

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

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

Nguyen Dung Van
Petitioner

v.
Kristy Nohem DHS
Agency ICE

Case No. _____
(Supplied by Clerk of Court)

Rodriguez Guardian Webb County Detention Center
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: Nguyen Dung Van
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: webb County Detention Center
(b) Address: 9998 S Hwy 83
Laredo Tx 78046
- (c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
U.S. Immigration and Customs Enforcement (ICE)
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: Montgomery County
Circuit Court 50 Marylan Ave 20850
(b) Docket number of criminal case: 105018 C
(c) Date of sentencing: 4/4/2006
☒ 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 Harlingen Field office
1717 24th Street Harlingen, Texas

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

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

Unreasonably prolonged detention by ICE after 90 days attempting to execute a final order of removal, exceeding the ordinarily brief detention period

(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: ICE Deportation officer

(2) Date of filing: 07/02/2025

(3) Docket number, case number, or opinion number: _____

(4) Result: The person responsible argued that I had to wait a month.

(5) Date of result: 07/02/2025

(6) Issues raised: I have a deportation order. I waited for my deportation for three weeks. The only response I received was that I had to wait because I don't have a passport and that the process would take a month.

(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

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(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: ICE Deportation officer
Agent C. Rodriguez-Deveux - Laredo field office
- (2) Date of filing: 09/23/2025
- (3) Docket number, case number, or opinion number: 0001, letter sent with attached
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: I requested my removal to Vietnam as soon as possible, or that ICE release me from detention and grant me permission to reside in the United States.

(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: N/A
- (2) Date of filing: N/A
- (3) Docket number, case number, or opinion number: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a third appeal: I did not file a third appeal because I have not yet received a response to the second appeal and I do not know to which authority I should submit my 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

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If "Yes," provide:

- (1) Name of court: N/A
(2) Case number: N/A
(3) Date of filing: N/A
(4) Result: N/A
(5) Date of result: N/A
(6) Issues raised: N/A

- (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: N/A
(2) Case number: N/A
(3) Date of filing: N/A
(4) Result: N/A
(5) Date of result: N/A
(6) Issues raised: N/A

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 06/11/2025
(b) Date of the removal or reinstatement order: 03/11/2000, reinstatement order of rem
(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☒ No

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If "Yes," provide:

- (1) Date of filing: N/A
(2) Case number: N/A
(3) Result: N/A
(4) Date of result: N/A
(5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☒ No

If "Yes," provide:

- (1) Name of court: N/A
(2) Date of filing: N/A
(3) Case number: N/A
(4) Result: N/A
(5) Date of result: N/A
(6) Issues raised: N/A

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: N/A
(b) Name of the authority, agency, or court: N/A

(c) Date of filing: N/A

(d) Docket number, case number, or opinion number: N/A

(e) Result: N/A

(f) Date of result: N/A

(g) Issues raised: N/A

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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: My detention has been extended, reaching 114 days and approaching the stipulated time limit of 180 days without deportation. If I reach 181 days in detention, my Fifth Amendment due process rights would be violated.

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

I have had a deportation order since 03/11/2020, and I was captured by the ICE agency on 06/11/2025. I have been waiting for my deportation for 114 days. It should be noted that the United States does not have good diplomatic relations with Vietnam, which makes my situation difficult.

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

☐ Yes

☒ No

GROUND TWO: Discrimination against me for my convictions and for not having a passport with me is delaying my removal to my country, and the ICE agency is not working exhaustively to obtain my passport.

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

Under new DHS policies requiring every convicted person to be detained and deported, I am being discriminated against for having a conviction, which is why I have been placed in a high risk ICE detention facility with other dangerous individuals in the detention dorms awaiting deportation.

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

☐ Yes

☒ No

GROUND THREE: Conditions of confinement violate due process rights. They are not meaningfully different from punitive detention.

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

I am being held in a detention center that houses U.S. Marshalls prisoners serving sentence, with access to the same foods, same recreational areas, same medical services, same dormitory arrangements, and housed in the same dorm with individuals with criminal background, when I don't possess a criminal background.

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

☐ Yes

☒ No

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GROUND FOUR: N/A

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

N/A

(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: Presenting all grounds seeking habeas relief

Request for Relief

15. State exactly what you want the court to do: Honorable Court, grant me immediate release from custody.

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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:

Webb County Detention Center mail system

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:

10/06/2025


Signature of Petitioner

Signature of Attorney or other authorized person, if any

Date: 09/23/2025

Nguyen Dung Van

A# 

Webb County Detention Center

9998 S. Zapata Highway 83

Laredo, TX 78046

Dear, Deportation Officer, C. Rodriguez-Devereux

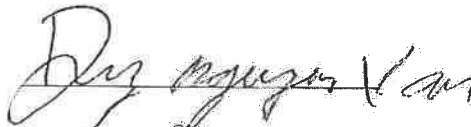
I, Nguyen Dung Van, a 58-year-old citizen and native of Vietnam, address your noble authority with all due respect to state the following:

I have been under a final deportation order could I get my archive for this system is 105018c, for 101 days, and to date, I have not received any notification from ICE, nor have they notified me when I will be deported back to my country. I respectfully request that you provide me with a response and tell me when I will be deported to Vietnam, or if I will be given the opportunity to remain in this beautiful country the United States.

Hoping for a prompt response to my request, I bid farewell to your noble authority and thank you for your valuable time.

Nguyen Dung Van

A# 


Sign.

U.S. Department of Justice
Immigration and Naturalization Service

Continuation Page for Form:

I-220B

Alien's Name
NGUYEN, Dung VanFile Number
A Date
02/09/2010
Alien's Signature

Alien's Address



Alien's Telephone Number (if any)

Tel. 

RIGHT INDEX PRINT

PERSONAL REPORT RECORD

DATE	OFFICER	COMMENT/CHANGES
06/03/10	WV / Reptd. / NRD 15	07/08/10
07-08-10	WV Reptd.	NRD 8-5-10 @ 1000.
08/05/10	(HOF) NRD	09/16/2010
12-16-10	WV NRD 9	02/09/11 @ 9:15 am
1/9/11	WV Reptd. as directed.	NRD 3/10/11 - 10:00 AM
1/16/11	(20) Reptd. NRD	4/7/11 @ 9:15 am
4/7/11	(20) Reptd. NRD	5/5/11 @ 1100
5/5/2011	EG Reptd. NRD	06/02/2011
6/09/11	WV NRD 15	07/14/11 9:00
7/14/2011	EG Reptd. NRD	08/04/2011 9:00
10-16-11	WV NRD 15	10-25-15 @ 1000.
11/16/11	WV NRD 15	5/29/12 @ 10:00 AM
5/31/16	WV Reptd. NRD	40-17 @ 9:00 AM, 04-10-2017 @ 9:10
6/7/2017	WV Reptd. 2 months tardily.	Next report date is 12/28/2017 @ 10:00
12-27-2017	WV Reptd. 12-26-2018 at	9:30 AM
2/15/2018	WV Reptd. December 11 2017 at	09:00 am
10/25/22	WV NRD	10/26/2023 1100 am CART
10/24/23	WV NRD	10/24/2025 09:300

nature
nry HarrisonTitle
Deportation Officer