

FILED _____ LODGED _____
RECEIVED _____ COPY _____
OCT 22 2025
CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA
BY _____ DEPUTY

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

UNITED STATES DISTRICT COURT
for the
District of Arizona

Sulaiman Alqishawi

Petitioner

v.

L. Rosa Jr., Warden, Central Arizona Florence
Correctional Complex;

Alejandro Mayorkas, Secretary of Homeland Security;

Respondent

(name of warden or authorized person having custody of petitioner)

Case No. **CV25-3935-PHX-GMS--JFM**
(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: Sulaiman Alqishawi
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: Central Arizona Florence Correctional Complex
(b) Address: 1155 North Pinal Parkway, Florence, AZ 85132
3. (c) Your identification number: [REDACTED]
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): _____

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)

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING TO FEDERAL AND/OR LOCAL RULES AND PRACTICES AND IS SUBJECT TO REJECTION BY THE COURT. Page 2 of 9
REFERENCE LRCWP 5.4
(Rule Number/Section)

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

- 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: U.S. Immigration and Customs Enforcement (ICE)
, Phoenix Field Office

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Continued immigration detention after final order of removal despite no foreseeable possibility of removal

(d) Date of the decision or action: 05/02/2025

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: _____

(b) If you answered "No," explain why you did not appeal: I was not aware of the appeal process. ICE has not conducted any lawful custody review and has never provided the 90-day review paperwork required under 8 C.F.R. § 241.4. There is no administrative process available to challenge indefinite post-order detention.

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

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

(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: _____

(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

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: _____

(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: _____

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

- Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 05/02/2025
- (b) Date of the removal or reinstatement order: 11/27/2018
- (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: _____

(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: _____

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

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: Prolonged Detention Not Reasonably Foreseeable

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

Petitioner is stateless — no country recognizes him as a national, and no government will issue him travel documents now or in the future. ICE has contacted multiple foreign governments, but each has refused to accept him.

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

Yes No

GROUND TWO: Violation of Due Process

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

Petitioner has been detained for more than six months after a final order of removal without a bond hearing or judicial review. This prolonged civil detention, despite the absence of any realistic prospect of removal, violates the Due Process Clause of the Fifth Amendment. Petitioner requests immediate release or, in the alternative, a prompt bond hearing before a neutral decision-maker.

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

Yes No

GROUND THREE: Violation of Regulatory Procedures and Lack of Custody Review

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

ICE has failed to comply with the post-order detention review procedures required by 8 C.F.R. §§ 241.4 and 241.13, which mandate custody reviews at 90-day and 180-day intervals. Petitioner has never received notice, paperwork, or any review decision, denying him the opportunity to present evidence or request release under supervision. The government's failure to follow its own regulations renders his detention arbitrary, unlawful, and in violation of due process.

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

Yes No

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

GROUND FOUR: Humanitarian and Family Hardship

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

Petitioner is the sole provider and caretaker for his elderly parents, brother, and sister, who all depend on him for their daily needs and safety. He also saved the lives of his brother and sister's families by helping them escape the conflict in Gaza to Egypt. His indefinite detention has caused extreme emotional and financial hardship to his entire family. Continued confinement serves no legitimate purpose and violates the humanitarian principles underlying immigration custody and the Due Process Clause of the Fifth Amendment.

(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: Petitioner respectfully prays that this Honorable Court grant the writ of habeas corpus and order his release from ICE custody under appropriate conditions of supervision.

Petitioner has been detained far beyond the period authorized by law, despite being fully compliant, stateless, and with no foreseeable possibility of removal. His continued confinement has caused severe hardship to his elderly parents and siblings, who rely entirely on him for care, safety, and support.

Accordingly, Petitioner requests that the Court order his immediate release under supervision, or, in the alternative, grant a prompt bond hearing before a neutral decision-maker, and provide any other relief that justice and compassion may require.

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

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: 10/19/2025

Sulaiman Alqishawi
Signature of Petitioner

Signature of Attorney or other authorized person, if any

CERTIFICATE OF SERVICE

I, Nada Saadedeen, sister and next friend of Petitioner Sulaiman Alqishawi (A# )



hereby certify that on 10/20/2025, I served a copy of this Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, together with all supporting documents, by mailing it via United States Postal Service, first-class mail, to the following:

U.S. Attorney's Office for the District of Arizona
Civil Division
40 N. Central Avenue, Suite 1800
Phoenix, AZ 85004-4449

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on this 20th day of October 2025.



Nada Saadedeen

Sister and Next Friend of Sulaiman Alqishawi

(holding Power of Attorney)

