

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

Nathaniel Sterling, by and through)
his next friend, Simone Johnson-Henderson,)

Petitioner,

V.

Pamela J. Bondi, Attorney General of the United States; Kristi Noem, Secretary of the Department of Homeland Security; Todd Lyons, Acting Director, Immigration and Customs Enforcement; Floyd Cleveland, Hartford Field Office Assistant Director, Immigration and Customs Enforcement

Respondents.

Civ. No. _____

PETITION FOR WRIT OF HABEAS CORPUS

December 19, 2025

PRELIMINARY STATEMENT

1. On December 19, 2025, Petitioner Nathaniel Sterling was unlawfully targeted by U.S. Immigration and Customs Enforcement (“ICE”) in or around a Connecticut state courthouse. Mr. Sterling seeks redress from this court in the form of immediate release and an order prohibiting transfer out of Connecticut.

2. ICE violated the Immigration and Nationality Act (“INA”) by arresting Mr. Sterling at or near the Connecticut Superior Court courthouse. Officers interfered with Connecticut’s administration of criminal justice in violation of the Tenth Amendment, and violated Mr. Sterling’s Fifth Amendment right to access the courts.

3. For over 500 years, English, and later American, common law has recognized a privilege against civil arrest for individuals going to, attending, and coming from court on official business. This privilege rests on the common-sense principle that the judicial system cannot function when parties and witnesses fear that their appearance in court will be used as a trap against them. Since the nation's founding, both the U.S. Supreme Court and the Connecticut Supreme Court have consistently affirmed this privilege. When Congress enacted the INA in 1952, it did not supersede any state's common law privilege against civil arrest when attending to official court business. Instead, the INA implicitly incorporated the privilege against civil arrest so as not to infringe on the sovereignty of the states. Immigration arrests that disrupt state court proceedings therefore violate the INA.

4. Despite the longstanding privilege ensuring the sanctity of courthouses as places where all persons may safely seek justice, under the current Administration, ICE is conducting immigration arrests at state courthouses across the country and in Connecticut. *See* Memorandum from Todd M. Lyons ("Courthouse Arrests Directive"), Acting Director of ICE, dated May 27, 2025 available at <https://www.ice.gov/doclib/foia/policy/11072.4.pdf>. Respondents justify these unlawful practices based on the improper and irrational retaliatory motive that jurisdictions like Connecticut decline—lawfully—to expend state resources to carry out federal immigration enforcement functions for which they bear no responsibility. *Id.* at 1.¹

¹ In directing federal officials to make arrests in state courthouses, the Courthouse Arrests Directive explains that ICE officers and agents can more safely make arrests in such places because of security screenings performed by state employees. Courthouse Arrests Directive at 1. The Courthouse Arrests Directive contemplates additional expenditure of state time and resources in directing that arrests should "take place in non-public areas of the courthouse . . . and utilize the court building's non-public entrances and exits." *Id.* at 2.

5. On August 11, 2025, ICE arrested two men inside a Stamford courthouse by following them into a courthouse bathroom. The event was widely publicized and sparked public outrage. Days later, Connecticut Governor Ned Lamont stated that ICE's actions interfere with the state's law enforcement operations "by instilling fear among residents and interfering in the orderly functioning of our state courts."²

6. On September 16, 2025, Chief Justice Mullins of the Connecticut Supreme Court issued a Judicial Branch Policy aimed at protecting the safety of the judiciary following violent and disruptive arrests of immigrants at and near Connecticut courthouses. The policy prohibited the arrest of any person within the public areas of a courthouse absent a judicial warrant.³ Within a month, ICE openly defied the policy and arrested two men inside the parking garage of a Stamford courthouse.⁴

7. Recognizing the need for further action, on November 12 and 13, 2025, the Connecticut General Assembly met in special session to enact H.B. 8004 to codify and extend the Judicial Branch policy in an effort to restore order to its courthouse functions.⁵

8. The General Assembly passed these protections on November 13, and Connecticut Governor Ned Lamont signed these courthouse protections into law on November 18. *See* Nov. Sp. Sess. Pub. Act. No. 25-3, § 12 (2025).

² Jim Haddadin & Michayla Savitt, *Connecticut governor says court arrests by ICE 'undermine public safety'*, CT Public Radio (Aug. 19, 2025), <https://www.ctpublic.org/news/investigative/2025-08-19/connecticut-governor-says-court-arrests-by-ice-undermine-public-safety>.

³ Conn. Judicial Branch, *Policy Regarding Law Enforcement Activity in Courthouses* (Chief Justice Mullin, Sept. 16, 2025), <https://www.documentcloud.org/documents/26098755-ct-judicial-branch-policy-on-ice-arrests-in-courthouses/>.

⁴ John Craven, *ICE releases new details about Stamford courthouse arrests, but questions remain*, News12 CT (Oct. 29, 2025), <https://connecticut.news12.com/ice-releases-new-details-about-stamford-courthouse-arrests-but-questions>.

⁵ Paul Hughes, *CT Lawmakers To Vote On Expanding Trust Act With New Immigrant Protections in Special Session*, CT Post (Nov. 12, 2025), <https://www.ctpost.com/connecticut/article/ct-immigrants-trust-act-legislature-vote-session-21161233.php>.

9. However, in egregious disregard for Connecticut's sovereign interests, ICE continued to target noncitizens in and near courthouses, including on November 13, the very day that the General Assembly passed H.B. 8004.⁶

10. ICE's flagrant violations of the Judicial Branch Policy and reckless indifference towards Connecticut's administration of justice interfere with the state's core governmental functions and disregard this country's constitutional system of dual sovereignty. Absent clear authorization from Congress, such conduct violates the Tenth Amendment to the U.S. Constitution.

11. ICE's retaliatory and intimidating conduct further deprived Petitioner of access to the courts, a fundamental right that precedes the Founding and is centrally important to our democratic system. ICE's conduct therefore also violates guarantees of the Fifth Amendment of the U.S. Constitution.

12. Petitioner acts on his own behalf and acts through his Next Friend, Simone Johnson-Henderson. Ms. Johnson-Henderson is Petitioner Nate Sterling's mother. Mr. Sterling called Ms. Johnson at about 9:38 am from ICE custody. Because Petitioner cannot secure access either to legal counsel or to the courts of the United States, Ms. Johnson-Henderson acts as Petitioner's Next Friend.

PARTIES

13. Petitioner Nathaniel Sterling is a beloved father, son, brother, and member of the Hartford community. He is a citizen of Jamaica. On December 19, 2025, ICE agents arrested at the Manchester courthouse in Manchester, Connecticut.

⁶ Sabrina Thaler, *State curbs ICE activity around courts on day of another local arrest*, Yale News (Nov. 17, 2025), <https://yaledailynews.com/blog/2025/11/17/state-curbs-ice-activity-around-courts-on-day-of-another-local-arrest/>.

14. Simone Johnson-Henderson is Petitioner's Sterling mother. Because Petitioner cannot secure access either to legal counsel or to the courts of the United States, Ms. Johnson-Henderson acts as Petitioner's Next Friend.⁷

15. Respondent Floyd Cleveland is named in his official capacity as ICE Assistant Field Office Director for the Hartford Sub-Office. He is responsible for the execution of detention and removal determinations and is a legal custodian of Mr. Sterling. Respondent Cleveland's address is Hartford Sub-Field Office, 450 Main Street, Hartford, CT 06103.

16. Respondent Todd M. Lyons is named in his official capacity as the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in this District; is legally responsible for pursuing any effort to remove the Petitioner; and as such is a legal custodian of Petitioner. His address is ICE, Office of the Principal Legal Advisor, 500 12th St. SW, Mail Stop 5900, Washington, DC 20536-5900.

17. Respondent Kristi Noem is named in her official capacity as the Secretary of Homeland Security in the United States Department of Homeland Security. She is responsible for the administration of the immigration laws pursuant to Section 103(a) of the INA, 8 U.S.C. § 1103(a); routinely transacts business in this District; is legally responsible for pursuing any effort to detain and remove the Petitioner; and as such is a

⁷ Standing based on the next-friend doctrine is permissible where, as here, the real party in interest is unable to litigate his own cause due to inaccessibility or other similar disability and where the next-friend is "truly dedicated to the best interests of the person on whose behalf he seeks to litigate." *Whitmore v. Arkansas*, 495 U.S. 149, 163 (1990); see *Padilla v. Rumsfeld*, 352 F.3d 695 (2d Cir. 2003) (holding that petitioner's attorney could serve as next-friend because petitioner was being held incommunicado), *reversed and remanded for other grounds*, 542 U.S. 426 (2004).

legal custodian of Petitioner. Respondent Noem's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528-0485.

18. Respondent Pamela Bondi is named in her official capacity as Attorney General of the United States. She routinely transacts business in this District; is responsible for the administration of the immigration laws pursuant to Section 103(g) of the INA, 8 U.S.C. § 1103(g); and as such is a legal custodian of Petitioner. Respondent Bondi's address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530.

JURISDICTION

19. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 2241, and Article I § 9, cl. 2 (the Suspension Clause) and Article III of the U.S. Constitution, and the Fifth and Tenth Amendments of the U.S. Constitution.

20. An actual and justiciable controversy exists between the parties under 28 U.S.C. § 2201, and this Court has authority to grant declaratory and injunctive relief. *Id.* §§ 2201, 2202. This Court has additional remedial authority under the All Writs Act, 28 U.S.C. § 1651.

VENUE

21. Venue is proper in the District of Connecticut under 28 U.S.C. §§ 2241(a), 1391(b)(2), and 1391(e)(1). Petitioner was arrested and detained in this District, and a substantial part of the events giving rise to the claims and relevant facts occurred within this District. Petitioner has been and is presently detained at the discretion of Mr. Cleveland, and the Hartford ICE Field Office is directing his detention.

FACTS AND PROCEEDINGS

22. On December 19, 2025, at or around 9:00 or 9:30 a.m., ICE officers unlawfully apprehended Mr. Sterling in or near Connecticut Superior Court in Manchester. On information and belief, Mr. Sterling was scheduled to appear for a misdemeanor criminal charge. Prosecutors had represented to Mr. Sterling that the case against him would be dropped upon presentation of Mr. Sterling's driver's license. Mr. Sterling got a driver's license and was prepared to present it on December 19, 2025.

23. On information and belief, at the time of filing of this petition, Petitioner is in ICE custody in Hartford, Connecticut. Undersigned counsel has searched the ICE detainee locator database and found no information regarding Petitioner's whereabouts.

24. Petitioner is currently in immigration proceedings and has an appeal pending before the Board of Immigration Appeals.

25. The arrest violated the INA and the Fifth and Tenth Amendments of the Constitution. But for ICE's unlawful conduct in effectuating Mr. Sterling's arrest, he would not be incarcerated in ICE custody.

26. Mr. Sterling is held in violation of the laws of the United States.

CAUSES OF ACTION

FIRST CLAIM FOR RELIEF

**UNLAWFUL ARREST AND DETENTION IN VIOLATION OF THE
IMMIGRATION AND NATIONALITY ACT**

27. Mr. Sterling repeats and incorporates by reference each and every allegation contained in the precedent paragraphs as if fully set forth herein.

28. Respondents violated the INA by arresting Mr. Sterling when he sought to appear at the Connecticut Superior Court in Manchester.

29. Connecticut and federal common law privileges from arrest individuals at courthouses or parties or witnesses to court proceedings. *Bishop v. Vose*, 27 Conn. 1, 12 (Conn. 1858); *Stewart v. Ramsey*, 242 U.S. 128 (1916).

30. The INA authorizes Immigration and Customs Enforcement officers to perform arrests with and without a warrant, but neither of the INA's two civil arrest provisions—Sections 236 and 287—make any mention of courthouses. *See* 8 U.S.C. §§ 1226(a) and 1357(a). Lacking any indication of a clear and manifest purpose, the INA incorporates the common law privilege, rather than abrogating it. *See United States v. New York*, -- F. Supp. 3d --, 2025 WL 3205011 (N.D.N.Y. Nov. 17, 2025); *Doe v. U.S. Immigration & Customs Enforcement*, 490 F.Supp.3d 672, 692 (S.D.N.Y. 2020); *State v. U.S. Immigration and Customs Enforcement*, 431 F.Supp.3d 377, 392 (S.D.N.Y. 2019); *New York v. U.S. Immigration and Customs Enforcement*, 466 F.Supp.3d 439, 446–7 (S.D.N.Y. 2020), *vacated as moot*, 2023 WL 2333979 (2d Cir. 2023).

31. Because Mr. Sterling's arrest was unlawful under the INA, so, too, is his ongoing detention.

SECOND CLAIM FOR RELIEF

UNLAWFUL ARREST AND DETENTION IN VIOLATION OF MR. STERLING'S FIFTH AMENDMENT RIGHT TO DUE PROCESS

32. Petitioner repeats and incorporates by reference each and every allegation contained in the precedent paragraphs as if fully set forth herein.

33. Respondents violated Mr. Sterling's Fifth Amendment right to access the courts without undue government interference by arresting him while he appeared at Manchester Superior Court to answer a criminal charge.

34. The Due Process Clause entitles Petitioner to the right to access court. *Wolff v. McDonnell*, 418 U.S. 539 (1974); *Bounds v. Smith*, 430 U.S. 817, 822 (1977).

35. The Fifth Amendment's protections extend to noncitizens present in the United States. *Mathews v. Diaz*, 426 U.S. 67, 77 (1976).

36. Petitioner Mr. Sterling sought to access Manchester Superior Court to vindicate a fundamental interest, namely, to defend himself against a criminal charge and "be spared from the State's devastatingly adverse action." *M.L.B. v. S.L.J.*, 519 U.S. 102, 125 (1996); *see also Boddie v. Connecticut*, 401 U.S. 371, 379 (1971).

37. On information and belief, because ICE has arrested him and hindered his access to the courts, he is presently unable to resolve a criminal case against him that may have serious consequences, including for their ability to obtain future immigration relief.

38. On information and belief, because of Mr. Sterling's ongoing detention, he is unable to defend a criminal charge with potential immigration consequences. Further, by continuing to detain Mr. Sterling, ICE inhibits his access to counsel and deprives him of the legal and community support necessary to defend himself against a misdemeanor criminal charge.

39. On information and belief, release from detention is necessary to defend the pending misdemeanor criminal charge.

40. Because Mr. Sterling's arrest was unlawful under the Fifth Amendment, so, too, is his ongoing detention.

THIRD CLAIM FOR RELIEF

**UNLAWFUL ARREST AND DETENTION IN VIOLATION OF THE TENTH
AMENDMENT**

41. Petitioner repeats and incorporates by reference each and every allegation contained in the precedent paragraphs as if fully set forth herein.

42. Respondents interfered with core functions of the state government of Connecticut when they arrested Mr. Sterling in or near Manchester Superior Court. On information and belief, Respondents are preventing the state of Connecticut from administering justice in Mr. Sterling's criminal case.

43. The Courthouse Arrests Directive systematically interferes with the state's administration of justice, which is a core governmental function.

44. Connecticut's Governor, Judicial Branch, and General Assembly have all expressed deep concern over the effect of Respondents' actions on Connecticut's essential law enforcement activities. Nevertheless, Respondents have displayed no deference whatsoever to these sovereign concerns.

45. Respondents' flagrant interference with Connecticut's administration of justice lacks clear congressional authorization. Accordingly, Respondents' arrest of Petitioner violated the Tenth Amendment.

46. The Courthouse Arrests Directive impermissibly commandeers the state's resources to carry out a federal regulatory program of immigration enforcement.

47. The Courthouse Arrests Directive, including Mr. Sterling's arrest, takes advantage of local resources, including those committed to courthouse security, records and website maintenance, and facilities maintenance. On information and belief, the Courthouse

Arrests Directive requires and Mr. Sterling's arrest required state employees to expend state time and resources in these areas.

48. Because Mr. Sterling's arrest was unlawful under the Tenth Amendment, so, too, is his ongoing detention.

PRAYER FOR RELIEF

WHEREFORE, Mr. Sterling respectfully asks that this Court grant the following relief:

1. Declare that ICE's arrest, transportation, and detention of Mr. Sterling is in violation of the Immigration and Nationality Act, Mr. Sterling's Fifth Amendment rights, and the Tenth Amendment of the United States Constitution;
2. Enjoin Respondents from transferring Petitioner from the jurisdiction of this District pending adjudication of this Petition, and if Respondents have no suitable location at which to detain Petitioner in this District, enjoin Respondents from transferring Petitioner more than 100 miles from the jurisdiction of this District pending adjudication of this Petition;
3. Order Petitioner's immediate release pending adjudication of this Petition;
4. Enjoin Respondents from removing Petitioner pending adjudication of this Petition;
5. Order Respondents to pay Petitioner's attorneys' fees and costs; and
6. Grant such other and further relief as this Court deems just and proper.

December 19, 2025

Respectfully submitted,

/s/ Muneer I. Ahmad

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*Motion for law student appearance forthcoming.