

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

AYYUB HAYTHAM JAMIL HANNA,

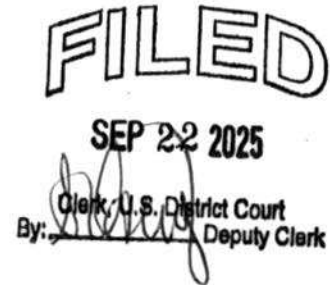
Petitioner,

v.

Case No. 25-3203-JWL

CRYSTAL CARTER, WARDEN

Respondent



PETITION FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

I, AYYUB HAYTHAM JAMIL HANNA, respectfully petition this Court for a writ of habeas corpus and state as follows:

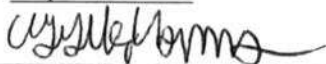
1. I am detained by U.S. Immigration and Customs Enforcement ("ICE") at FCI Leavenworth, Federal Corrections Institution, Leavenworth, Kansas.
2. I was granted deferral of removal under the Convention Against Torture ("CAT"), which prohibits my removal to Iraq.
3. I have been in ICE custody for more than 180 days since my removal order became final.
4. ICE has attempted to remove me to third-party countries, but each of those countries has refused to accept me.
5. Because of my CAT protection and the refusals of third-party countries, there is no significant likelihood of removal in the reasonably foreseeable future.
6. My continued detention therefore violates the Constitutions and **Zadvydas v. Davis, 533 U.S. 678 (2001)**, which held that post-removal detention beyond six months is presumptively unreasonable when removal is not reasonably foreseeable.

RELIEF REQUESTED

I respectfully request this Court:

- a. Issue a writ of habeas corpus ordering my release from ICE custody under appropriate conditions of supervision; and
- b. Grant any other relief the Court deems just and proper.

Respectfully submitted,

Dated 9-17-25


AYYUB HAYTHAM JAMIL HANNA


FCI Leavenworth, Federal Corrections Institution
P.O. Box 1000
Leavenworth, Kansas 66048
Pro Se Petitioner

UNITED STATES DISTRICT COURT
for the

AYYUB HAYTHAM JAMIL HANNA
Petitioner

v.

Case No. 25-3203-JWL
(Supplied by Clerk of Court)

CRYSTAL CARTER, WARDEN
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: AYYUB HAYTHAM JAMIL HANNA
(b) Other names you have used:
2. Place of confinement:
(a) Name of institution: FCI LEAVENWORTH, FEDERAL CORRECTIONAL INSTITUTION
(b) Address: P.O. BOX 1000
LEAVENWORTH, KS 66048
(c) Your identification number:
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 / FBI LEAVENWORTH

LEAVENWORTH, KANSAS

(b) Docket number, case number, or opinion number:

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

I'M CHALLENGING MY DETENTION BY IMMIGRATION OFFICIALS. I BELIEVE I'M BEING UNLAWFULLY DETAINED.

(d) Date of the decision or action:

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:

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: _____

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:

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:

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

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 WAS GRANTED DEFERRAL OF REMOVAL UNDER CONVENTION AGAINST TORTURE (CAT) ON 12/03/2020. THEREFORE, DEPORTATION TO MY HOME COUNTRY IS NO LONGER AUTHORIZED, EXCEPT FOR REMOVAL TO 3RD PARTY COUNTRY WHERE IT IS SAFE FOR ME.

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

(SEE EXHIBIT A)

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

☐ Yes

☒ No

GROUND TWO: ICE TOOK CUSTODY OF ME ON 01/31/25, AND I'VE BEEN IN CUSTODY WELL OVER SIX MONTHS. I REACHED MY 180 ON 07/31/2025.

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

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

☐ Yes

☒ No

GROUND THREE: WHILE IN ICE CUSTODY, ICE CONTACTED 3 COUNTRIES, BUT ALL WERE UNSUCCESSFUL. I BELIEVE ICE WAS REQUIRED TO CONTACT A MAXIMUM OF 3 COUNTRIES.

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

(SEE EXHIBIT B)

(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:

I BELIEVE I HAVE EXHAUSTED MY REMEDIES OF ICE PROCEEDING AND BEING UNLAWFULLY DETAINED. PLEASE LOOK AT MY CASE. I'M SEEKING TO GET RELEASED.

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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: 9-17-25

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: 9-17-25


Signature of Petitioner

Signature of Attorney or other authorized person, if any