

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

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
FILED

for the
Southern District of Texas



DEC 16 2025

ASAD POOR DEZEKI, POORYA

Petitioner

v.

DHS-ICE

Respondent

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

NATHAN OCHSNER
CLERK OF COURT

Case No. **B-25-333**
(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: ASAD POOR DEZEKI, POORYA
- (b) Other names you have used: N/A
2. Place of confinement:
 - (a) Name of institution: PORT ISABEL DETENTION CENTER
 - (b) Address: 27991 BUENA VISTA BLVD. LOS FRESNOS, TX 78566
- (c) Your identification number: A#:
3. Are you currently being held on orders by:

Federal authorities State authorities Other - explain:
Immigration and Customs Enforcement (ICE)
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: PORT ISABEL IMMIGRATION COURT
27991 BUENA VISTA BLVD. LOS FRESNOS, TX 78566
- (b) Docket number, case number, or opinion number: 
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
The Immigration Judge granted my application for Withholding of Removal under INA 241, It should be noted that the appeals of the DHS and myself were waived, It has been seven months (220 days) since the final court decision, and I have been detained for almost eleven months. I remain in indefinite detention without release.
- (d) Date of the decision or action: 05/06/2025

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: Immigration and Customs Enforcement (ICE)
- (2) Date of filing: 11/08/2025
- (3) Docket number, case number, or opinion number: 
- (4) Result: ICE responded to me on a tablet, that I am in the process of removal to country of origin.
- (5) Date of result: 11/18/2025
- (6) Issues raised: I filled out a grievance on the tablet and stated that, It has been more than 180 days since the final court ruling and I have been in detention for along time. Also raised the statements of the honorable Immigration Judge and, I requested my release.
- (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: 01/19/2025
- (b) Date of the removal or reinstatement order: _____
- (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: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____

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

Yes No

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: _____

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: It has been seven months (216 days) since the final court ruling, and I have been detained for more than ten months. During this period, I have submitted multiple written requests and grievances to detention facility officials and ICE officers; however, I have not received any satisfactory or meaningful response. I remain in indefinite and indeterminate detention, without any defined time limitation.

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

On my court date The Immigration Judge informed me that the United States provide me with protection, and that I would be release soon. According to the court's decision, and given that more than seven months (220 days) have passed since that ruling, I should have already been released. Nevertheless, I continue to be held in indefinite detention. This prolonged detention constitutes a violation of fundamental human rights and due process protections under U.S. law.

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

Yes No

GROUND TWO: Since the Court ruling, ICE has been trying to send me to a third country for seven months. And many requests have already been sent by the deportation officers to many countries.

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

The deportation officer informed me that after many attempts, and also requesting assistance from the headquarter to transfer me to a third country. no country has yet accepted me. While some of them have denied my application twice after repeated requests.

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

Yes No

GROUND THREE: ICE, in response to inquiry number # [REDACTED] has informed me that I am in the Removal process and will be redirected to my country of origin on the next available flight. This is despite the fact that, on May, 6th, 2025 The Immigration Judge of United States granted my application for Withholding of Removal under INA 241.

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

The Immigration Judge of United States determined that my life would be at risk if I were returned to my home country. According to the court's ruling and statements of Immigration Judge, The United States provide me with protection and my return to my country of origin is not permissible.

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

Yes No

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GROUND FOUR:

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

(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:

Request for Relief

15. State exactly what you want the court to do: I respectfully request that the court review the prolonged duration of my detention and issue an order for my immediate release. This indefinite detention has caused sever psychological and emotional distress. I pose no threat to the community, and I have no intention of fleeing; I simply wish to begin my new life in safety and peace. I respectfully request that the court recognize that the continuation of this detention is without legal basis, inconsistent with Justice, and contrary to fundamental human rights. I humbly ask the court to grant me permission for release.

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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:

12/09/2025

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

Signature of Attorney or other authorized person, if any