

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

YEZID SHABANA,

Petitioner/Plaintiff, v.


KRISTI NOEM, in their official
capacity as Secretary of the United States
Department of Homeland Security;

PAMELA BONDI, in their official
capacity as Attorney General of the
United States;

GARRET RIPA, in their official
capacity as Director of Miami Field
Office, U.S. Immigration Customs
Enforcement;

DAVID HARDIN, in his official
capacity as Sheriff of Glades County,

Respondents/Defendants.

Case No. 

**PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)**

INTRODUCTION

Petitioner, Yazid Loai Shabana ("Petitioner"), by and through undersigned counsel, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Petitioner challenges his continued post-order immigration detention by U.S. Immigration and Customs Enforcement ("ICE") as unconstitutional and unlawful where removal is not significantly likely in the reasonably foreseeable future. Petitioners seek conditional release under an Order of Supervision or such other relief as the Court deems appropriate.

JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody and is detained in violation of the Constitution and laws of the United States.
2. Venue is proper in the Middle District of Florida because Petitioner is detained at the Glades County Detention Center, 1279 East State Road 78, Moore Haven, Florida 33471, which lies within this District.

PARTIES

3. Petitioner YAZID LOAI SHABANA is a native of Hebron, Palestine, and is effectively stateless. He is currently detained at the Glades County Detention Center in Moore Haven, Florida.
4. Respondent KRISTI NOEM is sued in her official capacity as Secretary of the Department of Homeland Security and is responsible for the administration and enforcement of the Immigration and Nationality Act.
5. Respondent PAMELA BONDI is sued in her official capacity as Attorney General of the United States and oversees the Department of Justice, including ICE detention litigation.
6. Respondent GARRETT RIPA is sued in his official capacity as Field Office Director for ICE's Miami Field Office and exercises authority over Petitioner's detention and removal.
7. Respondent DAVID HARDIN, in his official capacity as Sheriff of Glades County, is the immediate custodian of Petitioner.

FACTUAL BACKGROUND

8. On November 13, 2025, an Immigration Judge sitting at Broward Transitional Center Immigration Court ordered Petitioner removed from the United States.
9. The Immigration Judge designated Canada as the primary country of removal and Jordan as the alternate country of removal.
10. ICE has attempted to remove Petitioner to both Canada and Jordan. Both countries have declined to accept Petitioner and have refused to issue travel documents.
11. Petitioner is a Palestinian from Hebron. Israel will not accept Petitioner, and there is no functioning or recognized country willing or able to receive him. Palestine is not a recognized receiving country for purposes of effectuating removal under INA § 241, and ICE has identified no third country willing to accept Petitioner.
12. As a result, ICE currently has no country to which it can remove Petitioner.
13. Petitioner has been detained for approximately 130 days total. His final order of removal was issued on November 13, 2025, and he has been detained for approximately thirty-three (33) days post-order, placing him in early post-order detention under INA § 241(a).
14. There is no articulable or realistic likelihood that Petitioner will be removed in the reasonably foreseeable future.

LEGAL FRAMEWORK

15. Post-order immigration detention is governed by INA § 241(a), 8 U.S.C. § 1231.
16. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that post-order detention is presumptively reasonable for six months. After that period, continued detention is lawful only if removal is significantly likely in the reasonably foreseeable future.
17. Where removal is not reasonably foreseeable, continued detention violates both the Immigration and Nationality Act and the Due Process Clause of the Fifth Amendment.
18. The burden shifts to the Government to demonstrate that removal is significantly likely once the detainee makes a showing that no country is willing to accept him.

COUNT I

Violation of the Due Process Clause (Fifth Amendment)

19. Petitioner incorporates all preceding paragraphs.
20. Although Petitioner has not yet reached the six-month presumptive period discussed in *Zadvydas*, his continued detention already serves no legitimate immigration purpose where removal is not significantly likely in the reasonably foreseeable future.
21. ICE cannot effectuate Petitioner's removal because multiple designated countries have refused to accept him, and there is no realistic alternative country currently willing or able to receive him.
22. Continued detention under these circumstances is punitive, arbitrary, and unconstitutional.

COUNT II

Violation of INA § 241(a)

23. Petitioner incorporates all preceding paragraphs.
24. INA § 241(a) does not authorize indefinite detention.
25. Because removal is not significantly likely in the reasonably foreseeable future, continued detention exceeds ICE's statutory authority.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Assume jurisdiction over this action;
- B. Issue an Order to Show Cause requiring Respondents to demonstrate, within a time set by the Court, that there is a significant likelihood of Petitioner's removal in the reasonably

foreseeable future; or, in the alternative, order Petitioner's release under an Order of Supervision;

C. Enjoin Respondents from transferring Petitioner outside this District without Court approval; and

D. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

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Dated: December 18, 2025

VERIFICATION

Pursuant to 28 U.S.C. § 2242 and 28 U.S.C. § 1746. I declare under penalty of perjury that the facts set forth in the foregoing Petition for a Writ of Habeas Corpus are true and correct.

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Dated: December 18, 2025