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

## United States District Court

for the

		FILED BY _ O.C.
THUE THE NYEIN Petitioner  v.	Case No.	ANGELA E. NOBLE CLERK U.S. DIST. CT. S.D. OF FLA W.P.B.
US Allerwy Gueral Warden BTC, ot sog.	,	(Supplied by Clerk of Court)
(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

	(a) Your full name: THME THME NYEIN  (b) Other names you have used: NA
2.	Place of confinement:
	(a) Name of institution: Brazzard Transitional Ceuter
	(b) Address: 3900 N. Palelline Rd. Pempane Seach Fl. 33073
	(c) Your identification number: A -
3.	Are you currently being held on orders by:
	Federal authorities
4.	Are you currently:
(7500)	
	A pretrial detainee (waiting for trial on criminal charges)
3	☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
9	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
c	What are you challenging in this petition:
5.	How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example,
	The state of the s
	revocation or calculation of good time credits)

100	Pretrial detention
	mmigration detention
	Detainer
07	The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory
r	naximum or improperly calculated under the sentencing guidelines)
	Disciplinary proceedings
	Other (explain):
3.1	
Pro	vide more information about the decision or action you are challenging:
(a)	Name and location of the agency or court: BOARD OF INMIGRATION Appeals
(b)	Docket number, case number, or opinion number:
0.040.001.000	Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
8.0	
-	
8-6-11-6-1	
(4)	Date of the decision or action:
()	
1124 State (127)	st appeal you appeal the decision, file a grievance, or seek an administrative remedy? es  No
(a)	If "Yes," provide:
	(1) Name of the authority, agency, or court:
	(2) Date of filing:
	(2) Date of filing:  (3) Docket number, case number, or opinion number:
	(3) Docket number, case number, or opinion number:
	(3) Docket number, case number, or opinion number:  (4) Result:
500	(3) Docket number, case number, or opinion number:  (4) Result:  (5) Date of result:
<b>5</b> 92	(3) Docket number, case number, or opinion number:  (4) Result:
592	(3) Docket number, case number, or opinion number:  (4) Result:  (5) Date of result:  (6) Issues raised:
50	(3) Docket number, case number, or opinion number:  (4) Result:  (5) Date of result:
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500	(3) Docket number, case number, or opinion number: (4) Result: (5) Date of result: (6) Issues raised:
; (b)	(3) Docket number, case number, or opinion number:  (4) Result:  (5) Date of result:  (6) Issues raised:  If you answered "No," explain why you did not appeal:  First Rewayal Order Entered on
; (b) : <del>7</del>	(3) Docket number, case number, or opinion number: (4) Result: (5) Date of result: (6) Issues raised:
7	(3) Docket number, case number, or opinion number:  (4) Result: (5) Date of result: (6) Issues raised:  If you answered "No," explain why you did not appeal: First Rewayal Order entered on Only 14, 2025 by the Immigration Court of Pamparo Beach, Fl.
Fee Sec	(3) Docket number, case number, or opinion number:  (4) Result:  (5) Date of result:  (6) Issues raised:  If you answered "No," explain why you did not appeal: First Rewayal Order entered on Only 14, 2025 by the Immigration Cast of Rompone Gench, Fl.
Fee Sec	(3) Docket number, case number, or opinion number:  (4) Result:  (5) Date of result:  (6) Issues raised:  If you answered "No," explain why you did not appeal: First Reward Order entered on Only 14, 2025 by the Immigration Court of Rompan Bench, Fl.  ond appeal er the first appeal, did you file a second appeal to a higher authority, agency, or court?

	"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:
	(0)
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4 \ YC	1 (D.T. 2)1-i- why you did not file a second anneal:
(p) II	you answered "No," explain why you did not file a second appeal:
Third	appeal .
☐Yes (a) If	Yes," provide:  (1) Name of the authority, agency, or court:
	"Yes," provide:  (1) Name of the authority, agency, or court:  (2) Date of filing:
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	"Yes," provide:  (1) Name of the authority, agency, or court:  (2) Date of filing:  (3) Docket number, case number, or opinion number:
	"Yes," provide:  (1) Name of the authority, agency, or court:  (2) Date of filing:  (3) Docket number, case number, or opinion number:  (4) Result:
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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:  you answered "No," explain why you did not file a third appeal:
(a) If  (b) 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:  you answered "No," explain why you did not file a third appeal:  n under 28 U.S.C. § 2255
(a) If  (b) 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:  you answered "No," explain why you did not file a third appeal:  n under 28 U.S.C. § 2255 petition, are you challenging the validity of your conviction or sentence as imposed?
(a) If  Motio In this □Yes	(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:  you answered "No," explain why you did not file a third appeal:  n under 28 U.S.C. § 2255 petition, are you challenging the validity of your conviction or sentence as imposed?
(a) If  Motio In this □Yes	"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:  you answered "No," explain why you did not file a third appeal:  n under 28 U.S.C. § 2255 petition, are you challenging the validity of your conviction or sentence as imposed?

	If "Yes," provide:
	(1) Name of court:
	(2) Case number:
	(3) Date of filing:
	(4) Result:
	(5) Date of result:
	(6) Issues raised:
	(o) issues raised.
	<del></del>
(h)	United States Court of America 20 II C. C. S. 2044 (LV2) (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 of sentence?
	☐ Yes ØNo
	If "Yes," provide:
	(1) Name of court:
	(2) Case number:
	(3) Date of filing:
	(4) Result:
	(5) Date of result:
	(6) Issues raised:
	(b) Issues raised.
(c)	Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your
(0)	conviction or sentence:
<b>A</b> mm o o	le of immigration propositions
#15550	ls of immigration proceedings
Commence of the second	his case concern immigration proceedings?
Yes	□No
	If "Yes," provide:
(a)	Date you were taken into immigration custody: December 05, 2024
	Date of the removal or reinstatement arder
(b) (c)	Date of the removal or reinstatement order: Taly 14, 2025  Did you file an appeal with the Board of Immigration Appeals?

If "Yes," provide: (1) Date of filing: (2) Case number: A	42 (Rev. 09/17	Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241
(1) Date of filing: (2) Case number: (3) Result: the appeals of the Tunantara Ticu putige abased his discretion because to Tailed to make any creditating determination, unlifered a nurificial a surfice acoler, the appeals of the partition of the United States Court of Appeals?  (4) Did you appeal the decision to the United States Court of Appeals?  (5) Sasses raised:  (6) Did you appeal the decision to the United States Court of Appeals?  (7) Yes Sano If "Yes," provide: (8) Name of court: (9) Date of filing: (9) Date of result: (1) Issues raised:  (1) Issues raised:  (2) Date of filing: (3) Case number: (4) Result: (5) Date of result: (6) Issues raised:  (7) Wes Sano If "Yes," provide: (8) Kind of petition, motion, or application: (9) Nome of the authority, agency, or court: (9) Date of filing: (10) Docket number, case number, or opinion number: (11) Date of result: (12) Date of result: (13) Date of result: (14) Date of result: (15) Date of filing: (16) Docket number, case number, or opinion number: (17) Date of result: (18) Date of result: (19) Date of result: (19) Date of result:		If "Yes," provide:
(3) Result: Ho appeal is dismissed  (4) Date of result: Tally 14 2025  (5) Issues raised: He Immunation untilent a meritian and the Immunation untilent a meritian and the Immunation is the Immunation untilent a meritian and the principle of the Immunation untilent a meritian and the principle of the Immunation untilent a meritian and the principle of the Immunation untilent a meritian and the principle of the Immunation untilent a meritian and the principle of the Immunation untilent untilent and the principle of the Immunation untilent		(1) Date of filing: Novch 24 2025
(4) Date of result: The 14 2025  (5) Issues raised: He Immurated and chared his clusted and realled to make any creditality determination, without a wirtless coder, the Calculation is belied by the Immunitation Judge's and decision of depriving the Philippe of the date.  (d) Did you appeal the decision to the United States Court of Appeals?    Yes   Sino		(2) Case number: A
(4) Date of result: The 14 2025  (5) Issues raised: He Immurated and chared his clusted and realled to make any creditality determination, without a wirtless coder, the Calculation is belied by the Immunitation Judge's and decision of depriving the Philippe of the date.  (d) Did you appeal the decision to the United States Court of Appeals?    Yes   Sino		(3) Result: the appeal is dismissed.
(5) Issues raised: The Immunanticu judge abased his discretion because he failed to rate any creditality determination, without a wirtless carder, the conference of the land.  (d) Did you appeal the decision to the United States Court of Appeals?  Yes XNo  If "Yes," provide:  (1) Name of court:  (2) Date of filing:  (3) Case number:  (4) Result:  (5) Date of result:  (6) Issues raised:  Other than the appeals you listed above, have you filed any other petition, application, or motion about the issue raised in this petition?  Yes XNO  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:		
Tailed to rake any credibility determination without a sicilen accler,  His contention is belied by the Imministration Judge's and decision, depriving the petitione of the due function Judge's and decision, depriving the petitione of the due function Judge's and decision, depriving the petitione of the due function Judge's and decision, depriving the petition of the United States Court of Appeals?  Who if "Yes," provide: (1) Name of court: (2) Date of filing: (3) Case number: (4) Result: (5) Date of result: (6) Issues raised:  Other than the appeals you listed above, have you filed any other petition, application, or motion about the issue raised in this petition?  Wes So 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:		
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depriving the partitions of the date species of the tale.  (d) Did you appeal the decision to the United States Court of Appeals?    Yes   No		THIPPOINT IN THE WALL CONTRACTOR OF THE CONTRACT
(d) Did you appeal the decision to the United States Court of Appeals?    Yes		thes contention is seried by the supports of the latel
□ Yes		depriying the petitioner of the and process of the said
□ Yes		
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(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:		
(d) Docket number, case number, or opinion number:  (e) Result:  (f) Date of result:	N 100 CO	
(d) Docket number, case number, or opinion number:  (e) Result:  (f) Date of result:		
(e) Result:  (f) Date of result:	(c) Da	ate of filing:
(f) Date of result:		
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(g) Issues raised:	8885565	
	(g) Iss	sues raised:
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AO 242 (Rev. 09/17)	Petition for a	Writ of Habeas	Corpus Under 28	U.S.C. § 2241
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Grounds for	Your	Challenge	in	This	Petition
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-2	State every ground (reason) that supports your claim that you are being held in violation of the Constitution,
	facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.
laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.  GROUND ONE: The partitional was depreted a fair appellurity to contest of the management of a did not preduced by any explanation, however brief a determination on appeal where he did not preduce explanation, however brief a determination of feedbality.  (a) Supporting facts (Be brief. Do not cite cases or law):  See Newconnection in all appeals that were available to you?  Payes  GROUND TWO: The pullioner's credebality auguments were not unived the expect funding pullioner's credebality auguments. because the appellurity that the immingration funder about the discretion, in violation of the law of the law.  (a) Supporting facts (Be brief. Do not cite cases or law):  See Homovandum in Support attach howein  (b) Did you present Ground Two in all appeals that were available to you?  The power of the law of the la	
ž	
.?	exped finding petitioner "failed to make auguments"; because the appellant: "argues that the immigration judge abused his discretion," in violation of the Due process of the Lane. I Do not cite cases or law.):
G:	establish past-persecution on a statutory protected ground or a well-founded
	(a) Supporting facts (Be brief. Do not cite cases or law.):
W S	See Memorandum in Support attach herein
a -	
	(b) Did you present Ground Three in all appeals that were available to you?
	Yes DNo

AO 242	(Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241
	GROUND FOUR: the Immirgration judge eventually Dishuced the positioner's CAT Claim, without proper local analysis; in violation of the Due process of the Law.
	(a) Supporting facts (Be brief. Do not cite cases or law.):  See Memorandum in Support attach herein.
335	
84	
19	(b) Did you present Ground Four in all appeals that were available to you?
	Yes ONo
14.	If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:
	Request for Relief
Sions	3) this petition for Writter Habeas Corpus should be growted, 4) Any
athe	i and all the appropriate relief that this Guit doom just and proper.

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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:

Braward Transitional Conter, 3900 N. Ruselline Rol. Payrano Back, Fl.

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: August 11, 2015

Signature of Petitioner

Signature of Attorney or other authorized person, if any

Boundanc Beach Fl. 33073. NUEIN

NOTER CURT SUTHERN DISTRICT

OF MARK FLOW FLOW

33401





