

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY

Eastern District of Kentucky
FILED

NOV 07 2025

AT LONDON
Robert R. Carr
CLERK U.S. DISTRICT COURT

MUKUND PATEL,

Alien No. 

Petitioner,

v.

Pam Bondi,

Attorney General of the United States;

Case Number: 2:25-CV-182-SCM

Kristi Noem,

Secretary of the Department of Homeland Security;

Todd M. Lyons,

Acting Director of U.S. Immigration and Customs Enforcement;

**PETITION FOR WRIT OF HABEAS CORPUS (28 U.S.C. § 2241)
AND REQUEST FOR EXPEDITED HEARING**

I. PARTIES

1. Petitioner is Mukund Patel (A# ~~XXXXXXXXXX~~), formerly admitted to the United States on an F-1 student visa, most recently entered the United States on November 13, 2023.
2. Petitioner is currently detained by the U.S. Immigration & Customs Enforcement (ICE) since July 2025.
3. Respondents are the Secretary of DHS, the Director of ICE, and the Field Office Director responsible for Petitioner's current detention facility.

II. JURISDICTION AND VENUE

4. This Court has jurisdiction under 28 U.S.C. § 2241(a) as Petitioner is in custody under the authority of the United States and alleges violation of his constitutional and statutory rights.
5. Venue is proper in this District because Petitioner is detained within this Court's jurisdiction.
6. No other adequate legal remedy exists to secure Petitioner's release.

III. FACTS

7. Petitioner first entered the United States on an F-1 student visa and was deported in 2015.

8. On or about November 13, 2023, he reentered the United States without valid documentation and subsequently applied for asylum.
9. Petitioner is also listed as a derivative on his wife's pending T-visa application. He has two minor children—one included in his asylum application and another born in the United States.
10. Petitioner was previously released on ICE supervision, attended all appointments, and had no criminal history.
11. At his last ICE check-in in July 2025, he was detained without explanation and remains in custody without a credible fear interview.
12. His family, including a U.S. citizen child, have suffered severe financial and emotional hardship due to his detention.

IV. LEGAL ARGUMENT

- A. The Writ of Habeas Corpus is available to challenge unlawful immigration detention. See 28 U.S.C. § 2241(c)(3); *Zadvydas v. Davis*, 533 U.S. 678 (2001).
- B. Prolonged detention without a bond hearing violates due process under the Fifth Amendment. See *Demore v. Kim*, 538 U.S. 510 (2003); *Clark v. Martinez*, 543 U.S. 371 (2005).
- C. Petitioner's continued detention is not authorized under 8 U.S.C. §§ 1225 or 1231 as removal is not imminent and no bond determination has been made.

D. Petitioner has strong family and community ties, no criminal history, and pending lawful immigration applications. Continued detention violates substantive due process.

E. Delay in scheduling a credible fear interview violates statutory procedures under 8 U.S.C. § 1225(b)(1)(B)(iii) and corresponding regulations.

V. RELIEF REQUESTED

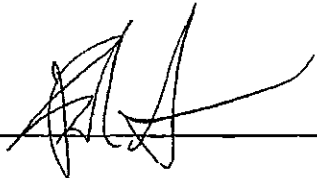
WHEREFORE, Petitioner respectfully requests that this Court:

- a. Issue an Order to Show Cause directing Respondents to justify Petitioner's detention;
- b. Order Petitioner's immediate release under appropriate supervision or bond;
- c. In the alternative, order a prompt bond hearing before an Immigration Judge; and
- d. Grant such other and further relief as this Court deems just and proper.

VI. CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Petition for Writ of Habeas Corpus was served upon Respondents via U.S. Mail and/or electronic filing on this 4th day of November, 2025.

Respectfully submitted,



A handwritten signature in black ink, appearing to be 'AJL', is written over a horizontal line.

Attorney for Petitioner:

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