

UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF OKLAHOMA
FILED
DEC 31 2025

OBAMA NFUMU, ISMAEL OBIANG }

Petitioner

v.

WARDEN DR. SCARLET GRANT
ICE Dallas Field Office

Respondent


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

JOAN KANE, CLERK
U.S. DIST. COURT WESTERN DIST. OKLA
BY ADA DEPUTY

Case No. CIV-25-1574-J
(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: Obama Nfumu, Ismael Obiang
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: Cimarron Correctional Facility
(b) Address: 3200 S Kings Highway, Cushing Oklahoma 74023
(c) Your identification number: 
3. Are you currently being held on orders by:
 Federal authorities State authorities Other - explain: Immigration and Customs enforcement, enforcement and removal operation, Dallas field office,
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): Held on a final order order of removal

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: *Immigration and customs enforcement, Dallas field office*

(b) Docket number, case number, or opinion number: 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): *Prolonged detention*

(d) Date of the decision or action: *06/17/2025*

Your Earlier Challenges of the Decision or Action

7. First appeal *N/A*

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 are no appeals to immigration and customs enforcement's decision on continued and/or prolonged detention.*

8. Second appeal *N/A*

After the first appeal, did you file a second 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 second appeal:

9. **Third appeal** N/A

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** N/A

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

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? *N/A*

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: *N/A*

II. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody:
- (b) Date of the removal or reinstatement order:
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

If "Yes," provide:

- (1) Date of filing:
- (2) Case number:
- (3) Result:
- (4) Date of result:
- (5) Issues raised:

(d) Did you appeal the decision to the United States Court of Appeals? **N/A**

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:

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:

Prolonged detention under Zadvydas v. Davis and Demore v. Kim

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

I have been and remained in detention in excess of six months from the 17th of June 2025 when my removal order became final. An Immigration Judge also granted a withholding of removal under INA §241(b)(3) and withholding of removal under the convention against torture barring my removal to Equatorial Guinea and ICE has not been able to remove me to a third country.

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

Yes No

GROUND TWO:

Prolonged detention in violation of fifth Amendment due process clause

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

I have been and remained in detention since the 15th of November 2024 without any individualized bond hearings.

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

Yes No

GROUND THREE: Violation of Immigration and Nationality Act as well as Immigration and Customs enforcement's own regulations, policy and procedure.

(a) Supporting facts (Be brief. Do not cite cases or law.): ICE had tried to remove me to Ghana, Gabon, Canada and Italy, and all these countries would not accept me. ICE conducted a 90 day and 180 day custody review and decided to continue detention because they had requested a travel document from Equatorial Guinea and that request is pending and my removal is expected to occur even though an IJ had granted me withholding of removal to Equatorial Guinea thus I can't be removed there.

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

Yes No

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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: N/A

Request for Relief

15. State exactly what you want the court to do:

- 1.) I want this court to order ICE to release me immediately.
- 2.) In alternative, I want this court to order ICE to release me on an order of supervision.
- 3.) In alternative, I want this court to order ICE to conduct an individualized bond hearing where ICE would have the burden of proof that I am a flight risk or a danger to the community in front of a neutral decision maker where the bond amount would be considered based on my ability to pay.
- 4.) I want this court to enter a temporary restraining order and a preliminary injunction preventing respondent from removing or transferring me outside of Cimarron Correctional facility, Cushing Oklahoma pending the adjudication of this habeas corpus petition.
- 5.) I want this court to expedite the decision on this habeas petition.
- 6.) I consent to a Magistrate Judge making findings and decision on this case.

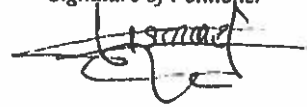
Declaration Under Penalty Of Perjury

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

Signature of Petitioner



Signature of Attorney or other authorized person, if any