

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

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

UNITED STATES DISTRICT COURT

for the
Southern District of Georgia

2025 DEC 22 A 9:15



[Handwritten signature]

Egor Tarasov

Petitioner

v.

Warden, D. Ray James ICE Processing Center

Case No.

5:25-cv-239


(Supplied by Clerk of Court)

Respondent

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

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

Personal Information

1. (a) Your full name: Egor Tarasov
- (b) Other names you have used: N/A
2. Place of confinement:
 - (a) Name of institution: D. Ray James ICE Processing Center
 - (b) Address: 3262 Highway 252, Folkston, GA 31537
3. (c) Your identification number: A 

Are you currently being held on orders by:

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: _____

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: custody at D. Ray James ICE Processing Center, Folkston, GA; U.S. Immigration and Customs Enforcement (ICE), Atlanta Field Office

(b) Docket number, case number, or opinion number: A- [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): Continued civil immigration detention for more than 18 months without a bond hearing or meaningful custody review while my immigration case is on appeal.

(d) Date of the decision or action: 05/02/2024

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:

There is no meaningful administrative remedy to challenge my prolonged ICE detention. Only this Court can provide relief from my continued custody.

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: _____

No second administrative appeal is available to challenge my prolonged immigration detention.

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: _____

No third administrative level exists for reviewing my continued ICE detention.

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: 05/02/2024
- (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: 07/17/2025

(2) Case number: A [REDACTED]

(3) Result: Pending

(4) Date of result:

(5) Issues raised:

Appeal of denial of asylum, withholding of removal, and protection under the Convention Against Torture.

(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: Constitutional Violations (4th & 5th Amendments)

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 Do not cite cases or law.):*

The detainee's prolonged civil immigration detention for more than 18 months without a bond hearing violates the Fourth and Fifth Amendments.

Mr. Tarasov has been held in ICE custody since May 2, 2024, without ever receiving a bond hearing or an individualized review of his detention. ICE has not provided any legal or factual basis demonstrating that continued detention is necessary. Such prolonged confinement without due process is unconstitutional.

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

Yes No

GROUND TWO: Psychological Harm and Lack of Medical Care

The conditions of detention, together with the absence of medical and mental-health care, have caused significant psychological harm to the petitioner.

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

The dormitories at D. Ray James are overcrowded, noisy, and stressful, creating constant sleep disruption and anxiety. Since May 2, 2024, the detainee has not been taken to any outside medical or mental-health provider. This indefinite and uncertain confinement has seriously deteriorated his emotional and psychological well-being.

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

Yes No

GROUND THREE: No Flight Risk or Danger

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

The petitioner's continued detention is unlawful because he is neither a flight risk nor a danger to the community. Mr. Tarasov has no criminal history, no disciplinary issues in ICE custody, and maintains strong family ties in the United States. ICE has never provided a meaningful custody review or any explanation supporting continued detention. There is no rational or legitimate reason to keep him confined.

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

Yes No

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GROUND FOUR: Severe Hardship to Family

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

The detainee's prolonged detention inflicts extreme hardship on his wife and two minor daughters. Mr. Tarasov has been separated from his family for 18 months, leaving two daughters (ages 10 and 15) without their father and a wife without her husband. The family depends on him emotionally and the prolonged separation has caused substantial harm. Since the petitioner poses no risk, maintaining his detention serves no legitimate governmental purpose.

(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:

1. An immediate bond hearing;
 2. Or release under supervision;
 3. Or release on bond;
 4. Any other relief the Court finds just and proper to remedy unlawful prolonged detention.
-
-

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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: 12/10/2025

E. A. A. J.

Signature of Petitioner

Signature of Attorney or other authorized person, if any

Print

Save As...

Reset

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

Instructions

1. **Who Should Use This Form.** You should use this form if
 - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
 - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
 - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
 - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
 - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
 - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and _____ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.

If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.


Daria Trenina, Esq.
Washington State Bar # 61458
Counsel for Respondent
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E: daria.v.trenina@gmail.com

January 9, 2024

**Re: REQUEST FOR PAROLE PURSUANT TO INA 212(d)(5) OR, IN THE
ALTERNATIVE, RELEASE ON THEIR OWN RECOGNIZANCE for
TARASOV, EGOR**

A- 

Dear ICE Officer:

I represent Mr. Tarasov (DOB , a Russian citizen who is being detained at the Folkston Main ICP, GA. *See* Exhibit A. This letter and the supporting documents outline the details of his parole request. According to section 212(d)(5)(A) of the Immigration and Nationality Act, the Department of Homeland Security has the power to parole an immigrant for urgent humanitarian reasons or significant public benefit. **The applicant's parole is merited for urgent humanitarian reasons *and* significant public benefit.**

The Applicant arrived at Nogales, AZ, POE. He has a sponsor who is ready and willing to receive him, and he is not a flight risk or a danger to the community. Additionally, his detention is not in the public interest, and he should be paroled as quickly as possible. The Applicant had a credible fear interview on May 24, 2024, and was **found to have a credible fear of persecution on account of his political opinion**. Arriving aliens who establish a

credible fear should be released on parole, providing the individual poses neither a security risk nor a risk of absconding.¹

DHS should exercise its discretion to release my client under humanitarian parole for the following reasons:

I. The Applicant is Likely To Succeed on His Application for Relief

Country conditions established a consistent pattern of gross, flagrant, and mass human rights violations in Russia and in the Chechen Republic where the Applicant was harmed on account of [REDACTED]. The U.S. Department of State has long recognized human rights violations in Russia² and has consistently characterized Russia's political system as "a highly centralized, increasingly authoritarian political system dominated by President Vladimir Putin."

The U.S. Department of State's list of most significant human rights abuses reported in March 2023 includes:

"extrajudicial killings and attempted extrajudicial killings; enforced disappearances by or on behalf of government authorities; pervasive torture by government law enforcement officers that sometimes resulted in death and occasionally involved sexual violence or punitive psychiatric incarceration; harsh and life-threatening conditions in prisons; arbitrary arrest and detention; politically motivated reprisals against individuals located outside the country; severe, arbitrary interference with privacy; severe suppression of freedom of expression and media, including violence against journalists and the use of "antiextremism" and other laws to prosecute peaceful dissent and religious minorities; severe restrictions on internet freedom; severe suppression of the freedom of peaceful assembly; severe suppression of freedom of association, including overly restrictive laws on "foreign agents" and "undesirable foreign organizations"; severe restrictions on religious freedom; widespread corruption at all levels and in all branches of government; severe government restrictions on and harassment of domestic and

¹ See ICE Policy Directive No. 11002.1, *Parole of Arriving Aliens Found to Have a Credible Fear of Persecution or Torture* (December 8, 2009).

² See Country Reports on Human Rights Practices in Russia for 2011-2015 and 2016-2022 (hereafter – "U.S. Dept of State Report in Russia"). URL: <https://2009-2017.state.gov/j/drl/rls/hrrpt/index.htm> and <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/> respectfully.

international human rights organizations; crimes involving violence or threats of violence targeting persons with disabilities, **members of ethnic and religious minorities.**³

After Russia invaded Ukraine on February 24, 2022, the Russian government shut down ALL independent media and introduced new, highly repressive legislation to suppress and silence any dissent.

The Applicant's account of events is credible, and his fear of persecution on account of political opinion is also genuine, credible, and well-founded. Based on facts, he is likely to succeed in his application for relief from removal.

II. Detention is Not in The Public Interest

Detention is funded by public tax dollars. Even under the best of circumstances, it is a costly option when alternatives to detention exist, especially when the detained individual is neither a flight risk nor a danger to the community. It is not in the public interest to manage an outbreak in the detention center and the liability of exposing other detained individuals, as well as detention center and ICE staff, to a contagious outbreak.

COVID-19 continues to be a serious concern in detention. Given the intrinsic difficulty in practicing "social distancing" in closed, confined locations such as the River Correctional Center, and given the availability of alternatives to detention to minimize flight risk, releasing individuals like my client who do not pose a danger to the community is clearly in the public interest.

III. The Applicant is Not a Flight Risk.

Applicant is not a flight risk. He is committed to pursuing his application for political asylum in the U.S. His objective is to remain in the United States in a lawful manner. He has every incentive to and will comply with all obligations required to enable him to remain in the United States. He has already demonstrated his commitment to seeing her/ his case through to the end by remaining in detention to fight his case despite the extreme mental and physical health difficulties discussed above.

³ See U.S. Dept of State Report on Russia for 2022. P. 1-2.

The Applicant has retained the Law Offices of Jacob Shidaev (15250 Ventura Blvd., Ste PH 1220, Sherman Oaks, CA, 91403) to oversee his case when released. He is actively working with his attorney to prepare his Form I-589, declaration and obtain corroborating evidence. He has identified a USC sponsor who is willing to offer long-term housing and support with the immigration court. *See* Exhibit B.

Yury Golub

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If you would like further information, please do not hesitate to contact me. I look forward to hearing from you and thank you in advance for your assistance in this matter. Because of the urgency of this situation, I request that ICE serve me with any decision regarding this request via email at daria.v.trenina@gmail.com

Sincerely,

Daria Trenina, Esq.

