongoing immigration proceedings, immigration detention without a bond hearing is considered unreasonably prolonged in violation of the Due Process Clause of the Fifth Amendment if such detention exceeds six months.

37. DHS has not yet conducted a bond hearing to determine whether Petitioner's continued detention is justified.

38. The Guerrero-Sanchez Court, 905 F.3d at 227, found that "[t]he DHS regulations that implement the Government detention authority under §1231(a)(6) themselves "raise serious constitutional concerns". Citing Dionf, 634 F.3d at 1091. This regulations provide administrative custody review after 90 days, 120 days, and 18 months ... by DHS employees who are not ostensibly neutral decision makers such as immigration judge. Guerrero-Sanchez, 905 F.3d at 227. Importantly, the regulations also place the burden on the alien, rather than the Government, to prove that he or she is not a flight risk or a danger to the society, ... and there is no appeal from [DHS's] decision. Id.

39. Detained people who have been mandatory detained in immigration detention for an unreasonably prolonged period must be released absent clear and convincing evidence that the detained person is dangerous or a

Memorandum of Law

- flight risk, and that no conditions of release can reasonably mitigate that danger or a flight risk.
40. When detention becomes unreasonable, the Due Process Clause demands a hearing, at which the Government bears the burden of proving that continued detention is necessary to fulfill the purposes of the detention statute. *Diop*, 656 F.3d at 221, 233.
41. For these reasons, Petitioner's continued detention without, at minimum, a constitutionally adequate hearing violates due process.

Conclusion

42. In conclusion, Petitioner's unreasonably prolonged detention violates the detention statute and is unconstitutional. Petitioner respectfully requests that this Court order Respondents to show cause why the writ should not be granted "within three days unless for good cause additional time, not exceeding twenty days, is allowed," and set a hearing on this Petition within five days of the return, pursuant to 28 U.S.C. §2243 and grant the Writ of Habeas Corpus ordering Respondents to immediately release Petitioner from their custody.

Respectfully submitted,

Signature: Troopskii

06.18.2025

Name: Dmitrii Troopskii

A-Number: [REDACTED]

Detention Center: FDC Philadelphia

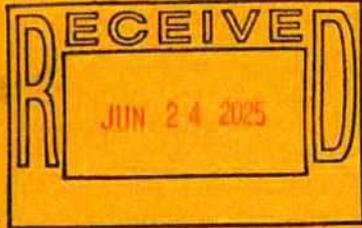
Address: 700 Arch St., Philadelphia, PA 19106.

Memorandum of Law

~~DMITR BOZKOV~~

Att. ~~XXXXXXXXXX~~; Reg. # ~~XXXXXXXXXX~~

FDC Philadelphia
PO Box 562
Philadelphia PA 19105



legal
mail

United States District Court
Eastern District of Pennsylvania
U.S. Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA, 19106-1797

Petition for a Writ of Habeas Corpus
Under 28 U.S.C. §2241

List of Exhibits:

Name of Exhibit:	Totally Page No:
<u>Exhibit A</u> : ICE's Decision to Continue Detention - Stay, dated 01.31.2025; Petitioner's release request, dated 05.21.2025	39-42
<u>Exhibit B</u> : Notice to Appear	43-46
<u>Exhibit C</u> : The 5 th Circuit Court of Appeals' order, dated 03.21.2025	47-49
<u>Exhibit D</u> : Petitioner's Affidavit in Support of Petition for a Writ of Habeas Corpus Under 28 U.S.C. §2241; Affidavits of Petitioner's former cell-mate Kakhaber Kakhria Shvili	50-56
<u>Exhibit E</u> : Petitioner's complaints regarding medical and general detention conditions (some copies are indistinct, Petitioner is ready to provide the original)	57-65
<u>Exhibit F</u> : Letters of support and accompanying them documents from Petitioner friends in the United States	66-87

EXHIBIT A

2025-06-24

2025-06-24

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H-12

Office of Enforcement and Removal Operations

U.S. Department of Homeland Security
114 N. 8th St
Philadelphia, PA 19107



U.S. Immigration
and Customs
Enforcement

TROPSKII, Dmitri
c/o Immigration and Customs Enforcement
Pike County Correctional Facility
175 Pike County Boulevard
Lords Valley, PA 18428



Decision to Continue Detention - Stay

This letter is to inform you that your custody status has been reviewed and as explained below, ICE has been determined that you will not be released from the custody of U.S. Immigration and Customs Enforcement (ICE) at this time. This decision has been made based on a review of your file and/or your personal interview and consideration of any information you submitted to ICE's reviewing officials.

ICE has determined to maintain your custody because you have not demonstrated that, if released, you will not pose flight risk, as demonstrated by your lack of substantial community and familial ties in the United States. A final order of removal has been in effect in your case since September 26, 2024, when the Board of Immigration Appeals dismissed your appeal. You have a pending petition for review (PFR) with the U.S. Court of Appeals for the Fifth Circuit. The Fifth Circuit also issued a temporary stay of removal. If your PFR is dismissed or if your stay of removal is lifted, ICE is in possession of the necessary travel documents to effectuate your removal, and removal is practicable, likely to occur in the reasonably foreseeable future, and in the public interest

Based on the aforementioned information, you are to remain in ICE custody pending a decision by the Fifth Circuit on your PFR. If your stay has not been lifted within one year, you will be scheduled for a Post-Order Custody Review (POCR) and served with a Notice to Alien of File Custody Review. If your stay is lifted and ICE does not affect your removal prior to the 90th day following the lifting of the stay, a new POCR will be conducted.

David O'Neill, Deputy Field Office Director

1/31/2025

Date

www.ice.gov

Page totally 40

To: Headquarters Post-Order
Detention Unit
DHS/ICE
801 I Street, N.W., Suite 800
Washington, DC 20536

From: Tropicki, Dmitrii
A# 
FDC Philadelphia
P.O. Box 562
Philadelphia, PA 19105

Release Request

A final order of removal has been in effect in my case since September 26, 2024, when the Board of Immigration Appeals dismissed my appeal. I have subsequently filed a petition for review (PFR) with the U.S. Court of Appeals for the Fifth Circuit which is currently pending. On January 27, 2025, the Court ordered an administrative stay of my removal until disposition of my motion to stay removal. By its order from March 21, 2025, the Court extended the administrative stay of removal pending disposition of my appeal. See the Court's order from 03.21.2025 attached in this packet. My appellate brief was due on April 30, and it was timely filed.

Disposition of the appeal by the Court's merits panel may take next several months considering time for the respondent's brief, the petitioner's reply

brief, requested oral argument, and the Court's decision and mandate.

Based on the foregoing, respectfully request to release me from the Immigration and Customs Enforcement's detention pending disposition of my PFR. In addition, affirmatively, I do not have criminal convictions, and there are no other adverse factors that might pose me as a danger to community. Also, there are individuals in the United States, including U.S. citizens, who know me and are ready to provide with financial and any other type of help. See letters of support and supplemental documents attached herein.

Respectfully submitted,

Tropneki
Dmitri Tropki

05.21.2025
Date

EXHIBIT B

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DEPARTMENT OF HOMELAND SECURITY

NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

In the Matter of:

File No: [Redacted]

Respondent: DMITRII TROPSKII currently residing at:

(Number, street, city, state and ZIP code)

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of Russia and a citizen of RUSSIA;
3. You applied for admission at SAN YSIDRO CA on 09/07/2023;
4. You did not then possess or present a valid immigrant visa, reentry permit, border crossing identification card, or other valid entry document.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

300 N LOS ANGELES ST, RM 4330, LOS ANGELES, CA, 90012

(Complete Address of Immigration Court, including Room Number, if any)

on JUNE 21, 2024 at 8:00 AM to show why you should not be removed from the United States based on the charge(s) set forth above.

(Date)

(Time)

[Handwritten Signature]

Supervisory Asylum Officer

(Signature and Title of Issuing Officer)

Date: 11/30/2023

Houston, TX

(City and State)

FORM I-862 (6/22)

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Warning: Any statement you make may be used against you in removal proceedings.
Allien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings.
You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the Immigration Judge. You will be advised by the Immigration Judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the Immigration Judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/I-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the Immigration Judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at http://www.ice.gov/contact/oro, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an Immigration Judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date:

(Signature and Title of Immigration Officer)

Certificate of Service

JAN 08 2024

This Notice To Appear was served on the respondent by me on JAN 08 2024, in the following manner and in compliance with section 239(a)(1) of the Act.

- In person by certified mail, returned receipt # requested by regular mail
Attached is a credible fear worksheet.
Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the English language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served)

(Signature and Title of officer)

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Authority:
The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:
You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:
For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:
Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

EOIR - 3 of 38

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EXHIBIT C

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United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 21, 2025

Lyle W. Cayce
Clerk

No. 24-60548

DMITRII TROPSKII,

Petitioner,

versus

PAMELA BONDI, *U.S. Attorney General,*

Respondent.

Petition for Review from an Order of the
Board of Immigration Appeals
Agency No. A ~~XXXXXXXXXX~~

UNPUBLISHED ORDER

Before STEWART, HAYNES, and HIGGINSON, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that this court's administrative stay, filed January 27, 2025, of the decision of the United States Immigration Judge ordering the removal of Petitioner is EXTENDED pending determination of whether to continue it by the merits panel that will consider Petitioner's appeal.

The court appreciates the government's letter dated March 10, 2025, confirming that the Department of Homeland Security ("DHS") has paused its efforts to remove Petitioner, as directed in our prior Order.

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No. 24-60548

Counsel for the government is again DIRECTED to provide DHS with a copy of this Order to ensure that Petitioner is not removed pending disposition of his appeal. The government is further DIRECTED to inform this court immediately if it becomes aware that DHS has reinitiated removal efforts.

Petitioner's motion for stay of removal pending review is CARRIED WITH THE CASE.

The Clerk is DIRECTED to restart briefing on the merits of the appeal and to establish a new briefing schedule, which shall include a counseled supplemental opening brief for Petitioner.

EXHIBIT D

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Affidavit

in support of petition for a writ of habeas corpus under 28 U.S.C. § 2241

I, Dmitrii Troopski, A# [REDACTED] born on [REDACTED] native and citizen of Russia, swear that all statements set forth below are true and correct under penalty of perjury of Laws of the USA.

By this affidavit, I state that since 11.09.2024 I have been held in prison-like conditions, being detained alongside convicted criminals, facing multiple lockdowns, medical negligence, and staff mistreatment that made my detention, despite its civil label, indistinguishable from criminal punishment.

On 11.09.2024, I was transferred by ICE in Pike County Correctional Facility, Pennsylvania, where I was confined in a cell system of confinement per three inmates in a cell, alongside convicted criminals, subjected to multiple lockdowns, up to 24 hours per day, because of security reasons or lack of correctional personnel.

The cell 1116, where I was placed, was the "corner" cell, where it was especially cold in winter time comparing to ordinary cells. I was provided with two thin blankets and no warm clothes by facility's administration, who forced inmates to buy warm clothes in commissary. When it became particularly cold at nights in the beginning of January 2025, I started complaining to officials asking to provide me with more blankets or warm clothes. I was given one more blanket and no warm clothes, as so was

Affidavit of D. Troopski

the common practice in the facility. I could not afford myself buying warm clothes.

In a couple of weeks, I got sick. Since 01.18.2025, I regularly submitted medical complaints of being sick, coughing, sweating all nights through in the cold cell, hardly performing my duties of kitchen work, etc. Simultaneously, I submitted request to the administration asking to remove me to another, not corner, cell. See affidavit of my that time cell-mate attached herein in Exhibit D. I have also received a copy of my medical records from the facility showing my multiple complaints that time. In several days, I was removed to another cell. Though, proper medical assistance I got only on 02.05.2025, after X-ray diagnostics showed pneumonia. Till that day, I was treated with cough syrup, which gave only negative side effects, and told that my lungs were clear. To come to this conclusion, various nurses listened me with stethoscopes through several layers of garment I had on me in the noisy detention unit. And I had no ability to see a doctor. That time I started complaining outside the facility. First, to the Freedom for Immigrants, a human rights project, on their detention informational line at 3233#. Then, to the Detention Reporting and Information line of ICE - a direct channel for detainees to communicate directly with ICE; to the hotline of the Office of Inspector General of DHS at 518#; on hotline of the American Bar Association at 2150#. My multiple complaints regarding medical negligence and general poor detention conditions were recorded on that sources.

Affidavit of D. Tropkii

Notwithstanding pneumonia and unfinished course of antibiotics, on 09.13.2025, I was transferred by ICE to Federal Detention Center Philadelphia. From the night of arrival, I faced there very cold cells, was provided with only one thin blanket, similar to those in Pike County. I could not sleep, was knocking the cell door explaining to a unit officer that I was sick and that new conditions of staying were improper to me - nobody cared. The next day, I was able to explain a nurse my medical condition of not fully treated pneumonia, along with other infirmities, I had. First pills I had used to take before I got in the facility in 3 days after arrival. That were mental health pills, I was not treated pneumonia here at all, though complained verbally and in form of sick call paper requests almost every day the first week of arrival. Then I understood it was useless, sick call requests did not work properly in the facility. See affidavit of my that time cell-mate attached in Exhibit D.

Here, in FDC Philadelphia, being locked per two detainees in a cell, sometimes it was solitary confinement, I was subjected to more frequent lockdowns in a cold in February and March I cell, in which you could only lie covered with everything possible because of coldness during freezing winter and spring days. I could not even read seating. It was humiliating.

In FDC, lockdowns are frequent, last month occurring almost every other day. During four months of staying, I faced 2 three-day lockdowns, 1 four-day, 1 two-day, and multiple 1-day lockdowns. During lockdowns, rarely, we were allowed brief access

Affidavit of D. Tropickii

to the shower and drinking water, as they are located in an area of common attendance, often-were not. And always using bothroom without privacy, which is again humiliating.

In FDC Philadelphia, I faced medical negligence, sick call requests were mostly not responded. I put multiple complaints to the administration of the facility and to external aforementioned sources. See some of them attached in Exhibit E. Also, I encountered lying and manipulation with data from the side of medical officials of the facility.

I am ready to testify more specifically on the matter set forth above, with providing medical records, if the court finds it appropriate.

Summarizing, my detention since November 2024 looks more like punitive imprisonment rather than civil immigration detention.

Respectfully,

Impersonation
Dmitri Tropzki

06.16.2025
Date

Affidavit of D. Tropzki

Affidavit

I, Kakhaber ^{Kakhniashvili} 55 years old, native and citizen of Georgia, alien ID No. [REDACTED] was a neighbour of Dmitrii Trotskii, alien ID No. [REDACTED] in the cell [REDACTED] unit [REDACTED] in Pike County Correctional Center all the time. Dmitrii was complaining to facility's administration on coldness at nights in the cell, as this cell is a corner one with 2 walls facing outside. Nothing was done from administration's side, we still had no warm blankets or warm clothes. Soon, Dmitrii got sick: fever, cough, cold, and approximately on 01.20.2025 was moved to other cell. In several days, I got cold as well.

I swear under the penalty of perjury that all my statements herein are true and correct.

K. Kakh
Kakhaber Kakhniashvili

01.27.2025
date

All foregoing statements are written correctly from my speech.

Kakhaber Kakhniashvili

K. Kakh

affidavit

I, Kakhaber Kakhniashvili, A # [REDACTED] born on [REDACTED] native and citizen of Georgia, confirm that since our arrival at Federal Detention Center Philadelphia, till the present day Dmitrii Tropkii, A # [REDACTED] born on [REDACTED] has not received any medical treatment or X-ray check of his pneumonia though he complained on disease to medical and administrative personnel from the first day of arrival. He was really sick, coughing under only one provided thin blanket in the cold cell where we stayed together.

also, as well as me, he was claiming to serve us with pills prescribed us by doctors in previous immigration detention facilities. Most of that pills we have not received to the present day.

I, Kakhaber Kakhniashvili, swear under the penalty of perjury that all my statements herein are true and correct.

K. Kakhaber Kakhniashvili
K. Kakhniashvili

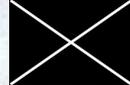
03.26.2025
Date

EXHIBIT E

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**PIKE COUNTY CORRECTIONAL FACILITY
INMATE REQUEST FORM**

NAME: John Lee Smith
LAST FIRST MI

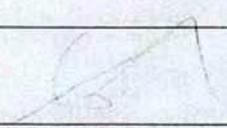
DATE: 1-20-25 BLOCK:  CELL: 

REQUEST: I have been complaining on coldness
in the corner cell for more than
month asking for warm blanket or warm
clothes. Now I am sick because of it,
and sweat at nights in that cell. Request
to move me in not corner cell.

RECEIVED BY: rlk BADGE#: 24 DATE: 1-20-25

ROUTED TO: PROGRAMS SECURITY OTHER: _____

ANSWER: APPROVED DENIED (STATE REASON)
put on blanket which
is how we keep

BY:  DATE: 1-20-25

TITLE - EMPLOYEE NAME
PINK- Kept by Inmate, YELLOW - Returned to Inmate, WHITE - File Copy

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: TropSKI, Dmitrii ~~REG. NO.~~ ~~UNIT~~ FDC Philadelphia
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

The response on Administrative Remedy #239805-F1 is the exact sample of manipulation with medical data from the facility's officials, when they pick up 5 of my sick call requests since March 22 thru May 9, 2025, which are convenient to them in correspondence with the dates of my medical attendance.

I started to keep a record of my submitted sick call requests on March 31, 2025. Here are all the requests during the period:

- gastroscopy (endoscopy) procedure: 3.31, 4.4, 4.14, 4.21 ;
- eyesight deterioration: 3.31, 4.4, 4.14
- weight in legs: 4.15, 4.21, 4.28, 5.5 ; (see additional page)

06.08.2025

TropSKI

DATE

SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

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Regional Administrative Remedy Appeal
Additional page: Case N 1239805-F1

- ...
- herpes (cold sore on right upper lip): 4.17, 4.26 - to a nurse verbally;
 - sore throat: 4.24;
 - psychiatrist consultation and correction of medication: 5.2, 5.5;
 - headaches: 5.2, 5.5.

I was not requesting for review of my blood pressure flowsheet, or complaining on difficulty sleeping. It was discussed on med. appointment on May 9, 2025.

So, there were picked up 5 from at least 18 sick call requests during the period.

Later, when I read a record of that appointment on May 9, 2025, I found that med. provider Camilla Hansen, after listening my complaint on heaviness in legs, and, obviously being unable to make any reasonable diagnosis, marked me as "malingerer" in medical record, convenient for her position.

There are two reasons why I am writing this complaint:

1. to get to know to senior authorities, if they are unaware, of this mistreatment.

2. to give a detainee ability to leave a proof in their hands about submitted sick call requests to make further possible dispute fair.

Respectfully submitted,

Dmitri Tropaki
Dmitri Tropaki

06.08.2025
Date

TROPSKII, Dmitri

Register Number: 
Administrative Remedy 1239805-F1

Part B - Response

This is in response to your request for an administrative remedy received in this office on May 6, 2025, in which you claim negligence of your sick call requests regarding complaints of "...weight in legs, particularly in calves and thighs, especially after a meal." You state your symptoms started on April 12, 2025.

Specifically, you refer to a complaint (Request for Informal Resolution) filed on April 29, 2025, in which you complained that you were not yet seen for the sick call complaint related to your legs. You received a written response on May 1, 2025, stating you were seen by the Medical Officer on April 30, 2025, but you made no mention or complaints related to your legs, and currently have no pending sick call requests related to your legs.

You dispute the response you received on May 1, 2025, contending that you submitted sick call requests for this ailment on 3 occasions: April 15th, 21st, and 28th. You insist you did mention complaints to the Medical Officer on April 30, 2025. More specifically, you allege the Medical Officer is lying.

You do not specify a request for relief, but point out that "...when an inmate submits a 'sick call' request he does not have any proof left in his hands that he has done so and the [Medical] Service can further manipulate with statistics".

A review of your electronic medical record reveals that you have successfully accessed medical care through the sick call process on several occasions since your arrival to FDC Philadelphia on February 14, 2025. The following is a summary of your documented sick call report:

- 1.) On March 22, 2025, you submitted a sick call request for a history of stomach ulcers previously treated with omeprazole. Your resulting appointment with the Advanced Practice Provider (APP) took place within **2 business days** on March 25, 2025.
- 2.) On March 25, 2025, you submitted a sick call request to be placed on specific medications you were previously taking prior to being detained. Your resulting

Page totally 61

appointment with the APP took place within **13 business days** on April 11, 2025.

- 3.) On April 4, 2025, while waiting for a pending appointment, you submitted a sick call request to be considered for an endoscopy for your history of polyps and gastric ulcer. You also requested to be scheduled for a vision screen. The complaints were addressed **within 6 business days** during your previously scheduled appointment which took place on April 11, 2025.
- 4.) On April 26, 2025, you submitted a sick call requesting to be seen for a cold sore on your right upper lip. Your resulting appointment with the APP took place within **3 business days** on April 30, 2025.
- 5.) On May 2, 2025, you submitted a sick call request to be seen for headaches, difficulty sleeping, to review your blood pressure flowsheet, and to discuss changing your psychiatric medication. The resulting appointment with the APP took place within **6 business days** on May 9, 2025. During this appointment you also complained of intermittent pain in the back of your legs, which was addressed by the APP.

Based on the above information, your medical care has been attentive and timely. The average turnaround for medical appointments accessed through sick call triage is well within community standards.

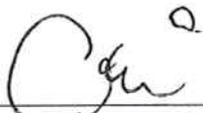
With respect to your primary claim, there is no evidence to support your allegation that Health Services selectively did not schedule a sick call request for "...weight in legs..." on 3 separate occasions. Every other sick call request was properly documented in the electronic medical record and promptly scheduled.

It is important to note that you did not include "weight in legs" on the sick call form that you submitted on May 2, 2025. Just one day prior, you received a written response to your Request for Informal Resolution ("complaint") that stated you never mentioned complaints of "weight in legs" during your April 30, 2025, meeting with the Medical Officer and that you had no pending sick call appointments. The response specifically instructed you to submit a sick call request, however the request submitted the following day, again, made no mention of "weight in legs"

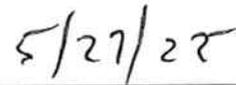
Page totally 62

Regarding your observation that inmates (and detainees) are not provided with "proof in hand" that they submitted a sick call request, there is no requirement to do so. The premise that Health Services "...can further manipulate the statistics..." on sick call is in direct contrast to the timely and appropriate medical care you received for every other sick call request you have submitted.

Accordingly, this response is for informational purposes only. If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, U.S. Custom House, 7th Floor, 2nd and Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.



J.L. Jamison, Warden



Date

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Tropecki Dmitrii [Redacted] [Redacted] FDC Philadelphia
LAST NAME, FIRST, MIDDLE INITIAL, REG. NO., UNIT, INSTITUTION

Part A- INMATE REQUEST

On April 29, 2025, I submitted complaint regarding of negligence from institution's medical service of my sick call requests from April 15, 21, and 28 about condition of weight in legs, part swelling in calves and thighs, especially after a meal.

I have got response from May 1st, in which Dr. Weaver stated that he saw me on April 30th and I did not mention this medical ailment. This is a lie from the Dr. side, as I told him about the issue, as well as, that I had had similar condition several years before, when it had been connected with high blood cholesterol and liver infirmity. Also, I told the doctor that I had been treated nepaprotectors for liver.

05.02.2025

Tropecki (see attached sheet)
SIGNATURE OF REQUESTER

Part B- RESPONSE

RECEIVED

MAY 06 2025

FDC PHILADELPHIA
LEGAL OFFICE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 1239805-F

CASE NUMBER: _____

Part C- RECEIPT

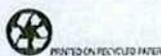
Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL, REG. NO., UNIT, INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

USP LVN



BP-229(13)
APRIL 1982

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attachment.

...and statines to reduce blood cholesterol.

There is another misstatement in the response that "there are no pending sick call requests that need to be addressed." Since, we talked with the doctor for about 15-20 minutes, I addressed to him multiple complaints: that from the first half of March I was not able to receive neither rejection nor approval of required endoscopy procedure; that during the last visit to the nurse-practitioner on April 17th I had been checked of having high blood pressure, and therefore, prescribed by her to check my blood pressure periodically to see the dynamics, but factually was checked only on April 29th, in 18 days, right before the Dr.'s visit; that on April 17th I had submitted "sick call" paper request on herpes that I had had that time, but had not been seen on this account. Also, I complained that there was an inmate in our unit who had already been suffering from spring allergy intensification for weeks without medical assistance, but Dr. did not care about it.

The issue is, as well, that when an inmate submits "sick call" request he does not have any proof left in his hands that he has done so, and the med. service can further manipulate with statistics.

Generally, I was not seen by med. service on account of my "sick call" requests from April 15, 17, 21, and 25.

Respectfully,
Tropski, D.

Tropski

05.02.2025

EXHIBIT F

Page totally 66

To whom it may concern,

Letter of support, I am Vladimir Cherenkov

[REDACTED]

The supporter of Dmitrii Tropskii [REDACTED]

A # [REDACTED]

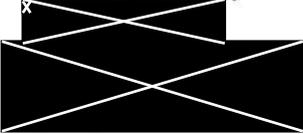
Who is being detained at Detention Facility who successfully passed the interview and is currently under my support. If your release him from custody I will provide him financial and any other type of help, so he be able to appear for all immigration courts hearing and enforcement appointments. If paroled, the alien will reside at the address listed above.

Vladimir Cherenkov

Vladimir Cherenkov

Page totally 67

Vladimir Cherenkov


vlad@whiteriverroofing.com

ICE Office
500 12th Street, S.W.
Washington, D.C.
20536-5010

Dear ICE Officers:

My name is Vladimir Cherenkov and I have been a naturalized U.S. Citizen since 1995. I am a family man with four children and nine grandchildren, a roofer by trade. For years I have been a devoted member of the Baptist Church in Sacramento, CA and regularly volunteered to help refugees from Russia, Ukraine, Belarus and other Russian-speaking countries. I offer immigration sponsorship to many, and provide the appropriate documents to ICE on their behalf. I assist immigrants with bonds payments, transportation, and food and shelter here in Sacramento. In many cases these immigrants have no one else to turn to for help. During all of my community service I have never asked for compensation. I help out of gratitude for my acceptance into this country and my wish to help others attain the American dream.

Please contact me directly if you have any questions.


vlad@whiteriverroofing.com

Sincerely yours,



Vladimir Cherenkov



Grace Avenue Bible Church

Phone: (916) 925 1440

Email: church@graceave.org

Address: 1425 Grace Ave, Sacramento, CA 95838

February 6, 2024

Dear DHS Officer:

We are the "Grace Avenue Bible Church", a Bible-believing Church that was initially founded in 1999. We are located on 1425 Grace Avenue, Sacramento, CA 95838.

For a long time we have been helping the Russian refugees coming to the United States. As a part of our assistance we offer them sponsorship, lodging and food. Many who are in need and turn to us for help, receive a safe place at the houses of our parishioners. We provide help and spiritual support with overcoming financial struggles.

Our prominent member and spiritual leader Mr. Vladimir Cherenkov is in charge of the Russian refugee ministry of our Church. For years Mr. Cherenkov has been helping to build a strong and reliable support system for our refugees.

If you have any questions, please do not hesitate to contact me or Mr. Cherenkov:

Phone: [REDACTED]

Email: vlad@whiteriverroofing.com

Sincerely,

V. Troshin

Vladimir Troshin

Pastor of the "Grace Avenue Bible Church"

Phone: [REDACTED]

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DEPARTMENT OF JUSTICE



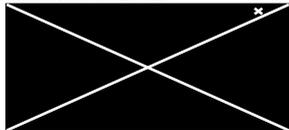
No. 21 961 441

CERTIFICATE OF

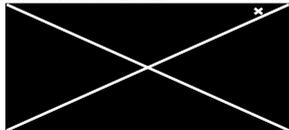
NATURALIZATION

Personal description of holder
as of date of naturalization:

INS Registration No. 

Date of birth: 

I certify that the description given is true, and that the photograph affixed
hereto is a likeness of me.

Sex: MALE 

Vladimir Cherenkov
(Complete and true signature of holder)

Height: 5 feet 8 inches

Marital status: MARRIED

Be it known that, pursuant to an application filed with the Attorney General
at: SACRAMENTO, CALIFORNIA

Country of former nationality:
RUSSIA

The Attorney General having found that:



VLADIMIR CHERENKOV
then residing in the United States, intends to reside in the United States when so
required by the Naturalization Laws of the United States, and had in all other
respects complied with the applicable provisions of such naturalization laws and was
entitled to be admitted to citizenship, such person having taken the oath of allegiance
in a ceremony conducted by the

IMMIGRATION AND NATURALIZATION SERVICE

at: SACRAMENTO, CALIFORNIA

on: MAY 31, 1995

that such person is admitted as a citizen of the United States of America.

Haris Meisner

Commissioner of Immigration and Naturalization

IT IS PUNISHABLE BY U. S. LAW TO COPY,
PRINT OR PHOTOGRAPH THIS CERTIFICATE,
WITHOUT LAWFUL AUTHORITY.

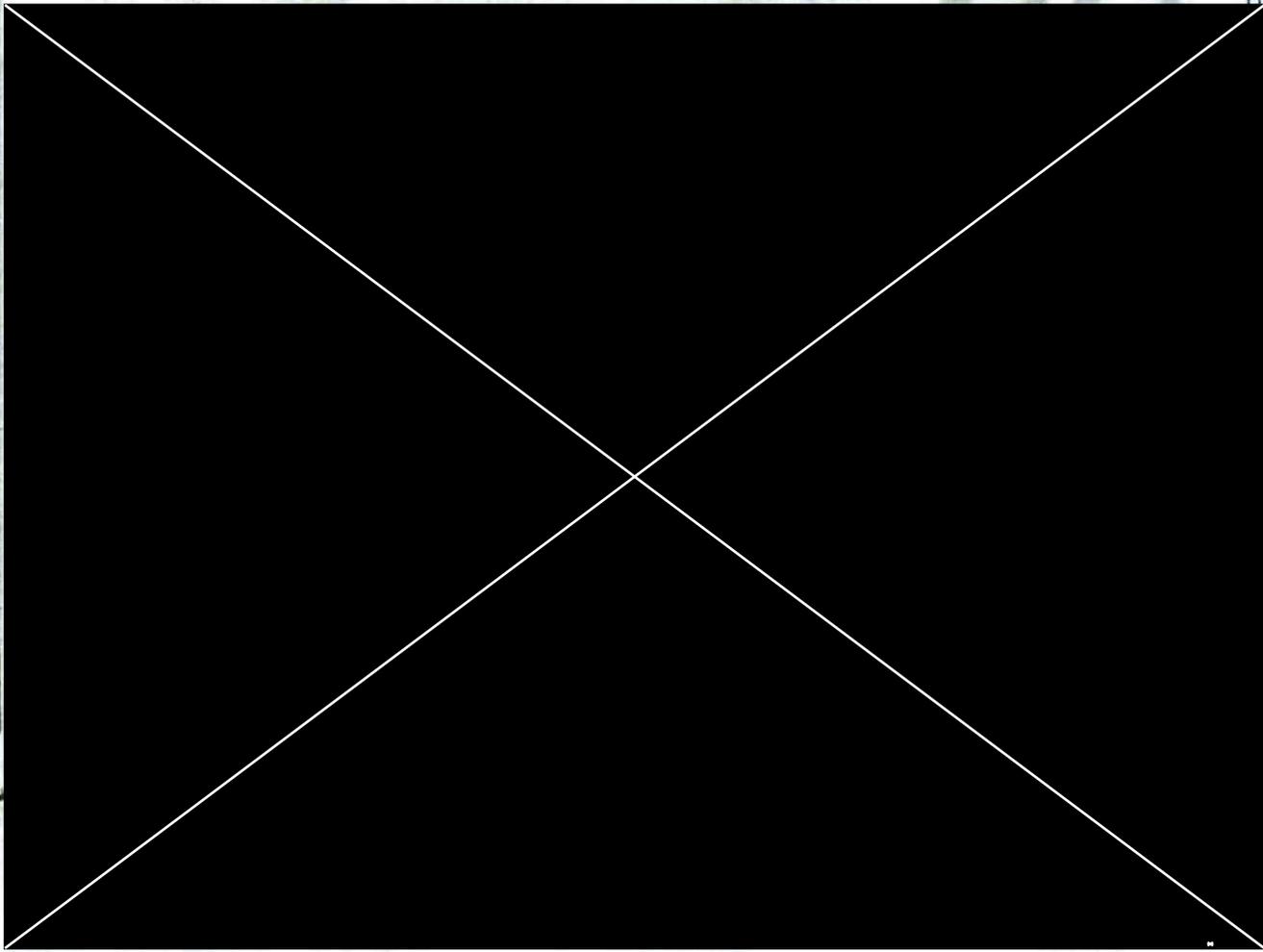
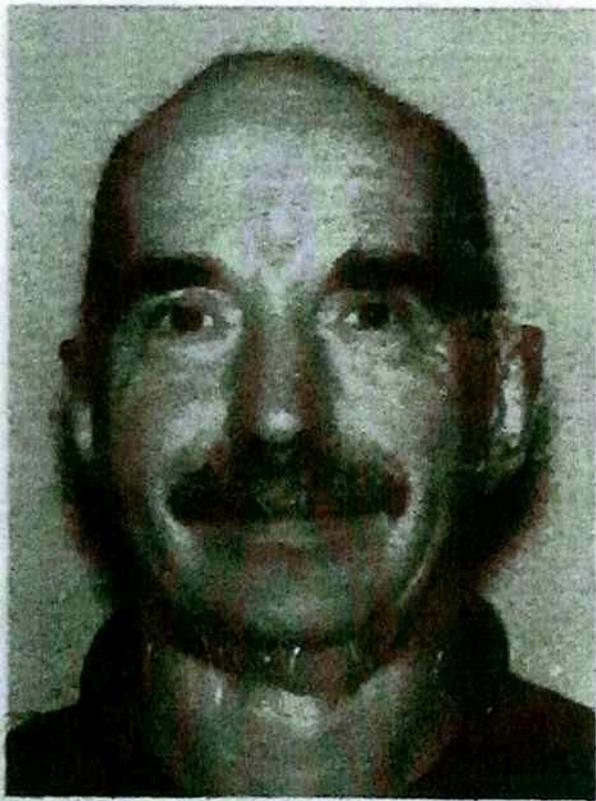
DEPARTMENT OF JUSTICE

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California USA DRIVER LICENSE



Case 2:25



Page 1 of 1
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79

Page 1 of 1



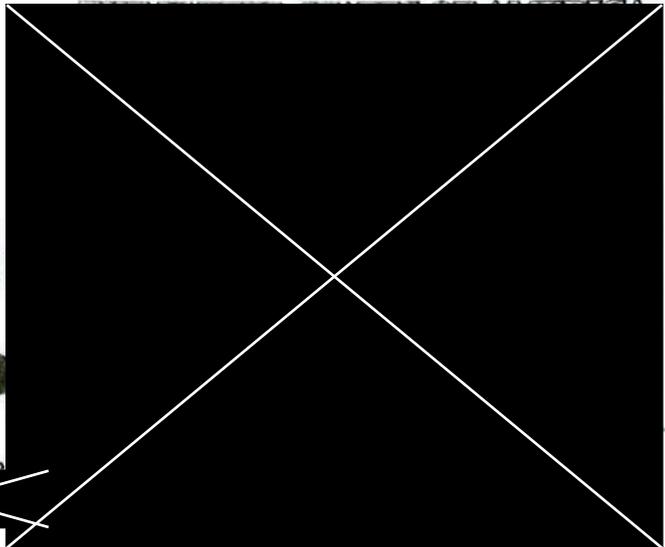
Assessing

SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

PASSPORT
PASSEPORT / PASAPORTE



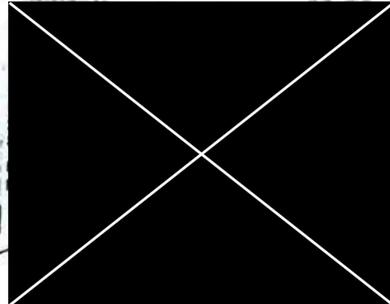
BEARER



California USA DRIVER LICENSE



[Handwritten signature]



Page totally 72

Your Electric Bill
 Phone Inquiries: 1 (888) 742-7683
 Power Outages: 1 (888) 456-7683



P.O. Box 15830, Sacramento, CA 95852-0830
 smud.org

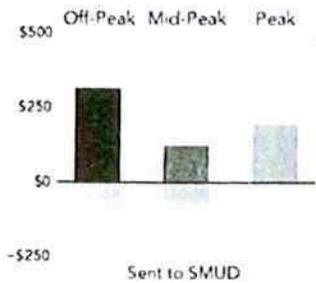


VLADIMIR CHERENKOV

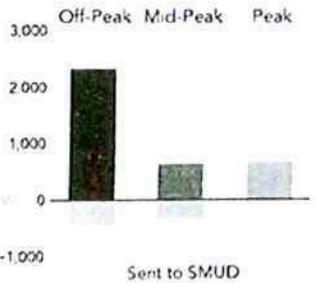


Solar Cost, Usage & Generation

Cost by Time-of-Day



Usage by Time-of-Day



Location: 1342 ASCOT AVE
 RIO LINDA 95673
 Bill Period: 09/07/24 - 10/07/24 (31 Days)
 Cycle: 04 | Location Number: 8891121
 Rate: Time of Day (5 8pm)

Current Charges, Due 11/05/24 \$573.22
Total Amount Due: \$573.22

Usage Summary

This Bill Period	Last Bill Period	Same Bill Period Last Year	Usage Difference
\$573.22 (3,646 kWh)	\$701.17 (3,843 kWh)	\$469.70 (3,274 kWh)	↑11% Higher than last year

Meter Summary

Meter	Usage	Type	Monitor your account on smud.org/myaccount
2508856	3,646	Total kWh from SMUD	
2508856	775	Total kWh to SMUD	
2744625	3,090	Total kWh Generation	

Electricity Charges

Item	Usage	Type	Rate	Amount
Total kWh Used This Period	5,961			
kWh From SMUD Less kWh To SMUD Equals Billed kWh Of	2,871			
Electricity Usage	1,552	Summer Off Peak kWh @	0.142500	221.16
Solar Generation	-355	Summer Off Peak kWh @	0.142500	-50.59
Electricity Usage (12PM-12AM / M-F)	634	Summer Mid Peak kWh @	0.196700	124.71
Solar Generation (12PM-12AM / M-F)	-334	Summer Mid Peak kWh @	0.196700	-65.70
Electricity Usage (5PM-8PM / M-F)	465	Summer Peak kWh @	0.346200	160.98
Solar Generation (5PM-8PM / M-F)	-1	Summer Peak kWh @	0.346200	-0.35
Electricity Usage	778	Non-Summer Off Peak kWh @	0.118300	92.04
Solar Generation	-85	Non-Summer Off Peak kWh @	0.118300	-10.06
Electricity Usage (5PM-8PM / M-F)	217	Non-Summer Peak kWh @	0.163300	35.44
System Infrastructure Fixed Charge*				24.80
Sacramento City Tax*				39.93
State Surcharge*				0.86

*See explanations on the back of the page

Please detach and return with your payment
 Make check payable to SMUD

ID 033



Account Number:

035726 000000264/18553 1/2 N 1 350 410/510/710/150 101024 C1CUST20241009 0400 6547641



VLADIMIR CHERENKOV



11/2
 on line
 \$573.22

Please pay by 11/05/24
\$573.22

PO BOX 15555
 SACRAMENTO, CA 95852



Printed on Recycled Paper
 310012602885
 035726 000000264
 SMUD S-028/30158-P-0006

10100000000655280000000005732230000005732233100

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ENERGY STATEMENT

www.pge.com/MyEnergy

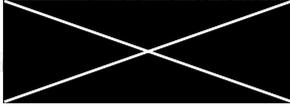
Case 1:25-cv-00326-KWS Document 1-1 Filed 06/24/25 Page 37 of 60

ACCOUNT NO. 1623224538-7
Statement Date 10/31/2024

Due Date: 11/21/2024

Service For:

VLADIMIR CHERENKOV



Your Account Summary

Amount Due on Previous Statement	\$169.68
Payment(s) Received Since Last Statement	169.68
Previous Unpaid Balance	\$0.00
Current Gas Charges	\$140.55

Total Amount Due by 11/21/2024 \$140.55

Questions about your bill?

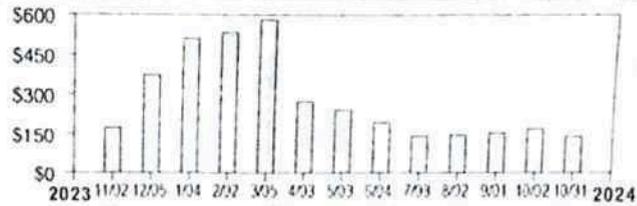
Mon-Fri 7 a.m.-7 p.m.
Saturday 8 a.m.-5 p.m.
Phone 1-800-743-5000
www.pge.com/MyEnergy

Ways To Pay

www.pge.com/waysstopay

Gas Monthly Billing History

Daily Usage Comparison



1 Year Ago Period	Last Period	Current Period
223	171	112
Gas Therms / Day		

Visit www.pge.com/MyEnergy for a detailed bill comparison.

Please return this portion with your payment. No staples or paper clips. Do not fold. Thank you.

99901623224538700000140550000014055



Account Number:	Due Date:	Total Amount Due:	Amount Enclosed:
1623224538-7	11/21/2024	\$140.55	\$

828810123475 1 AB 0.593 706 6133 14



VLADIMIR CHERENKOV
VYCENIL DVORNIK



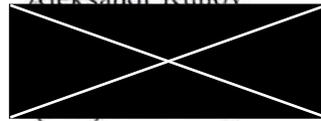
11/5/24
online
\$140.55

PG&E
BOX 997300
SACRAMENTO, CA 95899-7300

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82881012347513002001K2

Aleksandr Runov



rav0204@gmail.com

To ICE Officers

AFFIDAVIT

in support of Dmitrii Tropskii

My name is Aleksandr Runov. I live in the United States since 2022. I am a family man with three children. I am master technician in TEMCO Logistic by occupation.

I know Dmitrii Tropskii, born on [REDACTED], A# [REDACTED] since 2021. We lived in the same city of Sochi and got acquainted during preparation to the Russian state parliament elections. My friends and I were training fair election observers to prevent falsifications on upcoming parliament elections. Dmitrii was a member of our team. On that elections we were fighting for fair results to the best of our abilities, and Dmitrii was one of those who confronted corrupted election commissions and opposed falsifications. Subsequently, we became friends.

After Russia had started the war in Ukraine it was unsafe for my family and me to stay in Russia. We fled to the USA in spring 2022. In several months Dmitrii left Russia as well. I know that he had protested publicly against the war before leaving Russia.

I know Dmitrii Tropskii as honest and responsible person. I am ready to support him in the United States providing him food and housing at the aforementioned address while he is in removal proceedings, so he is able to appear for all immigration court hearings and enforcement appointments.

I, Aleksandr Runov, swear that all statements provided in this affidavit are true and correct under penalty of perjury pursuant to 18 U.S.C. 1546.

Respectfully,

Aleksandr Runov

03/12/2025

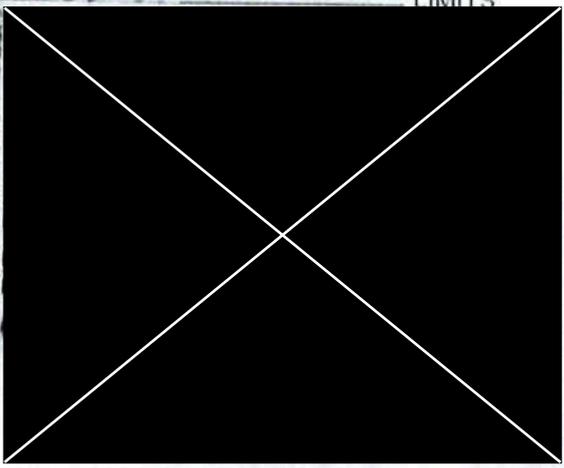
Date

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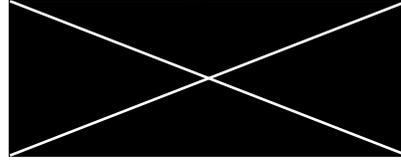
DRIVER LICENSE FEDERAL LIMITS



1/24



Ekaterina Egorova



To ICE Officers

AFFIDAVIT
in support of Dmitrii Tropskii

My name is Ekaterina Egorova, and I am writing this affidavit in support of my friend, Dmitrii Tropskii. I have been living in the United States since 2022 and currently work as UBER driver.

I have known Dmitrii Tropskii since 2020, and we became friends through many political activities. From the very beginning, I recognized him as a kind, hardworking, dependable person who always treats others with respect and sincerity.

Dmitrii came to the United States because in Russia he is being persecuted for his disagreement with the regime in force in the country. He has faced many challenges, yet he has remained strong, hopeful, and determined to rebuild his life. He is someone who truly values the opportunity to be in this country and is willing to work hard to contribute to his community.

I fully support Dmitrii during this difficult time and I am ready to assist him with housing, financial support, emotional support, or any other assistance. He is not alone, he has people here who care about him and are committed to helping him succeed.

I, Ekaterina Egorova, swear under penalty of perjury pursuant to 18 U.S.C. 1546 that all statements in this affidavit are true and correct to the best of my knowledge.

Respectfully,

Ekaterina Egorova

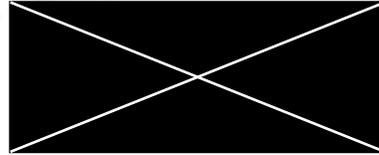
05/15/25

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Roman Chunin



To ICE Officers

AFFIDAVIT
in support of Dmitrii Tropskii

My name is Roman Chunin, and I am writing this affidavit in support of my friend, Dmitrii Tropskii. I have been living in the United States since 2021 and currently work as technician in Temco Logistic.

I have known Dmitrii Tropskii since 2020. Throughout the time I have known him, he has always been a honest person. He is someone who values integrity and has always treated those around him with kindness and respect.

As far as I know, Dmitrii faced serious persecution from the Russian security forces due to his political activity and was forced to leave his homeland.

I strongly support Dmitrii Tropskii and am willing to assist him during his immigration proceedings. He has a community here that cares for him and is ready to help him integrate and succeed in the United States.

I, Roman Chunin, swear under penalty of perjury pursuant to 18 U.S.C. 1546 that all statements in this affidavit are true and correct to the best of my knowledge.

Respectfully,

Roman Chunin

A handwritten signature in black ink, appearing to be 'Roman Chunin', written over a horizontal line.

02/13/2025

California



2/17
[Illegible handwritten text]

Dear ICE Officer,

I, Anastasia Vasieva, born on Sochi, Russia , residing at [REDACTED]
[REDACTED] social sec. # [REDACTED] want to request for
Dmitrii Tropskii, born on [REDACTED] A # [REDACTED] to release him from
the ICE custody under parole. I know him as trustworthy person since 2021.
We participated in electoral proceedings together and he showed himself as
honest and sincere man and coworker. He has always been friendly and not
aggressive to people around him, contributing to community as far as he
could. He is detained for 1,5 years, it is too much. My friends and I are
troubled because of this and his health condition. Prolonged detention is not
useful for people like Dmitrii who has not committed any crimes and so not
pose any danger for the community. Because of these, respectfully request to
release Tropskii Dmitrii from custody and let him live ordinary peaceful life
while his immigration process is pending.

Sincerely yours Anastasia Vasieva 
March 24, 2025

Page totally 85



May 22, 2025

To Whom It May Concern:

My name is Daniel Gashler, and I am writing in support of Dmitrii Tropskii. I am a US citizen and I live at [REDACTED]. I work as a history professor at the State University of New York at Delhi. I came to know Dmitri as a valued community member through the Justice for Migrant Families of Western New York's hotline for people in immigration detention.

Mr. Tropskii is an upstanding person of high moral character. I believe that people's character is demonstrated in times of adversity and challenging circumstances. Throughout his time in detention Mr. Tropskii has demonstrated personal dignity and respect for himself and others. He plays basketball every other day there. When I've been able to speak with him via video conference he always smiles and wants to make sure I am doing well, despite his own, prolonged detention. It would be a devastating loss if Dmitrii were to be deported.

Mr. Tropskii is a Russian citizen with a university degree in Economics. He also has lots of hands on work experience in electrical work, plumbing, tilework and plastering. In Russia he was active in Aleksey Navalny's movement to root out corruption. He was also part of an electoral commission pushing for more fair and open elections. This led him to flee to the United States to seek political asylum where his case is pending in court of appeals.

I believe that it would be in the best interest of our upstate community if Mr. Tropski could be released to join us. In my role working with immigrants, I bear close witness to the struggles that they face and all that they overcome, and I believe that this kind of persistence, hard work, positive attitude and ability to face challenges enrich all of us, and I ask that you give Mr. Dmitrii Tropskii a chance.

I declare under penalty of perjury that the foregoing is true and correct,

Sincerely,

Daniel Josef Gashler, Volunteer
Justice for Migrant Families of Western New York
371 Delaware Avenue
Buffalo, NY 14202
Business: 716-579-9110
Cell: [REDACTED]
dangashler@gmail.com

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Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and _____ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

UNITED STATES DISTRICT COURT

for the Eastern District of Pennsylvania

Dmitrii Tropskii

Petitioner

Pamela Bondi, U.S. Attorney General;
Kristi Noem, Secretary of DHS;
... (see additional page)

Respondent

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

Case No.

(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: Dmitrii Tropskii
(b) Other names you have used: None
2. Place of confinement:
(a) Name of institution: Federal Detention Center Philadelphia
(b) Address: 700 Arch Street, Philadelphia, PA 19106
(c) Your identification number: [Redacted]
3. Are you currently being held on orders by:
[X] 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:
[X] 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:

(a) Name and location of the agency or court: *U.S. Immigration and Customs Enforcement refusal to release me from immigration detention.*

(b) Docket number, case number, or opinion number: *None.*

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

U.S. Immigration and Customs Enforcement refusal to release me from immigration detention

(d) Date of the decision or action: *01.31.2025 ... (see additional page)*

Your Earlier Challenges of the Decision or Action7. **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

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: _____

(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: _____

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

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: 09.14.2023
- (b) Date of the removal or reinstatement order: 09.26.2024
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

If "Yes," provide:

(1) Date of filing: 06.16.2024

(2) Case number: A [REDACTED]

(3) Result: Appeal was dismissed

(4) Date of result: 09.26.2024

(5) Issues raised: I was challenging the Immigration Judge ("IJ")'s denial of my application for asylum, for withholding of removal, and for protection under the United Nations' Convention Against Torture ("CAT") regarding: 1) past persecution - the Judge found that the harm I had suffered did not rise to the level of persecution; ... (see additional page)

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

(1) Name of court: 5th Circuit Court of Appeals

(2) Date of filing: 10.22.2024

(3) Case number: 24-60348

(4) Result: appeal is still pending

(5) Date of result: appeal is still pending

(6) Issues raised: whether the Board of Immigration Appeals erred adopting and affirming the IJ's decision denying my application for asylum, withholding of removal, and protections under CAT, concluding that I did not have a well-founded fear of future persecution based on my: 1) previous involvement in ... (see additional page)

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

GROUND ONE: *Violation of 8 U.S.C. §1231(a)(6)*

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

I have been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove me in the near future. See attached memorandum with additional specific facts. Question (b) below is not applicable.

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

Yes

No

GROUND TWO: *Violation of the due process clause of the Fifth Amendment to the U.S. Constitution*

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

ICE is depriving me of my right to liberty. I have been detained by ICE for a prolonged period. See attached memorandum with additional specific facts. Question (b) below is not applicable.

(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

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: *This is not applicable to this matter*

Request for Relief

15. State exactly what you want the court to do:
1. Assume jurisdiction over this matter;
 2. Grant a writ of Habeas Corpus directing the Respondents to release me from further unlawful detention;
 3. Enter preliminary and permanent injunctive relief enjoining Respondents from unlawfully detaining me any further;
 4. In the alternative, issue a conditional writ of habeas corpus requiring Respondents to provide me with an individualized bond hearing before a neutral arbiter at which Respondents must bear the burden of establishing by clear and convincing evidence that my continued detention is justified;
 5. Order that in considering my detention, the Court should require Respondents must consider alternatives to detention and my ability to pay when setting a monetary bond;
 6. Grant such further relief as the Court deems just and proper.

Declaration Under Penalty Of Perjury

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

I, Dmitrii Tropshii, placed this petition in the prison mail system on the date indicated below

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: *08.18.2025*

Tropshii
Signature of Petitioner

Signature of Attorney or other authorized person, if any

Petitioner: Dmitrii Trotski

A#

Additional page

Continuation of:

Page 2, Title, Respondents: ...

Angela Klopakis, Director of ICE Philadelphia Field Office;
J. L. Jameson, Warden of Federal Detention Center Philadelphia.

Page 3, Section 6(d): ... The ICE's decision, dated 01.31.2025,
is enclosed as Exhibit A in this package.

On 05.21.2025, Petitioner put in the mail a letter with
now release request, see it attached herein in Exhibit A,
and supporting documents to be mailed to Headquarters
Post-Order Detention Unit of DHS/ICE. The next day, on
05.22.2025, Petitioner handed the identical letter to the
facility's unit ICE Officer MOREL, so that he would
submit it to the Petitioner's ICE deportation Officer.
As of today, there has been nothing heard from ICE
Headquarters Post-Order Detention Unit or from the
ICE deportation Officer in response to the request.

Page 6, Section 41(c)(5): ... 2) well-founded fear of future
persecution - the IJ determined that there was insufficient
evidence that my fear was subjective and was objectively
reasonable; 3) the IJ's finding of my failure to establish
that it was more likely than not that I would be
tortured if returned to Russia.

Page 6, Section 41(d)(6): ... Alexei Navalny's prominent Russian
opposition leader's organizations; 2) donations to
Ukrainian humanitarian foundations.

Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- Additional page -

AA [redacted] Reg. # [redacted]
FDC Philadelphia
P.O. Box 562
Philadelphia PA 19105



legal
mail

United States District Court
Eastern District of Pennsylvania
U.S. Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA, 19106-1797

Name: Dmitrii Tropkii
A Number: [REDACTED]
Address: Federal Detention Center
Philadelphia, 700 Arch Street,
Philadelphia, PA 19106

PRO SE

UNITED STATES DISTRICT COURT

Name: Dmitrii Tropkii)
)
Petitioner,)
)
v.)
)
Pamela Bondi, Attorney General;)
Kristi Noem, Secretary of)
Department of Homeland Security)
Angela Klapakis, U.S. ICE Field)
Office Director for the)
Philadelphia Field Office)
J.L. Jameson)
WARDEN OF IMMIGRATION DETENTION)
FACILITY, FDC Philadelphia)
Respondents.)

Case No. _____

[PROPOSED]
ORDER TO SHOW CAUSE

Upon consideration of Petitioner's Writ of Habeas Corpus pursuant to 28 U.S.C. 2241, and memorandum of law that requests, *inter alia*, the issuance of an Order to Show Cause pursuant to 28 U.S.C. §2243, IT IS HEREBY ORDERED that:

1. Respondents are ORDERED to file a return on the Order to Show Cause why the Petition for a Writ of Habeas Corpus should not be granted by _____.
2. Petitioner shall have an opportunity to reply by _____.

3. A hearing on this case shall be set on _____

And such other and further relief as the Court may find appropriate.

IT IS SO ORDERED.

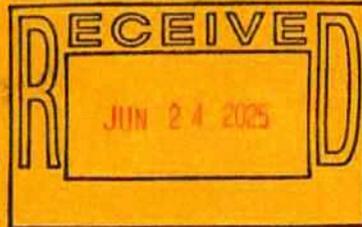
Dated:

UNITED STATES DISTRICT COURT

DATE: 6/20/25

AA ~~XXXXXXXXXX~~ Reg. # ~~XXXXXXXXXX~~

FIDE Philadelphia
P.O. Box 562
Philadelphia PA 19105



*Legal
mail*

*United States District Court
Eastern District of Pennsylvania
U.S. Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA, 19106-1797*