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

UNITED STATES DISTRICT COURT

for the *Middle District of Florida*  
*Jacksonville Division*

*Ryan Darricus*

A#



Petitioner

v.

*Warden, North Florida Detention Centre;*  
*Director, Immigration & Customs Enforcement*

Respondent

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

Case No. 3:25-cv-1531-wwb-pdb  
(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: *Ryan Darricus (Alien #*

(b) Other names you have used: *n/a*

2. Place of confinement:

(a) Name of institution: *North Florida Detention Facility*

(b) Address: *20706 US Highway 90 West*  
*Sanderson, FL 32087*

(c) Your identification number: *Alien #*

3. Are you currently being held on orders by:

Federal authorities  State authorities  Other - explain: *ICE: Immigration detention.*

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: \_\_\_\_\_

(b) Docket number of criminal case: \_\_\_\_\_

(c) Date of sentencing: \_\_\_\_\_

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): \_\_\_\_\_

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 - ICE Jacksonville Field Office
- (b) Docket number, case number, or opinion number: N/A
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
Unlawfully prolonged immigration detention of over 5 1/2 (6) months, without an individualized hearing by a Federal or Immigration Judge, to justify continuous detention.
- (d) Date of the decision or action: May 1st, 2025

**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: \_\_\_\_\_
- (2) Date of filing: \_\_\_\_\_
- (3) Docket number, case number, or opinion number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not appeal: \_\_\_\_\_

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: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

- (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: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

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

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

Yes  No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 05/01/2025
- (b) Date of the removal or reinstatement order: MARCH 2025
- (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: 04/14/2025

(2) Case number: \_\_\_\_\_

(3) Result: Pending BIA decision

(4) Date of result: N/A

(5) Issues raised: I am married to a U.S. Citizen and prima facie eligible for adjustment of status, hence, reason for filing Motion to Reopen Deportation Order, so I can file for relief once my case gets reopened.

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

Yes  No

N/A

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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: \_\_\_\_\_

(b) Name of the authority, agency, or court: \_\_\_\_\_

(c) Date of filing: \_\_\_\_\_

(d) Docket number, case number, or opinion number: \_\_\_\_\_

(e) Result: \_\_\_\_\_

(f) Date of result: \_\_\_\_\_

(g) Issues raised: \_\_\_\_\_

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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:** Every man citizen is entitled to the due process of the law in deportation proceedings, as established in the 5th Amendment to the U.S. Constitution.

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

Freedom from imprisonment - government custody, detention, or other forms of physical restraint - lies at the heart of the liberty that the due process clause protects.

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

Yes  No

**GROUND TWO:** Detention that exceeds six months without a bond hearing is unconstitutional.

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

I have been detained for more than seven (7) months, since May 1st 2025; without a bond hearing.

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

Yes  No

**GROUND THREE:** Individualized hearing is required when detention becomes unreasonably prolonged.

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

My detention without an individualized review is unreasonable and violates the law.

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

Yes  No

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**GROUND FOUR:** Due process require that the Government meet justly ongoing detention by clear and convincing evidence.

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

Due process required certain minimum protections to ensure that a noncitizen's detention is warranted.

(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:

I was not detained at the time my BIA Appeal was filed. I was arrested for a suspended license in April, then got picked up by ICE.

**Request for Relief**

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

Issue a Writ of Habeas Corpus, determine that my detention without an individualized hearing is unconstitutional, because the Government has not established that I am a danger or flight risk; release me from custody; in the alternative, issue a Writ of Habeas Corpus and order that I am released within 30 days, unless respondents schedule a bond hearing.

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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:

12/08/2025

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: 12/08/2025

  
Signature of Petitioner

n/a

Signature of Attorney or other authorized person, if any