

FILED

OCT 20 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

DANIEL MICHELE TECLE,
Petitioner

v.

WARDEN,
South Texas ICE Processing Center

DIRECTOR,
Immigration and Customs Enforcement

KRISTI NOEM,
Secretary,
Department of Homeland Security

SA25CA1359 OG

I. INTRODUCTION

Petitioner, Daniel Michele Tecle, seeks Habeas Corpus relief from this Court pursuant to 28 U.S.C. § 2241. Petitioner is filing *pro se*.

Petitioner is challenging the legality of Immigration and Custom Enforcement (ICE) revocation of my Order of Supervision (OSUP) outlined in 8 CFR §241.4(l)(2) and 8 CFR §241.13(i) and ICE's violation of the Fifth Amendment Due Process clause.

Petitioner was born in Rome, Italy but is not an Italian citizen under Italian law.

Petitioner's parents are from Eritrea but is not an Eritrean citizen under Eritrean law.

Petitioner is including all parties relevant to this petition as Petitioner does not have access to the information to the parties involved.

II. BACKGROUND

Petitioner was first detained by ICE in Killeen, Texas on May 5, 2010. One month later at the South Texas ICE Processing Center (STIPC), Pearsall, Texas, the Petitioner was ordered removed by an immigration judge.

Six months later Petitioner filed a Habeas to be released from ICE detention when the agency failed to remove the Petitioner. [*Zadvydas v. Davis*]

Petitioner was released on an Order of Supervision (OSUP) in January 2011 although ICE had an order of release dated December 26, 2010. Since January 2011 the Petitioner has complied with the annual check-ins without incident.

On September 26, 2025 the Petitioner drove to the San Antonio field office on Crosspoint Drive for the annual check-in. It was here that the ICE agent informed Petitioner his OSUP is being revoked.

During the processing several ICE agents that spoke to Petitioner stated "it was not your fault the OSUP has been revoked", "you have done nothing wrong", "OSUP revocation is coming from the Trump administration".

During the Petitioner's 15-year OSUP, letters were sent to the Italian Consulate in Houston, Texas and the Eritrean Consulate in Washington, D.C. as he did while detained at STIPC.

The Italian Consulate responded to Petitioner via letter and denied his claim to Italian citizenship. The Eritrean Consulate never responded to the Petitioner's repeated phone calls (detained and on release). In fact when Petitioner sent a certified letter through the United States Postal Service (USPS) in 2018 the letter was sent back with a USPS response stating the mail receptacle is blocked.

All evidence was provided to ICE during the annual OSUP check-in.

In addition to the above, Petitioner, as a stateless person, has sought remedies to effect his removal or change his immigration status under U.S. immigration laws.

Petitioner has reached out to Unified U.S. Depórted Veterans Resource Center, an immigration advocacy group for U.S. Veterans.

Post OSUP revocation

Petitioner could not properly respond to the OSUP since ICE did not list the reasons why the OSUP is being revoked. Subsequently, at STIPC, ICE did not respond to Petitioner's request for copies of warrant and/or revocation documents via STIPC internal request system.

ICE asked Petitioner if he wants to write a letter stating why the OSUP revocation should not happen. Petitioner did so and there was no reply from ICE thereafter.

ICE did not conduct an interview with the Petitioner. [*8 CFR §241.13(i)(3)*]

Legality of OSUP revocation

Petitioner challenges the legality of the OSUP revocation outlined under *8 CFR §241.4 and 8 CFR §241.13*. Petitioner claims that ICE has violated the Due Process Clause under the Fifth Amendment of the U.S. Constitution.

The following cases have challenged the legality of OSUP revocation. **Grigorian v. Bondi**, 2025 U.S. Dist. Court, Lexis 175489, U.S. District Court for the Southern District of Florida, September 9, 2025; **Sarail A. v. Bondi**, 2025 U.S. District Lexis 171005, September 3, 2025; **Rokhfirooz v. Larose**, 2025 U.S. District Lexis 180605, U.S. District Court for the Southern District of California, September 15, 2025.

The above cases are not exhaustive.

Informal interviews are not valid since reasons were not given. "Trump administration" is not a legal argument under ICE regulations and the U.S. Constitution.

ICE has not responded to several requests for copies of warrant and OSUP revocation documents via the STIPC request system, both paper (physical) and the tablet app (electronic).

ICE's failure to provide the Petitioner an informal interview promptly after his detention or to otherwise provide an opportunity to contest reasons for revocation violates both ICE's own regulations [*8 CFR §241.4 and 8 CFR §241.13*] and the U.S. Constitution Fifth Amendment's Due Process clause. [*Grigorian v. Bondi*, 2025].

III. PRAYER FOR RELIEF

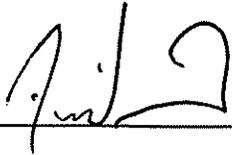
WHEREFORE, Petitioner prays that this Court grant the following relief:

- 1) Assume jurisdiction over this matter;
- 2) Grant Petitioner a **Writ of Habeas Corpus** directing the Respondents to immediately release Petitioner from custody;
- 3) Enter a preliminary and permanent injunctive relief enjoining Respondents from further unlawful detention of Petitioner;
- 4) Grant any other and further relief that this Court deems just and proper.

I affirm to the best of my knowledge and belief that the foregoing is true and correct.

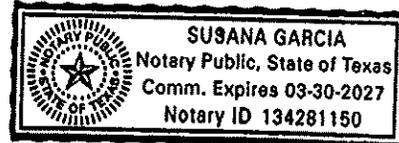
ACKNOWLEDGMENT

SUBSCRIBED TO AND SWORN before me this 5th day of October 2025 that Daniel Michele Tecle personally appeared and known to me to be the person whose name subscribed to within instrument and acknowledge to be the same.



Daniel Michele Tecle,

Petitioner



10.5.2025

