

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

UNITED STATES DISTRICT COURT
for the

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

JUL 22 2025

Chanthila Souvannarath
Petitioner

v.

J. Rice

Respondent

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

DANIEL J. MCCOY, CLERK
BY: *KW*

Case No. 25-cv-1058 Sec P

(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: Chanthila Souvannarath
(b) Other names you have used: Chan Souvannarath
2. Place of confinement:
(a) Name of institution: Central Louisiana ICE Processing Center
(b) Address: 830 Pinchill Rd
Jena, LA 71342
(c) Your identification number: A [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:

4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

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

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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: ICE Jena, LA 71342

(b) Docket number, case number, or opinion number: A ~~XXXXXXXXXX~~

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

Being detained by ICE while being a U.S. Citizen

(d) Date of the decision or action: 11/16/2006

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: Did not understand immigration appeal process at time and was in jeopardy at time for removal from U.S.

8. **Second appeal**

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

☐ Yes ☒ No

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(a) If "Yes," provide:

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

(2) Date of filing: _____

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

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

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: N/A

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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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: I am being detained by ICE at Central Louisiana ICE Processing Center while being a derived U.S. Citizen

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

Derived Citizenship from father, he had full custody of me in 1994 for couple of years living in Hawaii while mother was living in Washington State.

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

☐ Yes

☒ No

GROUND TWO: Wife is a born and raised U.S. Citizen we have been married since 12/31/14.

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

Married since 12/31/14

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

☐ Yes

☒ No

GROUND THREE: All six children are born U.S. Citizen

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

J S [redacted] 100, N [redacted] 109, A [redacted]
S [redacted] 112, A [redacted] 113, N [redacted]
[redacted] 116, N [redacted] 119

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

☐ Yes

☒ No

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GROUND FOUR:

N/A

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

N/A

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

☐ Yes

☒ No

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

N/A

Request for Relief

15. State exactly what you want the court to do: Adjust citizenship status and release me from detainment without retaliation.

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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:

7/16/25



Signature of Petitioner

Signature of Attorney or other authorized person, if any

I recently learned a possibility that I might have derived citizenship through my father who had become an American Citizen back in 1986 in the State of Hawaii, still married to my mother at that time then shortly after, divorced and parted ways in 1988 mom taking siblings and I away to California to live with mom and her family. In 1994, I was contacted by my father while we were living in Everett, WA with mom and my father was still living in Hawaii. Father asked if I wanted to go and live with him again back in Hawaii and I agreed to. At the time I was 13, after living with him for a couple years I decided that it was time to move on. In 2004 I was back in Everett, WA, mom had moved to Long Beach, CA at that time and I decided to stay with a girl I had met and had strong feelings for. 2004, I was charged and wrongfully convicted for a crime even the victim testified under oath that I did not commit the alleged crime and that they had lied about everything that I was charged with yet I got convicted. I was very young at that time, couldn't afford a real attorney so I was appointed a public defender who sold me out and had me sentenced to 48 months for a crime I didn't even commit, after losing several years of my life, no accountability for the actions of the state falsifying my conviction, time I can never get back. Since my release in February 2008, up until June 18th 2025. I had been complying all those years to I.C.E. I have not encountered any

trouble with the law and proves that I am not the violent person that the state had portrayed me to be. For many years, this has been extremely heavy on my shoulders but I continued to knowledge myself through learning as much as I can along with working as a mechanic Engineer trying to raise my children to the best of my ability while being a disabled parent and for the past several years, with almost hardly any income while fighting and waiting for my disability case. I have worked my first job at fourteen years old at the Navy Base, life has never been fair to me since I have entered but I never complained, I just worked and pushed harder until I was no longer able to work on February 2021. Since 2021 shortly after losing my career, my wife and I separated, for several years I raised my two youngest children by myself with hardly any help. It build a very strong bond between my 9 y.o. daughter and 5 y.o. son, I told myself that I would not repeat to my only son growing up without a father would be like, but again, life always seems to work against me no matter how much good of a person I am or try to be, this has been my luck all my life - I want to be there for my children very much, I ask and beg humbly that my stay is considered so that I can raise my children the best I can to love and protect them for as long as I can.

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because as a father, I want to make sure my children make the best decision in life. I have been here in the United States of America since I was 10 months old, I have never step foot outside of this country, I know of nothing else except for the American ways, to send me to a place or country I know nothing of and never even been to, is to put my life in danger and taking away the only father that should be in my children's life. I beg and humbly ask the Federal Courts of the United States of America to please uphold the Oaths that your honor once sworn in, to please stand up and protect my rights and freedoms as your honor has and would for every American. Thank you for your time and consideration.

Kindly,

Charitha Savannarath

