



**I. PARTIES & CUSTODY**

1. Petitioner Riseepan Sachchithananthan-Pakeerathan is currently detained at the Immigration and Customs Enforcement (“ICE”) Joe Corley Processing Center, located at 500 Hilbig Road, Conroe, TX 77301. He has been in ICE custody since April 7, 2025.
2. Respondent Grant Dickey, in his official capacity as Co-Associate Warden of the Joe Corley Processing Center, has refused to effect Petitioner’s release from unlawful custody at that facility.
3. Respondent Raymond Thompson, in his official capacity as Co-Associate Warden of the ICE Joe Corley Processing Center, has refused to effect Petitioner’s release from unlawful custody at that facility.
4. Respondent Bret Bradford, in his official capacity as Director of the Houston Field Office of ICE Enforcement and Removal Operations, has refused to effect Petitioner’s release from unlawful custody at the Joe Corley Processing Center.
5. Respondent Kristi Noem, in her official capacity as Secretary of the United States Department of Homeland Security, has refused to exercise her authority to oversee her department’s ICE Enforcement and Removal Operations and thereby effect Petitioner’s release from unlawful custody at the Joe Corley Processing Center.
6. Respondent Pam Bondi, in her official capacity as Attorney General of the United States, has refused to exercise her authority to oversee her department’s ICE Enforcement and Removal Operations and thereby effect Petitioner’s release from unlawful custody at the Joe Corley Processing Center.

## **II. JURISDICTION & VENUE**

7. This Court has jurisdiction pursuant to 28 U.S.C. § 2241 to issue writs of habeas corpus when the petitioner is in custody in violation of the Constitution or laws of the United States.
8. Venue is proper in this district because Petitioner is detained within this district.

## **III. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

9. Petitioner has exhausted his administrative remedies to the extent required by law.
10. Petitioner has fully cooperated with Respondents and has not delayed or obstructed his detention.
11. Petitioner's only remedy is by way of this judicial action.

## **IV. FACTUAL AND PROCEDURAL BACKGROUND**

12. Petitioner is a thirty-six-year-old male native and citizen of Sri Lanka. *See attached, Exhibit A: Petitioner's Identification.* He first entered the United States without inspection on or about November 20, 2019, after fleeing Sri Lanka to escape threats and violence directed against him. Petitioner fears that, if returned to Sri Lanka, he would face serious harm and substantial risk of persecution or torture. Upon arrival, Petitioner was apprehended by Border Patrol and issued an expedited removal order. Petitioner provided a sworn statement in which he expressed fear of returning to Sri Lanka due to persecution and threats of violence. *See attached, Exhibit B: Form I-860 (Notice & Order of Expedited Removal); Form I-867 (Sworn Statement)*

13. Petitioner was referred for a credible-fear interview with USCIS. Between November and December 2019, he participated in multiple interviews describing his past persecution, including beatings, threats, and extortion by [REDACTED]  
[REDACTED] USCIS issued a negative credible-fear determination. *See attached*, Exhibit C: USCIS Credible Fear Worksheet, Interview Notes, and Written Determination.
14. On January 6, 2020, an Immigration Judge conducted a de novo review and affirmed USCIS's negative credible-fear determination, returning the case to DHS for execution of the expedited removal order. *See attached*, Exhibit D: Immigration Judge's Order.
15. Following the issuance of the 2020 expedited removal order, DHS did not remove Petitioner. Instead, he remained in the United States for over five years. During this period, he lived peacefully, worked steadily, and established community ties.
16. Because there was no attempt to execute the removal order for several years, Petitioner continued working and living openly in the United States without incident.
17. On April 7, 2025, Petitioner voluntarily appeared at the New York Federal Office to renew his employment authorization document. Instead of processing his application, ICE officers arrested him at the appointment. Petitioner was fully cooperative.
18. He was initially held at the Nassau County Correctional Center for approximately two weeks before being transferred to the Joe Corley Processing Center in Conroe, Texas, where he remains detained. *See attached*, Exhibit E: Detainee Locator Results
19. The government has not been able to articulate any meaningful reason why Petitioner should continue to remain in detention. Since April 2025, the government has failed to

demonstrate that Petitioner's removal is significantly likely in the reasonably foreseeable future. Petitioner has cooperated fully with all requests made by ICE. Despite this, ICE continues to detain him without any bond hearing, any explanation of danger or flight risk, or any progress toward effectuating removal.

20. Petitioner, through Counsel, now submits the present Petition for Writ of Habeas Corpus to this Honorable Court, and respectfully requests the Court to order Respondents to effect his immediate release.

#### **V. LEGAL FRAMEWORK FOR RELIEF SOUGHT**

21. Under U.S. Code 28 § 2241, writs of habeas corpus may be granted by the district courts on behalf of a prisoner in several instances, including when they are (1) "in custody under or by the authority of the United States or is committed for trial before some court thereof," (3) "in custody in violation of the Constitution or laws and treaties of the United States," and (4) when they, "being a citizen of a foreign state and domiciled therein [are] in custody for an act done or omitted under any alleged right, title, authority, privilege, protection, or exemption claimed under the commission, order or sanction of any foreign state, or under color thereof, the validity and effect of which depend upon the law of nations[.]"
22. Courts have consistently recognized "habeas corpus as an appropriate vehicle through which noncitizens may challenge the fact of their civil immigration detention." *Vazquez Barrera v. Wolf*, 455 F. Supp. 3d 330, 336 (S.D. Tex. 2020) (citing *Zadvydas v. Davis*, 533 U.S. at 688 (ruling on merits of habeas petition challenging validity of indefinite mandatory detention)).

**VI. CLAIMS FOR RELIEF**

**COUNT ONE:**

**RESPONDENTS HAVE UNLAWFULLY DETAINED PETITIONER  
IN VIOLATION OF THE IMMIGRATION AND NATURALIZATION ACT.**

23. Petitioner alleges and incorporates by reference paragraphs 1 through 22 above.
24. Petitioner's continued detention exceeds the authority granted under the Immigration and Nationality Act ("INA"). Respondents assert detention pursuant to 8 U.S.C. § 1231 (INA § 241), which governs post-order custody. However, detention under § 241 is strictly limited to the period "reasonably necessary" to effectuate removal.
25. Petitioner poses no risk of danger to the community. In the 6 years since Petitioner came to the United States, he has not demonstrated any conduct whatsoever indicating that he is a threat to the United States.
  - a. Petitioner's final order of removal was issued on January 6, 2020 and was detained on April 7, 2025. His detention in 2025—after years of demonstrated compliance—cannot be justified under § 241 because Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), indefinite or arbitrary post-order detention is prohibited. Detention may not continue when removal is not reasonably foreseeable.
26. Therefore, **Petitioner merits immediate release** because removal is not reasonably foreseeable, Petitioner is not a danger or flight risk, and no statutory basis supports continued post-order detention, Respondents are unlawfully detaining Petitioner in violation of the INA. Petitioner therefore merits immediate release.

**COUNT TWO:**

**RESPONDENTS HAVE UNLAWFULLY DETAINED PETITIONER  
IN VIOLATION OF CONSTITUTIONAL DUE PROCESS**

27. Petitioner alleges and incorporates by reference paragraphs 1 through 26 above.
28. Petitioner's continued detention violates his right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.
29. Petitioner is unlawfully in custody pursuant to INA § 241(a)(6), 8 U.S.C. § 1231(a)(6) (2018) ("Section 241"). Under *Zadvydas*, that provision prohibits the indefinite detention of noncitizens who (i) cannot be repatriated in the reasonably foreseeable future, and (ii) pose no threat to the community. Any such detention is unconstitutional. *See Zadvydas*, 533 U.S. at 689, emphasis added ("In our view, the statute [Section 241], read in light of the Constitution's demands, limits an alien's post-removal-period detention to a period reasonably necessary to bring about that alien's removal from the United States. It does not permit indefinite detention.").
30. The Fifth Amendment's Due Process Clause prohibits the government from detaining individuals without legal authority.
31. Petitioner has been detained since April 7, 2025, well beyond six months, and Respondents have failed to demonstrate that his removal is significantly likely to occur in the reasonably foreseeable future. Despite Petitioner's full cooperation, the government has taken no meaningful steps to effectuate his removal.
32. Furthermore, under *Zadvydas*, a non-citizen petitioner is not barred from seeking a writ of habeas corpus as relief for indefinite detention when removal has not been effectuated in

reasonable time nor is it reasonably foreseeable that it will be. *See Zadvydas*, 533 U.S. at 688 (“The aliens here, however, do not seek review of the Attorney General's exercise of discretion; rather, they challenge the extent of the Attorney General's authority under the post-removal-period detention statute. And the extent of that authority is not a matter of discretion . . . [therefore we] conclude habeas corpus proceedings remain available. . . .”). Therefore, this petition is not barred.

33. Petitioner's continued detention lacks statutory authority and violates his right to substantive due process under the Constitution. Therefore, he should be immediately released from custody.

#### **VII. REQUEST FOR RELIEF**

WHEREFORE, Petitioner Riseepan Sachchithananthan-Pakeerathan respectfully requests that this Honorable Court **IMMEDIATELY** issue a temporary restraining order:

1. **Directing Respondents to immediately release Petitioner from custody;**
2. Restraining and enjoining Respondent, their agents, employees, and successors from removing Petitioner from the United States;
3. Directing Respondent to take all necessary steps to halt any removal preparations;
4. Requiring Respondent to notify all relevant personnel that Petitioner shall not be removed;
5. Set an expedited hearing on Petitioner's motion for preliminary injunction;
6. After hearing, issue a preliminary injunction maintaining the relief requested above during the pendency of this action;
7. Waive or set security in a nominal amount;
8. Award attorney's fees and costs; and

9. Grant such other relief as this Court deems just and proper.

Respectfully submitted,

*/s/ Matthew Mendez*

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**PETITIONER VERIFICATION**

Petitioner is currently detained in ICE custody, and has authorized Counsel, Matthew Mendez, to verify, on his behalf, that the facts stated therein are true and correct to the best of his knowledge and belief.

*/s/ Matthew Mendez*

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Matthew Mendez  
Attorney for Petitioner

11/24/2025

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Date

**CERTIFICATE OF SERVICE**

On November 24, 2025, Counsel for Petitioner served a copy of the attached Petition via USPS Certified Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Grant Dickey, in his official capacity as Co-Associate Warden of the Joe Corley Processing Center;** at the Immigration and Customs Enforcement (“ICE”) Joe Corley Processing Center, located at 500 Hilbig Rd, Conroe, TX 77301.

/s/ Matthew Mendez  
Matthew Mendez  
Attorney for Petitioner

11/24/2025  
Date

**CERTIFICATE OF SERVICE**

On November 24, 2025, Counsel for Petitioner served a copy of the attached Petition via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Raymond Thompson, in his Official Capacity as Co-Associate Warden of the Joe Corley Processing Center,** at (1) Office of the Warden, 500 Hilbig Road, Conroe, Texas 77301, and (2) to the United States at Civil Process Clerk, U.S. Attorney’s Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/s/ Matthew Mendez  
Matthew Mendez  
Attorney for Petitioner

11/24/2025  
Date

**CERTIFICATE OF SERVICE**

On November 24, 2025, Counsel for Petitioner served a copy of the attached Petition via USPS Certified Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Bret Bradford, in his Official Capacity as Field Office Director, of ICE Enforcement and Removal Operations Houston Field Office**, at (1) Office of the Field Office Director, Enforcement and Removal Operations, Houston Field Office, 126 Northpoint Drive, Houston, Texas 77060, and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

*/s/ Matthew Mendez*

Matthew Mendez  
Attorney for Petitioner

11/24/2025

Date

**CERTIFICATE OF SERVICE**

On November 24, 2025, Counsel for Petitioner served a copy of the attached Petition via USPS Certified Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Kristi Noem, in her Official Capacity as Director of U.S. Department of Homeland Security**, at (1) Office of General Counsel, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0485, Washington, D.C. 20530; and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

*/s/ Matthew Mendez*

Matthew Mendez  
Attorney for Petitioner

11/24/2025

Date

**CERTIFICATE OF SERVICE**

On November 24, 2025, Counsel for Petitioner served a copy of the attached Petition via USPS Certified Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Pam Bondi, in her Official Capacity as Attorney General of the United States**, at (1) U.S. Attorney General, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530-0001; and (2) to the Assistant Attorney General for Administration, U.S. Department of Justice, Justice Management Division, 950 Pennsylvania Avenue, NW, Room 1111, Washington, D.C. 20530; and (3) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

*/s/ Matthew Mendez*

Matthew Mendez  
Attorney for Petitioner

11/24/2025

Date