

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

UNITED STATES DISTRICT COURT

for the

FILED

9:00 am Oct 21 2025

Clerk U.S. District Court

Northern District of Ohio

Youngstown

PATEL Manjulaben Daxest Kumar
Petitioner

4:25 CV 02252

Case No.

(Supplied by Clerk of Court)

JUDGE CALABRESE

MAG JUDGE GRIMES

ICE and Warden of CORE CIVIC
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: PATEL MANJULABEN DAXEST KUMAR
(b) Other names you have used: _____

2. Place of confinement:

(a) Name of institution: NORTHEAST OHIO CORRECTIONAL CENTER

(b) Address: 2240 HUBBARD RD
Youngstown OH, 44505

(c) Your identification number: _____

3. Are you currently being held on orders by:

☐ Federal authorities ☐ State authorities ☒ Other - explain:

Immigration

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:

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

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

(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:

NA

(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:

(2) Date of filing:

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

(4) Result:

(5) Date of result:

(6) Issues raised:

NA

(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:

NA

(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

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If "Yes," provide:

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

NA

- (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:

NA

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

NA

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 4th June 2025
- (b) Date of the removal or reinstatement order: 7th July 2008
- (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:

(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 Never had a passport.

I Came in USA From TEXAS border with NO document. I NEVER had a passport from India. I am Trying to get my passport
(a) Supporting facts (Be brief. Do not cite cases or law.):

Since 2008 But my consulate is not responding. I have been to my consulate in Chicago to get my Travel document on 2015 to 2016. But they told me we are unable to provide a Travel document at this time. Cuz we do not have any information of you in our database. So we can't issue a Travel document for me also in future they can't get

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

☐ Yes ☒ No

GROUND TWO: ILLEGALLY DETAINED BY ICE

On JUNE 4th 2025 ICE officer Arrested me in ICE office and they told me I will be Released in 90 days. I have been following on the ICE instruction Since 2012. This time I have been in custody

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

Over 120 days. They gave me continue Detention saying ICE will get my Travel document from my consulate. But they didn't even take my picture yet for my Travel document. My consulate will never issue a Travel document cuz I have been trying to get my Travel document Since 2008. Also, I am not a Danger to Community or Flight Risk.

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

☐ Yes ☒ No

GROUND THREE: Cooperating With ICE to issue my TD.

On June 5th 2025, ICE gave me Application to fill out for my Travel document and I have filled it and sign it and Return it following day. I made all Reasonable efforts to comply with

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

order of Removal. ICE said still awaiting a Travel document to be issued. Also, I am complying with ICE to issue my Travel document. ICE can't deport me until they get my Travel document. Till then I will be in custody which is not fair to me. After All I am human with emotions.

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

☐ Yes ☐ No

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GROUND FOUR HEALTH ISSUES.

I am age of 48 with high blood pressure and risk of getting a diabetic. Also I am taking mental

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

health medicine for my Anxiety and sleep. Also, I am taking pain killer for my lower back problems. I am afraid of taking all this medicine will give me side affects. ICE needs to understand that I am with lots of medical conditions. Also, medical is so poor in this facility.

(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 am requesting to court to release me on an order of supervision with strict conditions. Such as USPS ankle monitor, periodic check-ins with ICE officer and restriction on my travel. After my release I am willing to get deported if ICE will get my travel document in future. Also, I am not a flight risk or danger to community.

Thank you.

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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:

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: 10/09/2025

D. Pate

Signature of Petitioner

Signature of Attorney or other authorized person, if any