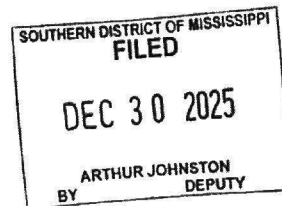


PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241

Erman Yardimci (A# [REDACTED])
ICE Detainee
Adams County Correctional Center
20 Hobo Fork Road
Natchez, Mississippi 39120

Petitioner, Pro Se

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NATCHEZ DIVISION



ERMAN YARDIMCI (A# [REDACTED])
Petitioner,

v.

WARDEN, ADAMS COUNTY CORRECTIONAL CENTER;
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY;
ATTORNEY GENERAL OF THE UNITED STATES,
Respondents.

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

I. INTRODUCTION

1. Petitioner Erman Yardimci is a civil immigration detainee currently held by U.S. Immigration and Customs Enforcement ("ICE") at the Adams County Correctional Center in Natchez, Mississippi.

2. Petitioner is designated by the Department of Homeland Security as an "arriving alien." At his custody proceedings before the Immigration Court, the Immigration Judge ("IJ") stated on the record that the court lacked jurisdiction to conduct a bond or custody hearing because of this designation.

3. As a result, Petitioner is detained without access to any bond hearing, neutral custody review, or meaningful opportunity to challenge the necessity of his continued detention.

4. Petitioner has a pending application for asylum and remains in removal proceedings.

5. Petitioner has no criminal history, has previously complied with ICE release conditions, and poses no danger to the community and no risk of flight.

6. Petitioner's continued detention without any custody hearing violates the Due Process Clause of the Fifth Amendment. Habeas relief under 28 U.S.C. § 2241 is therefore warranted.

II. JURISDICTION AND VENUE

7. This Court has jurisdiction over this Petition pursuant to 28 U.S.C. § 2241, which authorizes federal courts to grant writs of habeas corpus to persons held in custody in violation of the Constitution or laws of the United States.

8. Petitioner is in the physical custody of ICE at the Adams County Correctional Center, which is located within the Southern District of Mississippi.

9. The proper respondent is the Warden of Adams County Correctional Center, who has day-to-day control over Petitioner's detention.

10. Venue is proper in this District because Petitioner is detained here and no other court can provide effective relief.

III. CUSTODY AND PROCEDURAL HISTORY

11. Petitioner is detained solely under civil immigration authority, not pursuant to any criminal conviction or sentence.

12. Petitioner is classified by DHS as an arriving alien.

13. Petitioner has been continuously detained by ICE since November 3, 2025.

14. Petitioner was arrested following a family-related incident involving his son, E [REDACTED]. [REDACTED] Petitioner was not the aggressor and was not a threat to his son. The arrest resulted from a misunderstanding of the circumstances.

15. [REDACTED] was the alleged victim in the incident and has made clear that Petitioner poses no danger to him.

16. Any related criminal matter remains pending as of the date of this filing and is expected to be dismissed, as the alleged victim is not pressing charges.

17. Petitioner has no prior criminal history and has never been convicted of any offense.

18. Petitioner requested a custody or bond hearing before the Immigration Court.

19. On the date of the bond hearing, [REDACTED] personally appeared and was prepared to testify to clarify the incident and confirm that his father was not a threat.

20. The Immigration Judge stated that the court lacked jurisdiction to conduct a bond hearing due to Petitioner's arriving-alien designation and declined to hear any testimony or evidence.

21. The Immigration Judge further stated that the court would decide whether to follow recent federal court rulings on bond eligibility at a later date, identified as January 9, 2026, and refused to exercise custody jurisdiction in the interim.

22. Because of this jurisdictional refusal, Petitioner's counsel was compelled to withdraw the bond request.

23. Petitioner has therefore been denied any individualized custody determination by a neutral decision-maker.

24. Petitioner remains detained with no mechanism to challenge the necessity or proportionality of his confinement other than habeas corpus.

IV. FACTUAL BACKGROUND

25. Petitioner is a native and citizen of Turkey.

26. Petitioner fears persecution if returned to his country of origin and has applied for asylum.

27. Petitioner has strong family ties in the United States, including his son, [REDACTED] with whom he maintains a close and supportive relationship.

28. The incident that led to Petitioner's arrest arose from a family misunderstanding and does not reflect dangerousness, violent conduct, or a risk to the community.

29. Petitioner has previously been released from ICE custody, complied with all conditions imposed, and never absconded.

30. Petitioner has family and community support available in the United States and responsible individuals willing to ensure his appearance at all immigration proceedings.

31. Petitioner does not pose a danger to the community and does not present a flight risk.

V. LEGAL STANDARD

32. Immigration detention is civil and must comply with the Due Process Clause of the Fifth Amendment.

33. Civil detention becomes unconstitutional when it is prolonged, indefinite, or unsupported by adequate procedural safeguards.

34. Due process requires an individualized custody determination by a neutral adjudicator.

35. Where the Immigration Court asserts it lacks jurisdiction to conduct such a hearing, habeas corpus is the only available remedy.

VI. PROLONGED AND POTENTIALLY INDEFINITE DETENTION

(Zadvydas v. Davis)

36. Petitioner's detention has become prolonged and potentially indefinite.

37. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that civil immigration detention violates due process when it is no longer reasonably related to its purpose and lacks a foreseeable endpoint.

38. Although *Zadvydas* addressed post-removal-order detention, its core constitutional principle applies here: civil detention may not continue indefinitely without adequate justification and procedural safeguards.

39. Petitioner's removal proceedings remain pending, his asylum claim is unresolved, and no timeline exists for adjudication.

40. Combined with the Immigration Judge's refusal to exercise custody jurisdiction, Petitioner's detention has become functionally indefinite.

VII. EVOLVING LEGAL LANDSCAPE REGARDING BOND ELIGIBILITY

41. Recent federal court decisions have questioned categorical denials of bond hearings based solely on "arriving alien" or "applicant for admission" classifications.

42. While outcomes vary by jurisdiction, these decisions confirm that such categorical bars raise serious constitutional concerns and remain actively contested.

43. The Immigration Judge acknowledged these developments but declined to follow them pending a future determination, leaving Petitioner detained without review.

VIII. DENIAL OF CUSTODY REVIEW BASED ON DELAY

44. By postponing custody review until January 9, 2026, while continuing detention, the Immigration Court imposed a de facto denial of custody review.

45. This delay-based detention is not reasonably related to any legitimate governmental purpose and results in arbitrary geographic disparity among detainees.

46. Absent intervention by this Court, Petitioner will remain detained indefinitely while the government delays custody review.

IX. PRAYER FOR RELIEF

WHEREFORE, Petitioner Erman Yardimci respectfully requests that this Court:

- a. Issue an Order directing Respondents to SHOW CAUSE why Petitioner's continued detention does not violate the Constitution;
- b. Require Respondents to justify the factual and legal basis for Petitioner's prolonged detention;
- c. Following full briefing, grant appropriate habeas relief, including release or a constitutionally adequate custody hearing;
- d. Grant such other and further relief as the Court deems just and proper.

X. VERIFICATION

I, Erman Yardimci, declare under penalty of perjury that the foregoing is true and correct.

Date: 12/23/2025

Signature: 
Erman Yardimci, Pro Se

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