

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

Western District of Louisiana

Iyad Yasin Dar Hamad, A060-846-768

Petitioner

v.

U.S. Immigration and Customs Enforcement

Respondent

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

Case No.

(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: Iyad Yasin Dar Hamad
(b) Other names you have used: Iyad Yasin Dar Hamed
2. Place of confinement:
(a) Name of institution: Winn Correctional Center
(b) Address: 560 Gum Spring Road, Winnfield, LA 71483
(c) Your identification number: [Redacted]
3. Are you currently being held on orders by:
[Checked] Federal authorities [] State authorities [] Other - explain: ICE 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:
[Checked] Being held on an immigration charge
[] Other (explain):

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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)

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: U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
REFUSAL OF RELEASE FROM IMMIGRATION DETENTION

(b) Docket number, case number, or opinion number: NONE

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

REFUSAL OF RELEASE FROM IMMIGRATION DETENTION FOLLOWING FINAL ORDER OF REMOVAL

(d) Date of the decision or action: _____

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: U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

(2) Date of filing: 07/09/2024

(3) Docket number, case number, or opinion number: NONE

(4) Result: REQUEST DENIED

(5) Date of result: 11/25/2024

(6) Issues raised: PROVIDED SUBSTANTIAL EVIDENCE OF TIES TO US INCLUDING MULTIPLE US CITIZEN AND LAWFUL PERMANENT RESIDENT FAMILY MEMBERS, COMMUNITY SUPPORT, PROPERTY OWNERSHIP, FINANCIAL STABILITY. PROVIDED PROOF THAT NO VIOLENT CRIME HAS EVER BEEN COMMITTED BY PETITIONER. HAD TO SUBMIT AND RESUBMIT THIS REQUEST

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MULTIPLE TIMES BEFORE RECEIVING A RESPONSE. DENIED FOR FLIGHT RISK. NO EVIDENCE OF FLIGHT RISK PROVIDED.

(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

(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: CUSTODY REVIEWS ARE CONDUCTED BY ICE ERO EVERY 90 DAYS. EACH REVIEW RESULTED IN THE SAME DETERMINATION DESPITE NO POSSIBLE LAWFUL COUNTRY TO WHICH TO DEPORT PETITIONER.

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: _____

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(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

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: _____

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(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: 05/30/2024

(b) Date of the removal or reinstatement order: 08/06/2024

(c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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: _____

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- (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.

GROUND ONE: Violation of 8 U.S.C. §1231(a)(6)

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

I have been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove me as ICE does not recognize Palestine as a country and identifies me as "stateless". DHS counsel designated two possible countries for removal: Jordan and Turkey. Both declined to accept me. I have no citizenship or other lawful status to reside in any country other than Palestine. See attached memorandum with additional specific facts. Question (b) below is not applicable.

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

Yes No

GROUND TWO: Violation of the due process clause of the Fifth Amendment to the U.S. Constitution.

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

ICE is depriving me of my right to liberty. I have been detained by ICE for over a year and a half with a removal order in place for over 16 months and they have failed to deport me. . See attached memorandum with additional specific facts. Question (b) below is not applicable.

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

Yes No

GROUND THREE: ICE failed to conduct an individualized review by higher-ranking DHS officials as required by law after 180 days, 270 days, 360 days and 450 days of detention following a final removal order.

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

I have been detained for over 450 days following the acceptance of my final order of removal. The last interview conducted for custody review was conducted only by local personnel within ICE ERO. No higher authority has reviewed my case to my knowledge or my attorney's knowledge, and I have not been informed of any scheduled future interview or review by higher personnel. Question (b) below is not applicable.

(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: This is not applicable to this matter.

Request for Relief

15. State exactly what you want the court to do: Order my immediate release from ICE custody.

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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:

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: 12/16/2025

Signature of Petitioner



Signature of Attorney or other authorized person, if any