

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

UNITED STATES DISTRICT COURT

for the Western District of Texas



Alain Bidlas SADJEU (A# [redacted])

Petitioner

v.

Warden, El Paso Service Processing Center (ERO El Paso Camp East Montana)

Respondent

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

Case No.

(Supplied by Clerk of Court)

EP-25-CV-00676-KC

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

- 1. (a) Your full name: Alain Bidlas SADJEU (b) Other names you have used: None
2. Place of confinement: (a) Name of institution: El Paso Service Processing Center (ERO El Paso Camp East Montana) (b) Address: 6920 Digital Road El Paso, TX 79936 (c) Your identification number: A# [redacted]
3. Are you currently being held on orders by: [x] Federal authorities [ ] State authorities [ ] Other - explain:
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: [x] 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: U.S. Department of Homeland Security; U.S. Immigration and Customs Enforcement (ICE), and ICE Enforcement and Removal Operations
- (b) Docket number, case number, or opinion number: A# [REDACTED]
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
I was wrongly detained by ICE agents, claiming that I have an active removal order. However, although I was ordered removed by an immigration judge (IJ), I appealed the IJ's order to Board of Immigration Appeals (BIA). The BIA has not rendered a final decision on my appeal regarding the removal order.
- (d) Date of the decision or action: 09/17/2025

**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: The Federal District has jurisdiction over my detention. The Executive Office for Immigration Review (EOIR) which includes immigration courts and the BIA has no authority to decide my detention by DHS.

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: 09/17/2025
- (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: 03/20/2025
- (2) Case number: A# [REDACTED]
- (3) Result: Appeal decision is still pending.
- (4) Date of result:
- (5) Issues raised: I am not certain of the grounds that my immigration attorney raised during the appeal of the IJ's removal order, but I believe that I was wrongly denied asylum, withholding of removal and CAT protection since the IJ did not put in consideration the poor human rights conditions in Cameroon that would put me at the risk of torture as [REDACTED]

(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:

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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 am being detained wrongly detained since my removal order is not final and it is currently under appeal at the BIA.

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

Since my removal order is not final, since it is currently under appeal at the BIA, I have been wrongly detained by DHS. Furthermore, I am neither a security risk to the U.S. public, nor am I a flight risk. I attended all my removal hearings without abscondment. In addition, although I have had previous arrests regarding domestic battery and criminal trespass. I have never been convicted. And a court dismissed my ex-girlfriend's final protective order. All my criminal-related charges (domestic battery and criminal trespass) were nolle prosequi.

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

Yes  No

**GROUND TWO:** I have no criminal-related conviction(s) that require(s) my mandatory DHS detention under U.S. immigration law(s).

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

As previously stated, although I have been arrested on grounds related to assault and domestic violence, I have never been convicted of those charges in a U.S. or state court of law.

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

Yes  No

**GROUND THREE:** I have had a prolonged detention of over three (3) months for wrong reasons that have been fronted by DHS--claiming that I have a final order of removal. I assert that my due process rights have been violated as a result of this wrongful detention.

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

Since my removal order is under appeal at the BIA, it is not final. Thus, DHS has made fallacious claims that I have a final order of removal that requires me to be removed from the U.S. to my native country of Cameroon.

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

Yes  No

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**GROUND FOUR:** Habeas corpus is the only remedy that is currently available to me in my current situation.

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

The Executive Office of Immigration Review (which includes the Immigration Court and the BIA) lack the authority to review my ongoing detention by DHS/ICE. The Federal District is the only venue available to me to have my improper detention by DHS reviewed.

(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 would like this Court to order my immediate release from custody under reasonable DHS supervision pending the outcome of my appeal at the BIA; Order a bond hearing within seven (7) days so that DHS can proffer reasons to why I should not be released on an Immigration bond; and for the Court to grant me any other relief that it deems appropriate in my case; I also request for a TEMPORARY RESTRAINING ORDER against DHS so that I am not removed from El Paso, TX and the United States in general.

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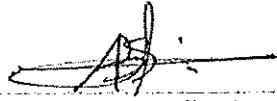
**Declaration Under Penalty Of Perjury**

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

Dec-06-2025

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: Dec-06-2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any