
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

Albert Dunkowski

Petitioner

v.

Case No.

(Supplied by Clerk of Court)

Mack Wahl, Superintendent, et al.

Respondent

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

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

Personal Information

1. (a) Your full name: Albert Dunkowski

(b) Other names you have used: N/A

2. Place of confinement:

(a) Name of institution: S.C.I. Waymart

(b) Address: 11 Fairview Drive, P.O. Box 256

Waymart, PA 18472-0256

(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, 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: Common Pleas Court of

Bucks County, 100 N. Main St., Doylestown, PA, 18901-4318

(b) Docket number of criminal case: CP-09-CR-0000225-2020/1507 ED 2025

(c) Date of sentencing: February 7th, 2022

Being held on an immigration charge

Other (explain): And criminal appeal in the Pa. Superior Court, (Docket No. 1507 EDA 2025) Contesting the sentence being served.

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): Defendant/Applicant is the victim of "Fraudulent Information" as a basis for cause to initiate Removal Proceedings.

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

(a) Name and location of the agency or court: Office of Chief Counsel, Immigration & Customs Enforcement, 2350 Freedom Way, Ste. 254, York, PA 17402

(b) Docket number, case number, or opinion number: A- [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Illegal Removal from United States - [to Poland], Decision made by Judge William McDERMOTT, Immigration Court, 900 Market St. Phila. PA 19107.

(d) Date of the decision or action: April 16th, 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: U.S. Department of Justice, Executive Office for Immigration Review, Bd. of Immigration Appeals

(2) Date of filing: May 8th, 2025

(3) Docket number, case number, or opinion number: A- [REDACTED]

(4) Result: Denied (No Response)

(5) Date of result: _____

(6) Issues raised: _____

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

8. **Second appeal**

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

Yes No

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(a) If "Yes," provide:

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

(2) Date of filing: _____

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

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

N/A

(b) If you answered "No," explain why you did not file a second appeal: I was under time constraints due to the (immediate) pending "Removal Order"

9. **Third appeal**

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

Yes No

(a) If "Yes," provide:

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

(2) Date of filing: _____

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

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

N/A

(b) If you answered "No," explain why you did not file a third appeal: As above, time constraints of the pending "Removal Order"

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: _____

N/A

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

- Yes
- No

If "Yes," provide:

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

N/A

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

N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

- Yes
- No

If "Yes," provide:

- (a) Date you were taken into immigration custody: May 15, 2024
- (b) Date of the removal or reinstatement order: April 16, 2025
- (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: May 8th, 2025
- (2) Case number: A ~~XXXXXXXXXX~~
- (3) Result: Dismissed
- (4) Date of result: _____
- (5) Issues raised: Applicant is the victim of "Fraudulent Information" as a basis for cause to initiate "Removal Proceedings"

(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: N/A
- (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: N/A
- (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: Applicant is the victim of "Fraudulent Information"
AS A BASIS FOR CAUSE TO INITIATE "REVIEW PROCEEDINGS"

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

Your Petitioner's sentence from Bucks County Common Plea was unjustifiably
imposed by the Sentencing Court. And from that same source, later, dispersed
fraudulent information, causing great injury, to Homeland Security, in regards
to the nature of the charges he was convicted of.

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

Yes No

GROUND TWO:

N/A

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

N/A

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

Yes No

GROUND THREE:

N/A

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

N/A

(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: Your Petitioner begs this Honorable Court to REVERSE the Removal Order, and furthermore, your Petitioner requests that this Court write an opinion/Memorandum to reflect its findings. It must be noted here that a copy of the Appeal to Removal is not made available by Immigration Court, however Attached find a copy of the Immigration Judge's Order

WMD
Closed
4/16/25
elap



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
PHILADELPHIA IMMIGRATION COURT

Respondent Name:

DUNKOWSKI, ALBERT

To:

DUNKOWSKI, ALBERT



A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

04/16/2025

ORDER OF THE IMMIGRATION JUDGE

- This is a summary of the oral decision entered on . The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- Both parties waived the issuance of a formal oral decision in this proceeding.

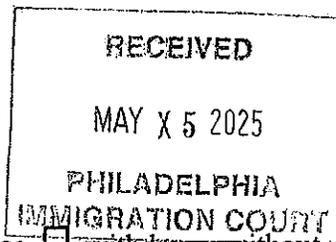
I. Removability

The immigration court found Respondent removable inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act):

The immigration court found Respondent not removable not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:



A. Asylum/Withholding/Convention Against Torture

- Asylum was granted denied withdrawn with prejudice withdrawn without prejudice
- Withholding of Removal under INA § 241(b)(3) was granted denied withdrawn with prejudice withdrawn without prejudice
- Withholding of Removal under the Convention Against Torture was granted denied withdrawn with prejudice withdrawn without prejudice
- Deferral of Removal under the Convention Against Torture was granted denied withdrawn with prejudice withdrawn without prejudice
- Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

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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:

[S.C.I. Waymont, Waymont, PA] 22 July, 2025

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

Date: July 22nd, 2025

Alm Duler
Signature of Petitioner

N/A
Signature of Attorney or other authorized person, if any

Smart Communications/PADOC

SCI-Waymart

Name Albert Dunkowski

Number 

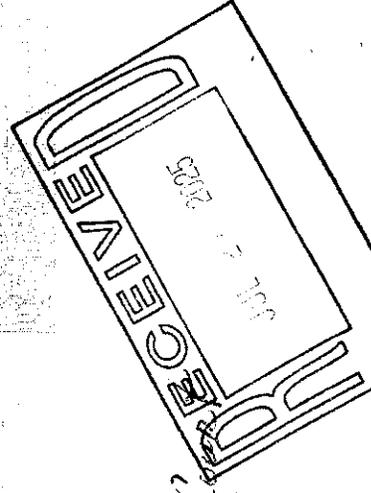
PO Box 33028

St Petersburg FL 33733

-LEGAL MAIL-

HARRISBURG PA 171

24 JUL 2025 PM 2 L



*United States District Court
Clerks of Courts
601 Market Street
Phila. PA 19106*

INMATE MAIL
PA. DEPT. OF CORRECTIONS

19106-172999

