

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

Case No.

Paulo Sergio Vieira Dos Anjos,

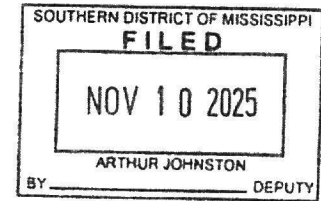
Petitioner,

V.

Adams County Correctional Center, Warden

Rafael Vergara

Respondent.



5:25-cv-126-DCB-RPM

INTRODUCTION

1. Petitioner, Paulo Sergio Vieira Dos Anjos, has been in the custody of Immigration Customs and Enforcement ("ICE") since October 24, 2025. Petitioner is currently detained at the Adams County Corrections Center. Petitioner has been a resident of Massachusetts since in or about 2019. Petitioner was first detained at the Strafford County Correction Center in Dover, New Hampshire but on or about October 31, 2025, the Petitioner was relocated to the Adams County Corrections Center despite his numerous ties to the New England area. Accordingly, to vindicate Petitioner's constitutional rights, this Court should grant the instant petition for a writ of habeas corpus that allows the Petitioner to be relocated back to the New England area, specifically a detention center in Massachusetts, the Petitioner's resident state or New Hampshire, where the Petitioner was originally detained.

2. ICE has forced the Petitioner to relocate to a detention center far from his family, witnesses and evidence to his immigration proceedings, and his chosen counsel.

3. Petitioner asks this Court to find that while he is currently subject to detention, moving the Petitioner to a different detention center or a detention center outside of the New England area, including New Hampshire and Massachusetts, is unconstitutional and order ICE to relocate the Petitioner to a detention center in the New England area, including New Hampshire and/or Massachusetts.

JURISDICTION

5. This action arises under the Constitution of the United States and the Immigration and Nationality Act (“INA”), 8 U.S.C § 1101 *et seq.*

6. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question, and Article I, §9, cl. 2 of the United States Constitution (suspension clause).

7. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et. seq.*, the Declaratory Judgement Act, 28, U.S.C. § 2201 *et seq.* and the All Writs Act, 28 U.S.C § 1651.

VENUE

8. Venue is proper because Petitioner is detained at Adam County Correction Center, in Natchez, Mississippi, which is within the jurisdiction of this District.

9. Venue is proper in this District because Respondent is an officers, employees, or agencies of the United States and a substantial part of the events or omissions giving rise to the claims occurred in this District. 28 U.S.C. § 1391(e).

REQUIREMENTS OF 28 U.S.C § 2243

10. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require respondents to file a return “within *three days* unless for good cause additional time, not exceeding twenty days, is allowed” Id. (emphasis added).

11. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Wit has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” Fay v. Noia, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

12. Petitioner is an undocumented immigrant. Petitioner is currently detained at Adam County Correction Center. He is in the custody, and under the direct control, of Respondent and their agents.

13. Respondent is the Warden of Adam County Correction Center, Rafael Vergara and he has immediate physical custody of Petitioner pursuant to the facility’s contract

with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner. Respondent Rafael Vergara is a legal custodian of Petitioner.

STATEMENT OF FACTS

14. Petitioner is native and citizen of Brazil. Petitioner is forty-two (42) years old. Petitioner is the biological father of a united states citizen daughter who is approximately one year old and was born about three (3) months prematurely who continues to struggle medically due to a hole in her heart. Petitioner also has one (1) daughter in Brazil who is cared for by his brother after the biological mother was found to have a drug addiction an unable to provide a stable or safe environment for the Petitioner's daughter.

15. Petitioner entered the United States, about three (3) times. Petitioner first entered the United States with a tourist visa in or about 2015. Petitioner left the United States and tried to re-enter via the Orlando Airport but was detained and removed from the United States without being allowed admission. Petitioner then entered the United States in about December 2019, because of threats from his former partner, who has ties to dangerous drug dealers in Brazil and was threatening the Petitioner.

16. On or about November 3, 2025, Petitioner, through his Immigration Attorneys, Samper Law LLC, requested a Reasonable Fear Interview ("RFI"). To date, the RFI has not been scheduled.

17. Petitioner remains in detention in Mississippi. Petitioner's family, consisting of his partner and children, reside in Franklin, Massachusetts. Moving the Petitioner to

another state has caused undue harm to the Petitioner and his immigration proceedings as his chosen counsel, witnesses, and evidence are located in Massachusetts.

18. Petitioner's family members have suffered undue emotional and financial distress due to Petitioner's continued detention and would suffer even more if Petitioner continues to be detained outside of the New England area..

CLAIMS FOR RELIEF

COUNT ONE

CONSTITUTIONAL CLAIM

19. Petitioner alleges and incorporates by reference paragraphs 1 through 18 above.
20. Petitioners' detention violates his right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

COUNT TWO

STATUTORY CLAIM

21. Petitioner alleges and incorporates by reference paragraphs 1 through 20 above.
22. Petitioner's continued detention violates the Immigration and Nationality Act and the U.S. Constitution.

COUNT THREE

23. If he prevails, Petitioner requests attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

- (1) Assume jurisdiction over this matter;
- (2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
- (3) Issue an Order for the Petitioner's transfer back to the New England area, including New Hampshire and/or Massachusetts;
- (4) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
- (5) Grant any further relief this Court deems just and proper.

Respectfully submitted,



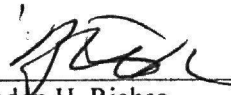
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Dated: November 6, 2025

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Paulo Sergio Vieira Dos Anjos, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 6th day of November, 2025.



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