

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

FILED

UNITED STATES DISTRICT COURT
for the

DEC 01 2025

Clerk, U.S. District Court
By: *[Signature]* Deputy Clerk

Adam BENSON
Petitioner

v.

ICE of Kansas City
Respondent

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

Case No. 25-3257-JWL
(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: Adam BENSON
- (b) Other names you have used: N/A
2. Place of confinement:
 - (a) Name of institution: Chase County Detention Center
 - (b) Address: P.O. BOX 639
Cottonwood Falls, Kansas 66945
 - (c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:

Federal authorities State authorities Other - explain: N/A
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: N/A
 - (b) Docket number of criminal case: N/A
 - (c) Date of sentencing: N/A

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)

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- 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):

I was ordered Final order of Deportation without any opportunity to adjust my status or relief.

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Immigration and Customs Enforcement
11125 N. Ambassador, Kansas City, MO 64153

(b) Docket number, case number, or opinion number: A [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
ICE denied me of relief to adjust my status, ordered me Final order of Deportation, arrested me without a notice of arrest while on parole.

(d) Date of the decision or action: 1-19-05, 6-18-25

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: N/A

(2) Date of filing: N/A

(3) Docket number, case number, or opinion number: A [REDACTED]

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

(b) If you answered "No," explain why you did not appeal: I was incarcerated and was not given any notice to appear at any hearing nor was I aware of any hearing.

8. **Second appeal**

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

- Yes
- No

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(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: N/A
- (2) Date of filing: N/A
- (3) Docket number, case number, or opinion number: A [REDACTED]
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a second appeal:

I was placed on Immigration's parole after my release from prison with an order to report monthly or yearly.

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: N/A
- (2) Date of filing: N/A
- (3) Docket number, case number, or opinion number: A [REDACTED]
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

(b) If you answered "No," explain why you did not file a third appeal:

While I was on Immigration's parole, my deportation officer told me that I was not qualified for any relief.

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

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If "Yes," provide:

- (1) Name of court: N/A
- (2) Case number: N/A
- (3) Date of filing: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

(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: N/A
- (2) Case number: N/A
- (3) Date of filing: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 6-18-25
- (b) Date of the removal or reinstatement order: 1-19-05
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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If "Yes," provide:

- (1) Date of filing: N/A
- (2) Case number: N/A
- (3) Result: N/A
- (4) Date of result: N/A
- (5) Issues raised: N/A

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

- (1) Name of court: N/A
- (2) Date of filing: N/A
- (3) Case number: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

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: N/A
- (b) Name of the authority, agency, or court: N/A
- (c) Date of filing: N/A
- (d) Docket number, case number, or opinion number: N/A
- (e) Result: N/A
- (f) Date of result: N/A
- (g) Issues raised: N/A

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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: I was moved to the state of Missouri while I was a juvenile sometime around 1994 to The Missouri Family Justice Center on 16th and Cherry St. KC, Mo.

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

The Missouri Family Justice Center never adjusted my status with immigration according to 8 USC 1101 (i)(2)(3)(5) while the state had legal guardianship of me they withdrew me from school just because and not because I was having problems in school and placed me in Job Corp without legal documents.

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

Yes No

GROUND TWO: I was never given the opportunity to adjust my status nor any relief while I was placed on immigration parole in accordance to 8 USC 1326 (d)

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

An Final Order of Removal was decided upon my behalf without my presence which violate my Due process rights and deprive me of life and liberty. I have an deportation order which states that I withdrew and abandoned my application for withholding my removal, not true.

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

Yes No

GROUND THREE: Chapter 158 28 USC 2241.

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

The case that immigration is using against me was fabricated against me by KCPD while I was a juvenile and certified as an adult and sentenced to prison.

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

Yes No

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GROUND FOUR: Arresting and detaining me,

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

I went to report per se my yearly report on June 18th, 2025 ICE agent told me to wait until call upon. I was called upon and the ICE agents arrested me without any notice as to why.

(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: N/A

Request for Relief

15. State exactly what you want the court to do:

Dismiss the case, released me from custody, cancel the final order of removal, grant me back my permanent resident so I can be able to reunite with my son and my family and to be able to work freely.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

November 24, 2025

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: 11-24-25



Signature of Petitioner

Signature of Attorney or other authorized person, if any