

SOUTHERN DISTRICT OF INDIANA

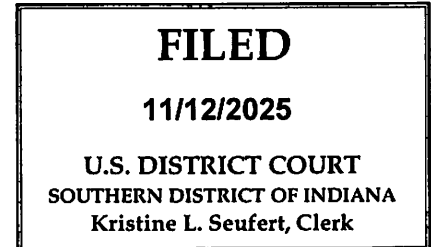
MOUSA SHEIKHALI,

Petitioner,

v.

WARDEN OF MIAMI INDIANA JAIL,



Respondent.



Case No. 1:25-cv-2348-TWP-TAB

PETITION FOR WRIT OF HABEAS CORPUS


Pursuant to 28 U.S.C. § 2241

COMES NOW the Petitioner, Mousa SheikhAli, A-number A , Jail ID  currently detained by the United States Immigration and Customs Enforcement (ICE) at the Miami Correctional Facility in Miami County, Indiana, and respectfully petitions this Honorable Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, and in support thereof states as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241(c)(3).
2. Venue is proper in this District because the Petitioner is currently detained within the Southern District of Indiana at the Miami Correctional Facility, and the Respondent, the Warden of Miami Indiana Jail, has immediate custody over the Petitioner.

II. PARTIES

3. Petitioner: Mousa SheikhAli, A-number  is a Palestinian national currently detained by ICE pending removal.
4. Respondent: The Warden of Miami Indiana Jail, who has day-to-day custody of the Petitioner.

III. STATEMENT OF FACTS

5. Petitioner Mousa Sheikh Ali has been detained by ICE despite having already completed 22 months of supervision following a prior period of custody.
6. Petitioner's continued detention is the result of ICE's inability to obtain travel documents for his deportation.
7. The United States does not currently recognize Palestine as a sovereign nation, and the State of Israel refuses to accept Petitioner as a returning national. As a result, there is no country willing or able to receive Petitioner, making removal impossible in the foreseeable future.
8. Petitioner has no criminal history apart from a minor traffic-related incident, which has been fully resolved in the Bridgeview Courthouse in Illinois.
9. Petitioner has lived peacefully in the United States, has two children, a wife, and an elderly mother who is in frail health and has suffered depression since his arrest.
10. Petitioner is a model member of his community, with extensive family and community support in the United States.
11. Petitioner's continued and indefinite detention violates the Due Process Clause of the Fifth Amendment to the United States Constitution as interpreted in *Zadvydas v. Davis*, 533 U.S. 678 (2001), which prohibits the government from detaining a removable alien beyond a reasonable period (presumptively six months) when removal is not reasonably foreseeable.
12. Petitioner's detention has exceeded the presumptively reasonable period, and there is no significant likelihood of removal in the reasonably foreseeable future.

IV. GROUNDS FOR RELIEF

A. Violation of the Fifth Amendment Due Process Clause

13. Petitioner's ongoing detention violates his substantive and procedural due process rights because there is no reasonable likelihood that his removal will occur in the foreseeable future.
14. The government's failure to secure travel documents after more than 22 months of supervision demonstrates that continued detention serves no legitimate governmental purpose and is arbitrary and unlawful under *Zadvydas v. Davis*.

V. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

1. Issue a writ of habeas corpus ordering Petitioner's immediate release from ICE custody;
2. In the alternative, order Petitioner's release under reasonable supervision or house arrest conditions pending resolution of his immigration status;
3. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

Mousa SheikhAli

Petitioner, Pro Se

Miami Correctional Facility

Miami County, Indiana

[Your Name]

[Your Address]

[City, State, ZIP Code]

[Telephone Number]

[Email Address]

Date: _____, 2025

Clerk of Court

United States District Court

Southern District of Indiana

46 East Ohio Street, Room 105

Indianapolis, IN 46204

Re: Mousa SheikhAli - A-Number [REDACTED] - Jail ID [REDACTED]

Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241

Dear Clerk:

Enclosed please find the original Petition for Writ of Habeas Corpus filed by the Petitioner, Mousa SheikhAli, and submitted pro se. Please file the original and issue a file-stamped copy for my records.

Respectfully submitted,

Mousa SheikhAli

Petitioner, Pro Se

Miami Correctional Facility

Miami County, Indiana

INSTRUCTIONS FOR FILING

1. Print or save the petition as a PDF document.
2. You may file electronically via the Southern District of Indiana's Pro Se Web Portal:
<https://www.insd.uscourts.gov/electronic-document-submission-web-portal>
3. Or mail it to:
Clerk of Court
U.S. District Court, Southern District of Indiana
46 East Ohio Street, Room 105
Indianapolis, IN 46204
4. Include the cover letter, certificate of service, and any copies requested.
5. Retain a copy for your records.