

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

UNITED STATES DISTRICT COURT

for the  
Western District of Louisiana

RECEIVED  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

JUL 10 2025

Lizi Vashakidze

Petitioner

v.

The Field Office Director ICE

Respondent

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


BY: DANIEL J. MCCOY, CLERK *AM*

Case No. 6:25-cv-0998

(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: Lizi Vashakidze  
(b) Other names you have used: None
2. Place of confinement:  
(a) Name of institution: South Louisiana ICE Processing Center  
(b) Address: 3843 Stagg Avenue  
Basile, LA 70515
3. (c) Your identification number: A   
Are you currently being held on orders by:  
☒ Federal authorities ☐ State authorities ☐ Other - explain:  
The Field Office Director ICE ERO
4. Are you currently:  
☐ A pretrial detainee (waiting for trial on criminal charges)  
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime  
If you are currently serving a sentence, provide:  
(a) Name and location of court that sentenced you: \_\_\_\_\_  
(b) Docket number of criminal case: \_\_\_\_\_  
(c) Date of sentencing: \_\_\_\_\_  
☒ Being held on an immigration charge  
☐ Other (explain): \_\_\_\_\_

Decision or Action You Are Challenging

5. What are you challenging in this petition:  
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
- ☒ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings
- ☐ Other (explain): \_\_\_\_\_

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: James R. Hoffman, Deportation Officer.  
New Orleans Field Office/Oakdale Sub-Office; ICE; DHS - denial of release from detention on parole of 06/08/25
- (b) Docket number, case number, or opinion number: \_\_\_\_\_
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
Request for Parole due to Medical Condition of the detainee was denied. I am in severe mental distress  
following prolong detention (since September 3, 2024) and separation from my immediate family: my mother,  
my brother, and my step-father. The family, all, besides me, was released to the Sponsor and are in the PA state.
- (d) Date of the decision or action: 06/08/2025

**Your Earlier Challenges of the Decision or Action**

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- ☐ Yes ☐ No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: \_\_\_\_\_
- (2) Date of filing: \_\_\_\_\_
- (3) Docket number, case number, or opinion number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

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

8. **Second appeal**

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

- ☐ Yes ☐ No

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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: \_\_\_\_\_

(b) Date of the removal or reinstatement order: \_\_\_\_\_

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

☐ Yes

☐ No

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If "Yes," provide:

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

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_

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

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

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

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☐ No

If "Yes," provide:

(a) Kind of petition, motion, or application: \_\_\_\_\_

(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: \_\_\_\_\_

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**Grounds for Your Challenge in This Petition**

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

**GROUND ONE:** Violations of Due Process. Prolonged detention can raise serious due process concerns under the Fifth Amendment because I have no opportunity for a Bond Hearing due to my referral for an expedited removal proceedings after passing the Credible Fear Interview. "It is well established that the Fifth Amendment entitles aliens to due process of law in deportation proceedings." Demore v. Kim, 538 U.S. 510, 523 (2003).

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

I am detained since September 3, 2024. After passing the Credible Fear (CF) Interview, I was referred to the Immigration Court for removal proceedings. The trial was postponed three times. In the meantime, I am a minor separated from my family. I am a rider on my mother's asylum claim and should be included in my mother's trial proceedings. At a minimum, I believe I should be accorded a Bond hearing for my prolonged detention before the Immigration Court on this Court's Order.

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

☐ Yes

☒ No

**GROUND TWO:** I am a minor (currently 19) held in an adult detention facility. I feel very uncomfortable, depressed, and scared. I am separated from my family. I am faced now with removal to the country of my family's persecution alone, leaving my family to defend their asylum claim in a non-detained immigration court; whereas I could be removed back to Georgia and be there alone without my family.

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

At the time of crossing the border between Mexico and the United States, I was 18. I came with my family: my mother, my brother, and my step-father. I was separated from them. My family was released and went to Philadelphia to the family's sponsor. But I was detained and now at the South Louisiana ICE processing Center in Basile, LA.

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

☐ Yes

☒ No

**GROUND THREE:** On the precedent by the Supreme Court in Zadvydas v. Davis, 533 U.S. 678 (2001).

The decision is rooted in the Due Process Clause of the Fifth Amendment, which protects aliens from being deprived of liberty without due process of law. The Court's interpretation of the statute, along with the presumption of a six-month limit on detention, aimed to avoid constitutional questions of indefinite detention.

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

I am in detention for over 6 months and in September 2025 it will be a year. My next Individual hearing is scheduled for August 20, 2025. This Individual hearing was continued already three times and there is no guarantee that it will happen on time scheduled. In the mean time I am severely depressed away from my family. Then it will be almost a year in detention. I am a minor in an adult facility. I can't bear it alone any more.

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

☐ Yes

☒ No

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**GROUND FOUR:** Prolong Detention pursuant to Jennings v. Rodriguez, 138 S.Ct. 830 (2018).

Due process requires that the government provide bond hearings to non-citizens facing prolonged detention.

"The Due Process Clause foresees eligibility for bail as part of due process" because "[b]ail is basic to our system of law." (Id. at \*28 Breyer, J., dissenting). See Jennings v. Rodriguez, \_ U.S. \_, 2018 WL 1054878 (Feb 27, 2018)

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

I entered the United States on September 3, 2024. I was 18 at the time. I was separated from my family and placed at the adult detention facility. I went through CF interview and was referred to Immigration Court for removal proceedings. My individual hearing was continued three times. I am a minor amongst adults and I experience a severe mental stress disorders summarized in the letter by my psychologist (attached). I am separated from my family, never was, and in distress. I am seeking release from detention to join my family and allow me to be in the removal process with my family. In the alternative, I ask this Court to Order a Bond hearing.

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

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: I am severely depressed. I am a minor, separated from my family, in an adult detention facility. I don't know all the laws and all the grounds. My main ground for requesting release from detention is my present mental condition that deprives me of any other reasonable thoughts: I can't be away from my family any more. I believe am eligible for Special Immigrant Juvenile Status (SIJS), but cannot apply for it in detention.

#### **Request for Relief**

15. State exactly what you want the court to do: Release from ICE custody to join my family residing in Pennsylvania. The family is in removal proceedings there in an open immigration court and I am a Rider on my mother's asylum claim. In the alternative, to Order a Bond hearing with the Immigration Judge. please also review my personal statement.

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**Declaration Under Penalty Of Perjury**

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

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

07/01/2025

  
Signature of Petitioner

\_\_\_\_\_  
Signature of Attorney or other authorized person, if any

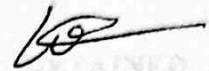
My family and I were in fear, but hope that after crossing into America to seek asylum and protection, we would be allowed to live a safe, new life. Everyone except for me got released, I was deprived of a chance to stay with my own mother, and deprived of the chance to have court with my family, despite my mom being the lead claimant, and me a rider on her claim.


I suffered from severe mental issues even before detention, but the constant fear of never seeing my family again, and being sent back to a country where I know I will be harmed has rendered my efforts to get better worthless. I am scared, tired and constantly afraid of the future, or what remains of it. None of these fears I'm able to discuss with the medical staff, because I don't know if asking for help, will in fact, make it harder for me to have a chance.

I am asking for your help, and understanding. please help me reunite with my family, get better and be safe so I can have a real shot at leading a long, safe life.

Thank you for your consideration.

07/01/2025



Hello, my name is Lizi Vashakidze and I was born on  2005. I am 19 years old, and I've been detained, and separated from my family for almost a year now.

My family, my mother, brother and step-father fled our country in fear, but hope that after crossing into America to seek asylum and protection, we'd be allowed to live a safe, new life. Everyone except for me got released, I was deprived of a chance to stay with my own mother, and deprived of the chance to have court with my family, despite my mom being the lead claimant, and me a rider on her claim.

I suffered from severe mental illnesses even before detention, but the constant fear of never seeing my family again, and being sent back to a country where I know I will be harmed, has rendered my efforts to get better worthless. I am scared, tired and constantly afraid of the future, or what remains of it. None of these fears I'm able to discuss with the medical staff, because I don't know if asking for help, will in fact, make it harder for me to have a chance.

I am asking for your help, and understanding. Please help me reunite with my family, get better and be safe so I can have a real shot at leading a long, safe life.

Thank you for your consideration.

In the Matter of

**DETAINED**

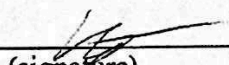
VASHAKIDZE, LIZI

FILE NOS.: A 

**PROOF OF SERVICE**

On 07/02/2025, I, Lizi Vashakidze, served a copy of the Petition for a Writ of Habeas Corpus Under 28 USC § 2241, along with Index of Supporting Evidence and the Evidence, Tabs 1 through 3, via USPS 1<sup>st</sup> Class Mail postage pre-paid, to:

**NEW ORLEANS FIELD OFFICE – ERO  
1250 POYDRAS, SUITE 325  
NEW ORLEANS, LA 70113**

  
\_\_\_\_\_  
(signature)

07/01/2025  
\_\_\_\_\_  
(date)