

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

United States Courts
Southern District of Texas
FILED

OCT 07 2025 AKP

Nathan Ochsner, Clerk
Laredo Division

TEVDORE KHATCHAPURIDZE,
A# 
Petitioner,

v.

ALEJANDRO MAYORKAS, Secretary, U.S. Department of Homeland Security;
MERRICK B. GARLAND, Attorney General of the United States;
PATRICK J. LECHLEITER, Acting Director, U.S. Immigration and Customs Enforcement
(ICE);
Miguel Vergara, ICE Field Office Director, Harlingen Field Office
Warden of WEBB COUNTY DETENTION CENTER

Respondents.

Civil Action No. 5:25cv169

**PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241**

INTRODUCTION

1. Petitioner, Tevdore Khatchapuridze ("Petitioner"), is currently detained at WEBB COUNTY DETENTION CENTER, at 9998 S Highway 83, Laredo, TX 78041, located within this Court's jurisdiction.
2. Petitioner respectfully submits this Petition under 28 U.S.C. § 2241 challenging the legality of his prolonged post-order detention.
3. After being placed in removal proceedings, Petitioner was found **credible at his credible fear interview**, referred to Immigration Court, and subsequently granted **withholding of removal under INA § 241(b)(3)** following a full merits hearing on June 25, 2025.

4. More than 90 days have passed since the Immigration Judge's order, and DHS has not filed an appeal. The grant of withholding of removal is therefore final and binding.
5. Despite this, Petitioner remains detained without bond, in violation of the Immigration and Nationality Act, the Due Process Clause of the Fifth Amendment, and the Supreme Court's limitations on indefinite detention.

JURISDICTION AND VENUE

6. This Court has jurisdiction under 28 U.S.C. § 2241 and 28 U.S.C. § 1331.
7. Venue is proper in the Southern District of Texas, Laredo Division, because Petitioner is detained within this jurisdiction.

PARTIES

8. Petitioner: Tevdore Khatchapuridze, A# [REDACTED] detained at WEBB COUNTY DETENTION CENTER, 9998 S Highway 83, Laredo, TX 78041
9. Respondent Alejandro Mayorkas: Secretary of Homeland Security.
10. Respondent Merrick B. Garland: Attorney General of the United States.
11. Respondent Patrick J. Lechleiter: Acting Director, ICE.
12. Respondent Miguel Vergara, Harlingen Field Office Director:
13. Respondent Petitioner's immediate custodian at Webb County Detention Center

STATEMENT OF FACTS

14. Petitioner was born on [REDACTED] 1999, in Kutaisi, Georgia, and is a Georgian citizen.
15. Petitioner and his family were persecuted in Georgia for their pro-Western, pro-European, and anti-Russian political views, suffering violent police raids, detentions, and repeated threats.
16. Petitioner fled Georgia and entered the United States on December 12, 2024, requesting protection.
17. He underwent a credible fear interview and was found credible.

18. On June 25, 2025, after hearing testimony and reviewing evidence, the Immigration Judge granted withholding of removal under INA § 241(b)(3), recognizing that Petitioner faces a clear probability of persecution in Georgia.
19. More than 90 days have passed since this order. DHS has not appealed. The grant of withholding is final.
20. Despite this final protection order, Petitioner remains detained at Webb County Detention Center without bond or release.
21. Petitioner has no criminal record, poses no danger to the community, and cannot lawfully be removed to Georgia. DHS has not identified any third country willing to accept him.
22. His detention has become indefinite and arbitrary, serving no legitimate governmental purpose.

LEGAL GROUNDS

Count I – Violation of 8 U.S.C. § 1231(a)(6) (Zadvydas v. Davis)

23. Under **Zadvydas v. Davis**, 533 U.S. 678 (2001), noncitizens may not be detained indefinitely where there is no significant likelihood of removal in the reasonably foreseeable future. Petitioner's removal to Georgia is barred by his grant of withholding, and DHS has not identified an alternative country.

Count II – Violation of the Fifth Amendment (Due Process Clause)

24. Petitioner's prolonged detention, despite a final order of protection and without a legitimate removal purpose, violates substantive and procedural due process.

Count III – Arbitrary Agency Action (APA, 5 U.S.C. § 706)

25. By failing to release Petitioner after a final withholding grant and more than 90 days of post-order detention, DHS/ICE acts arbitrarily and capriciously.

REQUEST FOR RELIEF

Petitioner respectfully requests this Court:

1. Issue a **writ of habeas corpus** ordering his immediate release from ICE custody under reasonable conditions of supervision;
2. In the alternative, order Respondents to provide a **bond or release hearing** before a neutral adjudicator, with the **government bearing the burden** of justifying detention by clear and convincing evidence;
3. Enjoin Respondents from re-detaining Petitioner absent materially changed circumstances; and
4. Grant any other relief the Court deems just and proper.

VERIFICATION

I, Tevdore Khatchapuridze, declare under penalty of perjury that I have read (or had read to me) this Petition and that the facts contained herein are true and correct.

Date: 10/11/2025

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Tevdore Khatchapuridze, Petitioner