

UNITED STATES DISTRICT COURT
for theRECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

SEP 02 2025

Felix Bartolus Perez

Petitioner

v.

Brian Patterson

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

Case No. 25-cv-1267 Sec P

(Supplied by Clerk of Court)

BY: _____

DANIEL J. McCLOY CLERK
KW

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

Personal Information

1. (a) Your full name: Felix Bartolus Perez
(b) Other names you have used: WPA
2. Place of confinement:
 - (a) Name of institution: Pine Prairie ICE Processing Facility
 - (b) Address: 1133 Hampton Dupre Rd.
Pine Prairie LA 70576
 - (c) Your identification number: XXXXXXXXXX
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)

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: *DHS/ICE v. Department of Homeland Security - 500 12th street, SW Washington DC 20536*
 Docket number, case number, or opinion number: 
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): *1*

(d) Date of the decision or action: *Prolonged detention in violation of the Due Process of Law and the US Const Amend 5th, 6th and 14th*

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: *There was no decision to challenge or appeal*

8. **Second appeal**

After the first appeal, did you file a second 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 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

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:

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: *02/11/2025*
- (b) Date of the removal or reinstatement order: *on or about 1997*
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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:

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: Illegally detained in Immigration Custody.

(a) Supporting facts (Be brief. Do not cite cases or law.): Petitioner is detained in Immigration Custody since 2/11/2025 over 6 months and is currently detained at Pine Prairie ICE Processing center. He is in custody, and under the direct control of Respondent and their Agents.

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

Yes No

GROUND TWO: Due Process violation

(a) Supporting facts (Be brief. Do not cite cases or law.): Petitioner was ordered removed from the United States following proceeding in immigration on or about 1997. He was taken in to immigration custody on 2/11/2025. DHS/ICE have 6 months in while to remove him. DHS/ICE has continued to prolonged his detention in violation of Due Process of Law.

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

Yes No

GROUND THREE: Release From continued Arbitrary/Prolonged Detention

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

This Court's have authority under the constitution to order the release of the Petitioner from this arbitrary/Prolonged detention.

(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:

Request for Relief

15. State exactly what you want the court to do:

Petitioner ask this Court to find that DHS/ICE HAS VIOLATED HIS DUE PROCESS RIGHT UNDER THE U.S. CONSTITUTION BY PROLONGED DETENTION, AND ORDER HIS IMMEDIATE RELEASE FROM IMMIGRATION CUSTODY.

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:

Signature of Petitioner

Signature of Attorney or other authorized person, if any