



**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA\_ PHOENIX DIVISION**

**Chai LY**

**A#**

**Petitioner**

**v.**

**Pamela Bondi, U.S. Attorney General,**

**Kristi Noem, Secretary of DHS,**

**Todd Lyons, Director of ICE,**

**Luis Rosa, Warden of Central Arizona Florence Correctional Complex,**

**Respondents.**

**Case No. CV25-03443-PHX-KML--JZB**

**PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. 2241  
(IMMIGRATION DETAINEE\_ PROLONGED DETENTION)**

**I. INTRODUCTION**

1. Petitioner, Chai LY, a native and citizen of Vietnam, currently detained by U.S. Immigration and Customs Enforcement (ICE) at Central Arizona Florence Correctional Complex in Florence Arizona, respectfully petitions this Court for a writ of habeas corpus under 28 U.S.C. 2241.
2. Petitioner has been in post-final order immigration detention for over six months pursuant to 8 U.S.C. 1231 (a), despite ICE's inability to execute the removal order due to Vietnam's refusal or failure to accept repatriation.
3. Petitioner seeks immediate release from detention on the grounds that continued detention violates the Due Process Clause of the Fifth Amendment and the Supreme Court's ruling in *Zadvydas v. Davis*, 533 U.S. 678 (2001).

**II. JURISDICTION AND VENUE**

4. This Court has jurisdiction under 28 U.S.C. 2241 and Article I, Section 9, Clause 2 of the Constitution.
5. Venue is proper in this district under 28 U.S.C. 1391 (e) because Petitioner is detained within the jurisdiction of this Court at Florence Correctional Complex, located in Florence Arizona.

**III. PARTIES**

6. Petitioner is a native and citizen of Vietnam who is currently detained by ICE.
7. Respondents are U.S. government officials with custody over the Petitioner or authority over immigration detention and removal.

**IV. FACTUAL BACKGROUND**

8. Petitioner was ordered removed to Vietnam on 2003
9. Petitioner has remained in ICE custody continuously since that date.
10. ICE has been unable to secure travel documents or deport Petitioner to Vietnam due to the lack of diplomatic cooperation or practical ability to carry out removals to Vietnam.
11. Petitioner has fully cooperated with ICE's efforts to secure travel documents.
12. More than six months have passed since the order of removal became final.
13. There is no significant likelihood of removal in the reasonable foreseeable future.

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING  
TO FEDERAL AND/OR LOCAL RULES AND PRACTICES  
AND IS SUBJECT TO REJECTION BY THE COURT.  
REFERENCE LRS-UP-5.1  
(File Number Section)

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**V. LEGAL FRAMEWORK**

14. Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), post-final order detention beyond six months is presumptively unreasonable if there is no significant likelihood of removal in the reasonable foreseeable future.

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**VI. CLAIM FOR RELIEF**

**Violation of the Fifth Amendment Due Process Clause and 8 U.S.C. 1231 (a) (6)**

17. Petitioner's continued detention violates the U.S. Constitution and *Zadvydas* because:

- There is no significant likelihood of removal in the foreseeable future.
- Petitioner has fully cooperated with removal efforts.
- ICE's prolonged detention is punitive and lacks justification.

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**VII. PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully request that this Court:

A. Issues a writ of habeas corpus directing Respondents to immediately release Petitioner from custody under appropriate supervision;

B. Grant such further relief as the Court deems just and proper.

Respectfully submitted,

Date:

Signature:

Chai LY

A#

Central Arizona Florence Correctional Complex

P.O. Box 6300

Florence, AZ 85132

Pro Se.