

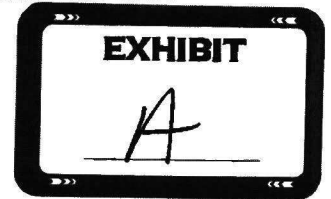
FILED
HARRISBURG, PA

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

DEC 30 2025

UNITED STATES DISTRICT COURT

PER for the
DEPUTY CLERK



Kelvin O. Mensah
Petitioner

v.


Department of Homeland Security
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: Kelvin O. Mensah
(b) Other names you have used: None
2. Place of confinement:
(a) Name of institution: Moshannon Valley Processing Center
(b) Address: 555 Geo Drive, Philipsburg, PA 16866
- (c) Your identification number: Alien Number: 
3. 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)

1

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

- 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: Department of Homeland Security (DHS) / Immigration and Customs Enforcement (ICE) regarding the constitutionality of my prolonged civil immigration detention
 - (b) Docket number, case number, or opinion number: _____
 - (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): _____
 - (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: Board of Immigration Appeals (BIA)
 - (2) Date of filing: 22 December 2025
 - (3) Docket number, case number, or opinion number: _____
 - (4) Result: Pending
 - (5) Date of result: _____
 - (6) Issues raised: NOT subjected to MANDATORY detention under INA § 236(c)
Has eligible relief - Qualifies for cancellation of removal and assylum withholding under the
- Not a danger to the public.
- Not convicted of a crime in any jurisdiction in the United States, or elsewhere.
- (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

2

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

(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

3

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

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: 11 February 2025
- (b) Date of the removal or reinstatement order: Not Applicable
- (c) Did you file an appeal with the Board of Immigration Appeals?

- Yes
- No

4

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

If "Yes," provide:

- (1) Date of filing: 22 December 2025
- (2) Case number: _____
- (3) Result: Pending
- (4) Date of result: Not Applicable
- (5) Issues raised: NOT subjected to MANDATORY detention under INA § 236(c)

Qualifies for cancellation of removal and assylum withholding under the Convention Against Torture (CAT).

Not a danger to the public

Not convicted in a crime in any kurisdiction in the United States, or elsewhere.

(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: Motion for Bond Re-determination / Acceptance of 42B
- (b) Name of the authority, agency, or court: Board of Immigration Appeals

(c) Date of filing: 22 December 2025

(d) Docket number, case number, or opinion number: _____

(e) Result: Pending

(f) Date of result: _____

(g) Issues raised: Bond Re-determination

Release on recognizance

Acceptance of EOIR 42B application previously accepted by ELizabeth Immigration Court, NJ.

5

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

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: NOT subject to MANDATORY removal under INA § 236(c)

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

No criminal convictions to sustain removability

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

Yes No

GROUND TWO: Qualifies under INA § 240A(b) - physical presence in the United States for a period of not less than 10 years.

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

Removal would result in exceptional and extremely unusual hardship to his United States citizen child and biological mother who is a naturalized citizen.

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

Yes No

GROUND THREE: Qualifies for cancellation of removal and assylum withholding under the Convention Against Torture (CAT).

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

Removal to country of birth would result in cruel punishment, as my sexual preference for both men and women is unconstitutional and outlawed.

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

Yes No

6

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

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: None

Request for Relief

15. State exactly what you want the court to do: Issue a writ of habeas corpus ordering the USG to show cause why Petitioner should not be released from custody.

Order release on recognizance or on reasonable conditions if the Government fails to carry its burden.

Order a prompt individualized bond hearing before within [3] days, at which the Government must prove by clear and convincing evidence that continued detention is necessary to prevent flight or danger to the community.

Grant other relief as the Court deems just and proper

7

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

Declaration Under Penalty Of Perjury

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

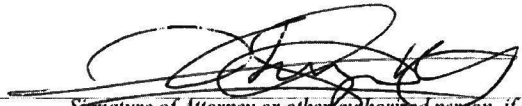
22 December 2025

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: 22 December 2025



Signature of Petitioner



Signature of Attorney or other authorized person, if any

8



Petitioner: Kelvin O. Mensah

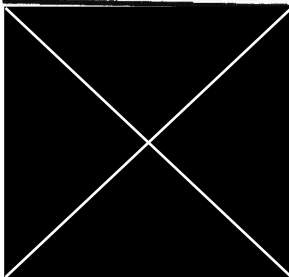
CERTIFICATE OF SERVICE

On 23 December 2025, I, Gabriel K. Thompson, served a copy of this Filing and any attached pages to the Assistant Chief Counsel, Department of Homeland Security (DHS) / United States Immigration and Customs Enforcement (ICE) at 2350 Freedom Way, Suite 254, York, PA 17402 by certified mail.

Gabriel K. Thompson
(443) 502-0665

Date: 22 December 2025

Shipment Receipt: Page #1 of 1
THIS IS NOT A SHIPPING LABEL. PLEASE SAVE FOR YOUR RECORDS.



SHIPMENT INFORMATION:
USPS GROUND ADVANTAGE
0 lb 5.7 oz actual wt
0.375 lb billable wt
DIM: 11.00X8.00X1.00 IN
USPS TRACKING

TRACKING NUMBER: 9400150899561231059924
SHIPMENT ID: MM095DMMGURR0
SHIP REF 1: -
SHIP REF 2: NS

SHIP TO:
ASST. CHIEF COUNCIL, DHS
IMMIGRATION & CUSTOMS ENFORCEMENT
2350 FREEDOM WAY
STE 254
YORK PA 17402-8201
BUSINESS

DESCRIPTION OF GOODS:
DOCUMENTS

SHIPMENT CHARGES:
GROUND ADVANTAGE 0.25
SERVICE OPTIONS 0.00
CMS PROCESSING FEE 0.22

SHIPPED THROUGH:
THE UPS STORE #6643
ABERDEEN, MD 21001-2295
(667) 231-4271

TOTAL \$8.47

COMPLETE ONLINE TRACKING: ENTER THIS ADDRESS IN YOUR WEB BROWSER TO TRACK:
HTTP://THEUPSSTORE.COM (SELECT TRACKING: ENTER SHIPMENT ID #) SHIPMENT
QUESTIONS? CONTACT SHIPPED THROUGH AGENT.
NEED PACKAGE HELP? (LOST/DAMAGED). PROVIDE DETAILS SO WE CAN HELP:
HTTPS://ONLINE.UPS.CUSTOMER.CARE/HELP

Get 20% Off Packing Services
Save with our certified packing experts

AVAILABLE AT PARTICIPATING LOCATIONS ONLY

SHIPMENT ID: MM095DMMGURR0 [Barcode]

Powered by: (Print)
12/23/2025 03:17 PM Pacific Time N

The UPS Store



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ELIZABETH IMMIGRATION COURT**

Respondent Name:

O MENSAH, KELVIN

To:

THOMPSON, GABRIEL K.
HAVRE DE GRACE, MD 21078

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

02/25/2025

ORDER OF THE IMMIGRATION JUDGE

Respondent The Department of Homeland Security has filed the following motion in these proceedings:

Motion for THOMPSON, GABRIEL K. to appear as a Reputable Individual in these custody proceedings.

After considering the facts and circumstances, the motion is granted denied for the following reason(s):



Immigration Judge: PANOPOULOS, ADAM 02/25/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved

Appeal Due:

Certificate of Service

This document was served:

Via: Mail | Personal Service | Electronic Service | Address Unavailable

To: Noncitizen | Noncitizen c/o custodial officer | Noncitizen's atty/rep. | DHS

Respondent Name : O MENSAH, KELVIN | A-Number :



Riders:

Date: 02/25/2025 By: VITALI, PATRICIA, Court Staff

Gabriel K. Thompson

126 Martha Lewis Blvd • Havre De Grace, Maryland 21078 • (443) 502-0665

22 December 2025

Attn: Shawna Cihak
Office of The Court Clerk
United States District Court
Sylvia H. Rambo U. S. Courthouse
1501 North 6th Street, Suite 101
Harrisburg, PA 17102

Subj: Habeas Corpus Filing On behalf of Petitioner Kelvin O. Mensah.

Encl: (1) Elizabeth Immigration Court Approved Notice – Reputable Individual Representative

Dear Mrs./Ms. Cihak,

Greetings. Enclosed, please find the Habeas Corpus petition, together with the filing fee, respectfully submitted for filing.

Although I would have preferred to file in person, official military duties prevent me from doing so at this time.

I am assisting the petitioner in his immigration detention and removal proceedings as his approved Reputable Individual Representative (RIR) pursuant to 8 C.F.R. § 1292.1(a)(3). The Immigration Court's approval documentation is attached for your reference.

I will follow up with the Clerk's Office in the coming days to confirm receipt of the Habeas Corpus application packet.

Also enclosed is a prepaid, self-addressed envelope with a cover sheet for the Court's file-stamped copy of the filing. I respectfully request that it be returned at the Court's earliest convenience for my records.

Thank you for your time and assistance.

Very Respectfully,



G. K. Thompson

FILED
HARRISBURG, PA

DEC 30 2025

PER *[Signature]*
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG, PENNSYLVANIA**

In the Matter of:)	
)	
Kelvin O. Mensah)	Case No.:
)	
Detained by ICE)	
<hr/>)	

Before The United States District Court for the Middle District of Pennsylvania

Next Court Date: Unknown

Motion Request for Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241