

**IN THE UNITED STATES DISTRICT COURT**  
**for the**  
**DISTRICT OF KANSAS**

SARI ABOU AMRA	)	
Petitioner,	)	
	)	Cause No. 25-3222-JWL
v.	)	
	)	
SAM OLSON, Field Office Director for	)	
Enforcement and Removal, U.S.	)	
Immigration and Customs Enforcement,	)	
Department of Homeland Security, and	)	
JACOB WELSH, Sheriff, Chase County	)	
Detention Center	)	
Respondent.	)	

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

This is a Petition for Writ of Habeas Corpus filed on behalf of Sari Abou Amra, A-Number  seeking relief to remedy unlawful detention. Respondents are detaining Mr. Abou Amra pending the execution of his final removal order. To date, Respondents have been unable or unwilling to remove Mr. Abou Amra and thus, he has been detained for more than ninety (90) days. Mr. Abou Amra is not a flight risk or a danger to the community. Prior to his detention, he was reporting to U.S. Immigration and Customs Enforcement (“ICE”) regularly as part of the Intensive Supervision Appearance Program (“ISAP”) and has committed no crimes. His prolonged detention is no longer justified under the Constitution or the Immigration and Nationality Act (“INA”).

On or about June 4, 2025, Respondent Olson facilitated the arrest of Mr. Abou Amra and placed him in the custody of Ste. Genevieve Detention Center in Ste. Genevieve, Missouri. Mr. Abou Amra was detained by the government after being instructed and reporting to the ISAP office in St. Louis, Missouri for what he believed to be a routine check-in. Since his detention,

Respondent \* has moved Mr. Abou Amra twice. From Ste. Genevieve, Mr. Abou Amra was moved to to FCI Leavenworth, a federal prison located in Leavenworth, Kansas. From FCI Leavenworth, Mr. Abou Amra was moved to Chase County Detention Center in Chase County Kansas.

On July 11, 2025, Mr. Abou Amra was given a Notice of Failure to Comply pursuant to 8 CFR 241.4(g), stating that on January 29, 2004, an Immigration Judge ordered him removed, and on July 10, 2025, Mr. Abou Amra refused to cooperate by assisting on getting a travel document. Mr. Abou Amra is a stateless person, and has no valid travel documents. In an attempt to facilitate Mr. Abou Amra's removal, Respondent \*, provided Mr. Abou Amra with an Application to obtain a Travel Document to Libya. As a stateless person, Mr. Abou Amra refused to be removed to Libya.

Respondents have been unable to remove Mr. Abou Amra because he is a stateless person. Mr. Abou Amra has been in custody for longer than ninety (90) days. Mr. Abou Amra submits that his detention is in violation of his constitutional rights. His prolonged detention is no longer justified under the Constitution nor the INA. Petitioner seeks an Order from this Court declaring his continued and prolonged detention unlawful and ordering Respondents to release Mr. Abou Amra from their custody.

### **CUSTODY**

1. Mr. Abou Amra is in the physical custody of Respondent Sam Olsen, Chicago Field Office Director for Enforcement and Removal, U.S. Immigration and Customs Enforcement ("USICE"), the Department of Homeland Security ("DHS") and Jacob Welsh, the Chase County Sheriff who oversees/leads the Chase County Detention Center ("CCDC"). At the time of the filing of this Petition, Petitioner is detained at CCDC

located in Cottonwood Falls, Kansas. The CCDC contracts with DHS and ICE to detain aliens such as Petitioner. Mr. Abou Amra is under the direct control of Respondents and their agents.

### **JURISDICTION**

2. This action arises under the Constitution of the United States, the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101 et. seq., as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”), Pub. L. No. 104-208, 110 Stat. 1570. This Court has jurisdiction under 28 U.S.C. 2241, art. I, § 9, cl. 2 of the United States Constitution (“Suspension Clause”) and 28 U.S.C. § 1331, as Petitioner is presently in custody under color of authority of the United States and such custody is in violation of the U.S. Constitution, laws, or treaties of the United States. This Court may grant relief pursuant to 28 U.S.C. § 2241, and the All Writs Act, 28 U.S.C. § 1651.

### **VENUE**

3. Venue lies in the United States District Court for the District of Kansas, the judicial district in which Petitioner is detained. 28 U.S.C. § 1391(e).

### **PARTIES**

4. Mr. Abou Amra is a stateless person who was, for some reason unknown to counsel, denied asylum and, unknowingly, granted Voluntary Departure on January 29, 2004, by an Immigration Judge. He is detained by Respondents pursuant to 8 U.S.C. § 1231, which permits the DHS to detain aliens, such as Petitioner, pending the execution of the alien’s removal order.
5. Respondent Sam Olson is the Chicago Field Office Director for Enforcement and Removal, USICE, DHS. Respondent Olson is a custodial official acting within the

boundaries of the judicial district of the United States Court for the District of Kansas.

Pursuant to Respondent Olson's orders, Petitioner remains detained.

6. Respondent Jacob Welsh is the Chase County Sheriff and leads/oversees the Chase County Detention Center in Chase County, Kansas. He is Petitioner's immediate custodian and resides in the judicial district of the United States Court of the District of Kansas.

#### **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

7. Mr. Abou Amra has exhausted his administrative remedies to the extent required by law.
8. Mr. Abou Amra is a stateless person.
9. Mr. Abou Amra's only remedy is by way of this judicial action.

#### **STATEMENT OF FACTS**

10. Counsel makes these statement of facts with the caveat that they have not been able to obtain Mr. Abou Amra's complete immigration file from USICE, USCIS, DHS, or the like. Petitioner was represented by different counsel in his original removal proceedings. Counsel has been unable to locate functional contact information for Petitioner's prior counsel to request Petitioner's file. Counsel's FOIA request for Petitioner's immigration file was denied. Petitioner was in possession of certain immigration documents at the time of his arrest; however, those forms were confiscated and whereabouts are unknown.
11. The minimal information counsel was able to gather regarding Petitioner's prior removal proceedings lead counsel to believe Petitioner applied for asylum, we believe as a rider, and was denied.
12. Petitioner was granted Voluntary Departure on January 29, 2004.

13. Upon information and belief, Petitioner did not give his prior counsel authority to request an Order for Voluntary Departure.
14. Mr. Abou Amra would not have requested nor consented to voluntary departure, as he is a stateless person with no place to go outside of the United States.
15. Because Mr. Abou Amra is a stateless person, he has not been removed.
16. Mr. Abou Amra was placed on ISAP, an alternative to detention program that monitors immigrants and requires certain check-ins with assigned ISAP officers.
17. Mr. Abou Amra reported to his assigned ISAP officer since April 2005.
18. Mr. Abou Amra fully complied with the conditions of the supervision program.
19. A few days prior to his arrest, Petitioner was contacted by his ISAP officer and told to report to the St. Louis ISAP office on June 4, 2025, for a meeting.
20. Petitioner appeared at the St. Louis ISAP office as directed on June 4, 2025, and was served with a warrant for his arrest for failure to depart.
21. Respondents have determined that Mr. Abou Amra should be detained because removal is imminent.
22. However, it has been more than ninety (90) days since Petitioner's detention pending his removal. Respondents continue to detain Petitioner although they have been unable to remove him.
23. Mr. Abou Amra is not a danger to the community or a flight risk. He has no criminal convictions, and no pending criminal cases. He complied with the terms of the ISAP program for twenty (20) years prior to his arrest and current detention.
24. Mr. Abou Amra has deep roots in this community, as he has two young U.S. citizen children.

25. Prior to his arrest, Mr. Abou Amra was working as handyman to provide for himself and his family. His continued detention deprives his family of his companionship and income.

26. Respondents' decision to detain Mr. Abou Amra is no longer legally justifiable and is capricious and arbitrary. There is no better time for the Court to consider the merits of Mr. Abou Amra's request for relief.

### **CLAIMS FOR RELIEF**

#### **COUNT ONE CONSTITUTIONAL CLAIM**

27. Petitioner realleges and incorporates Paragraphs 1 through 26 by reference herein.

28. Petitioners' detention violates his right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

#### **COUNT TWO STATUTORY CLAIM**

29. Petitioner realleges and incorporates Paragraphs 1 through 28 by reference herein.

30. Petitioner's continued detention violates the Immigration and Nationality Act and the U.S. Constitution.

#### **COUNT THREE**

31. Petitioner realleges and incorporates Paragraphs 1 through 30 by reference herein.

32. If he prevails, Petitioner requests attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C § 2412.

### **PRAYER FOR RELIEF**

WHEREFORE, Petitioner prays this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Issue an Order directing Respondents to show cause why the writ should not be granted;

3. Issue a Writ of Habeas Corpus ordering Respondents to Release Mr. Abou Amra on his own recognizances or under supervised release;
4. Award Petitioner reasonable costs and attorney's fees; and
5. Grant such further relief this Court deems just and proper.

Respectfully submitted,  
LAW OFFICE OF VALERIE SPROUT

By: /s/ Valerie Sprout  
VALERIE SPROUT, #KS29920  
ALBERT S. WATKINS, #MO34553  
ALEXANDRIA N. TOURVILLE, #MO74878  
Attorneys for Petitioner  
1200 S. Big Bend Blvd.  
St. Louis, MO 63117  
(314) 727-9111  
(314) 727-9110 Facsimile  
E-Mail: [valerie@sprout-immigration.com](mailto:valerie@sprout-immigration.com)  
[al@kwstllaw.com](mailto:al@kwstllaw.com)  
[atourville@kwstllaw.com](mailto:atourville@kwstllaw.com)

**CERTIFICATE OF SERVICE**

Signature above is also certification that the aforementioned document was filed this 13th day of October, 2025 utilizing the Court's CM/ECF electronic filing system, which will cause a true and correct copy of same to be served upon all counsel of record.

