

## UNITED STATES DISTRICT COURT

United States Courts  
Southern District of Texas  
FILEDfor the  
Southern District of Texas

OCT 22 2025 AAV

TEVDORE KHATCHAPURIDZE  
A [REDACTED]*Petitioner*v.  
KRISTI NOEM, Secretary of the U.S. Department of  
Homeland Security;  
PAMELA BONDI, Attorney General of the United States*Respondent*  
(name of warden or authorized person having custody of petitioner)

Case No.

5:25-cv-169  
(Supplied by Clerk of Court)

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

## Personal Information

1. (a) Your full name: Tevdore Khatchapuridze  
(b) Other names you have used: \_\_\_\_\_
2. Place of confinement:  
(a) Name of institution: Webb County Detention Center  
(b) Address: 9998 S Highway 83  
Laredo, TX 78041  
(c) Your identification number: A [REDACTED]
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): Being held after the Immigration Judge granted a relief of Withholding of Removal.  
Is has been over 100 days from Decision, DHS has NOT filed appeal.

## 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: Webb County Detention Center/ ICE / DHS9998 Highway 83, Laredo, TX 78041(b) Docket number, case number, or opinion number: A 

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

Petitioner arrived to the USA border seeking asylum. He was interviewed for credible fear. He was found to be credible, and having a credible fear of return. Petitioner then stood a trial before the Immigration Judge, who granted him protection from removal. DHS has not appealed. We are challenging prolonged post-order detention.

(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: Petitioner sought parole from his ICE officers(2) Date of filing: 09/25/2025

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: denied(5) Date of result: 09/30/2025(6) Issues raised: Petitioner was denied under "flight risk" considerations.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(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: \_\_\_\_\_

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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

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

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Date of filing: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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(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: \_\_\_\_\_

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(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: n/a

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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

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

If "Yes," provide:

(1) Date of filing: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_

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(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: \_\_\_\_\_

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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: Violation of 8 U.S.C. § 1231(a)(6) (Zadvydas v. Davis)**

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.

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

Here Petitioner was found credible on his credible fear interview, had a Merits Hearing and was granted the INA Withholding of Removal. DHS has not appealed the Decision of the Immigration Judge. There is no reason for petitioner's prolonged detention.

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

Yes  No

**GROUND TWO: 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.

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

Petitioner has final order of protection. Government does not appeal. Prolonged detention serves no legitimate purpose and violates petitioner's due process rights.

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

Yes  No

**GROUND THREE: Arbitrary Agency Action (APA, 5 U.S.C. § 706)**

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.

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

Petitioner is not a danger to the community or threat to our national security. DHS has Not appealed the Decision of the Immigration Judge granting relief. There is no legitimate cause for keeping the Petitioner detained after his case was resolved and Government has no objections to granting him protection.

(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: 1. Issue a writ of habeas corpus ordering his immediate release from ICE custody under reasonable conditions of supervision;  
2. Grant any other relief the Court deems just and proper.

**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

10/17/2025

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: 10/17/2025

T. Khatchapuri

*Signature of Petitioner*

*Signature of Attorney or other authorized person, if any*



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
LAREDO IMMIGRATION COURT

Respondent Name:

KHATCHAPURIDZE, TEVDORE

To:

Natalishvili, Levan  
1815 Avenue U  
Suite 2  
Brooklyn, NY 11229

A-Number:

Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

06/25/2025

**ORDER OF THE IMMIGRATION JUDGE**

- This is a summary of the oral decision entered on 06/25/2025. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- Both parties waived the issuance of a formal oral decision in this proceeding.

**I. Removability**

The immigration court found Respondent  removable  inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act); 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I)

The immigration court found Respondent  not removable  not inadmissible under the following Section(s) of the Act:

**II. Applications for Relief**

Respondent's application for:

**A. Asylum/Withholding/Convention Against Torture**

- Asylum was  granted  denied  withdrawn with prejudice  withdrawn without prejudice
- Withholding of Removal under INA § 241(b)(3) was  granted  denied  withdrawn with prejudice  withdrawn without prejudice
- Withholding of Removal under the Convention Against Torture was  granted  denied  withdrawn with prejudice  withdrawn without prejudice
- Deferral of Removal under the Convention Against Torture was  granted  denied  withdrawn with prejudice  withdrawn without prejudice
- Respondent knowingly filed a frivolous application for asylum after notice of the consequences. See INA § 208(d)(6); 8 C.F.R. § 1208.20

B. Cancellation of Removal

- Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was  granted  denied  withdrawn with prejudice  withdrawn without prejudice
- Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was  granted  denied  withdrawn with prejudice  withdrawn without prejudice
- Special Rule Cancellation of Removal under INA § 240A(b)(2) was  granted  denied  withdrawn with prejudice  withdrawn without prejudice

C. Waiver

- A waiver under INA § was  granted  denied  withdrawn with prejudice  withdrawn without prejudice

D. Adjustment of Status

- Adjustment of Status under INA § was  granted  denied  withdrawn with prejudice  withdrawn without prejudice

E. Other

The Court is granting withholding of removal but will decline to address Respondent's application for protection under the convention against torture and will deem that application moot. The Court must enter an order of removal when granting withholding of removal.

III. Voluntary Departure

- Respondent's application for  pre-conclusion voluntary departure under INA § 240B(a)  post-conclusion voluntary departure under INA § 240B(b) was  denied.
- Respondent's application for  pre-conclusion voluntary departure under INA § 240B(a)  post-conclusion voluntary departure under INA § 240B(b) was  granted, and Respondent is ordered to depart by . The respondent must post a \$ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.
- The respondent is subject to the following conditions to ensure his or her timely departure from the United States:

- Further information regarding voluntary departure has been added to the record.
- Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. See INA § 240B(d)(1). The immigration court has set

- the presumptive civil monetary penalty amount of \$3,000.00 USD
- \$ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of

removal shall automatically take effect, and Respondent shall be ineligible, for a period of 10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses to depart from the United States pursuant to the order of removal, to make timely application in good faith for travel or other documents necessary to depart the United States, to present himself or herself at the time and place required for removal by the DHS, or conspires to or takes any action designed to prevent or hamper Respondent's departure pursuant to the order of removal, Respondent may be subject to a civil monetary penalty for each day Respondent is in violation. If Respondent is removable pursuant to INA § 237(a), then he or she shall be further fined or imprisoned for up to 10 years.

#### IV. Removal

- Respondent was ordered removed to Georgia
- In the alternative, Respondent was ordered removed to
- Respondent was advised of the penalties for failure to depart pursuant to the removal order:

If Respondent is subject to a final order of removal and willfully fails or refuses to depart from the United States pursuant to the order, to make timely application in good faith for travel or other documents necessary to depart the United States, to present himself or herself at the time and place required for removal by the DHS, or conspires to or takes any action designed to prevent or hamper Respondent's departure pursuant to the order of removal, Respondent may be subject to a civil monetary penalty for each day Respondent is in violation. If Respondent is removable pursuant to INA § 237(a), then he or she shall be further fined or imprisoned for up to 10 years.

#### V. Other

- Proceedings were  dismissed  terminated with prejudice  
 terminated without prejudice  administratively closed.
- Respondent's status was rescinded under INA § 246.
- Other:

The Court is granting withholding of removal but will decline to address Respondent's application for protection under the convention against torture

and will deem that application moot. The Court must enter an order of removal when granting withholding of removal.



Immigration Judge: FIGUEROA, LAURA 06/25/2025

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due:

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Respondent Name : KHATCHAPURIDZE, TEVDORE | A-Number : 

Riders:

Date: 06/25/2025 By: BARRERA, ANA, Court Staff

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## Automated Case Information

Name: KHATCHAPURIDZE, TEVDORE | A-Number:   
| Docket Date: 2/12/2025

### Next Hearing Information



*There are no future hearings for this case.*



### Court Decision and Motion Information

The immigration Judge **GRANTED** INA Withholding.

**DECISION DATE**

June 25, 2025

**COURT ADDRESS**

1406 JACAMAN ROAD, SUITE B  
LAREDO, TX 78041

 **BIA Case Information**

No appeal was received for this case.

 **Court Contact Information**

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

**COURT ADDRESS**

1406 JACAMAN ROAD  
LAREDO, TX 78041

**PHONE NUMBER**

(956) 523-6200

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