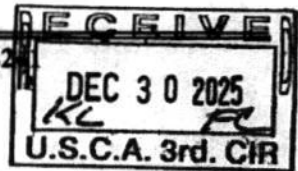


PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

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.

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

UNITED STATES DISTRICT COURT

for the
Middle District of Pennsylvania 

MAMADOU BOBO BARRY

Petitioner

v.

ICE FIELD OFFICE DIRECTOR
and

WARDEN OF Moshannon Valley Processing Center


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: Barry, Mamadou Bobo
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Moshannon Valley Processing Center
(b) Address: 555 GEO Drive, Philipsburg, PA 16866
(c) Your identification 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)

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: Philadelphia ICE ERO Outreach
114 North 8th Street, Philadelphia, PA 19107

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Because Mr. Barry has been granted withholding of removal, he is no longer subject to removal to Guinea, and ICE no longer has a legal basis to continue holding him in detention.

(d) Date of the decision or action: 11/20/2025

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: Philadelphia ICE ERO Outreach
114 North 8th Street, Philadelphia, PA 19107

(2) Date of filing: 11/21/2025

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

(4) Result: N/A

(5) Date of result:

(6) Issues raised: ICE no longer has a legal basis to continue holding him in detention

Because Mr. Barry has been granted withholding of removal, he is no longer subject to removal to Guinea

(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

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: _____

1st Appeal is pending

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: _____

1st Appeal is pending

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

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: 10/22/2025
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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: 12/19/2025
- (2) Case number: Pending assignment by the Board of Immigration Appeals
- (3) Result: Pending
- (4) Date of result: _____
- (5) Issues raised: The appeal challenges legal and factual errors in the Immigration Judge's decision, including: * Errors in the denial of asylum despite a grant of withholding of removal
* Improper reliance on alleged failure to use CBP One / CLP in assessing asylum eligibility
* Failure to properly evaluate credibility, corroborating evidence, and country-conditions documentation
No final order of removal has been entered in this case. Petitioner remains in immigration custody notwithstanding a grant of withholding of removal under INA § 241(b)(3)

(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: _____

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: Violation of the Fifth Amendment
Prolonged Detention Without Due Process

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

- Mr. Barry has been detained for a prolonged period without:
 - * a bond hearing; * a finding of danger or flight risk; or * meaningful procedural protections.
- ICE bears the burden to justify continued detention but has failed to do so.
- Continued detention violates the Due Process Clause of the Fifth Amendment.

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

Yes No

GROUND TWO: Unlawful Detention Under 28 U.S.C. § 2241

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

- Mr. Barry' s detention is no longer reasonably related to its purported purpose.
- Removal is not reasonably foreseeable due to the grant of withholding and pending appeal.
- ICE lacks statutory authority to detain Mr. Barry indefinitely without review.

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

Yes No

GROUND THREE: Failure to Provide a Custody Redetermination Hearing

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

- ICE' s refusal to provide a bond hearing or individualized custody review violates fundamental fairness.
- At minimum, due process requires a hearing before a neutral adjudicator where the government bears the burden of proof.

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

Yes No

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

GROUND FOUR: N/A

(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:

Request for Relief

15. State exactly what you want the court to do: WHEREFORE, Petitioner respectfully requests that this Court:

A. Grant the Petition for Writ of Habeas Corpus;

B. Order Respondents to immediately release Petitioner from ICE custody.

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:

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: 12/24/2025

Signature of Petitioner



Signature of Attorney or other authorized person, if any

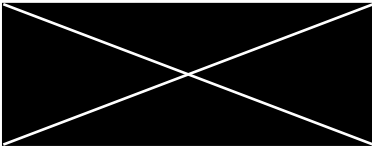


**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ELIZABETH IMMIGRATION COURT**

Respondent Name:

BARRY, MAMADOU BOBO

To:



A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

11/20/2025

Unable to forward - no address provided.

Attached is a copy of the **decision of the Immigration Judge**. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:

Board of Immigration Appeals
Office of the Clerk
P.O. Box 8530
Falls Church, VA 22041

Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242B(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252B(c)(3) in deportation proceedings or section 240(b)(5)(c), 8 U.S.C. § 1229a(b)(5)(c) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

Immigration Court

Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available.

Attached is a copy of the decision of the immigration judge relating to a **Credible Fear Review**. This is a final order. No appeal is available.

Other:

Date: 11/20/2025



Immigration Judge: Hussey, Michael 11/20/2025

Certificate of Service

This document was served:

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

To: Alien | Alien c/o custodial officer | Alien atty/rep. | DHS

Respondent Name : BARRY, MAMADOU BOBO | A-Number 

Riders:

Date: 11/20/2025 By: Hussey, Michael, Immigration Judge



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

Respondent Name:

BARRY, MAMADOU BOBO

To:

Matlock, Norman G

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

11/20/2025

ORDER OF THE IMMIGRATION JUDGE

- This is a summary of the oral decision entered on 11/20/2025. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent removable inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): 212(a)(6)(A)(i).

The immigration court found Respondent not removable not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

- Asylum was granted denied withdrawn with prejudice withdrawn without prejudice
- Withholding of Removal under INA § 241(b)(3) was granted denied withdrawn with prejudice withdrawn without prejudice
- Withholding of Removal under the Convention Against Torture was granted denied withdrawn with prejudice withdrawn without prejudice
- Deferral of Removal under the Convention Against Torture was granted denied withdrawn with prejudice withdrawn without prejudice
- Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

- Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was granted denied withdrawn with prejudice withdrawn without prejudice
- Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was granted denied withdrawn with prejudice withdrawn without prejudice
- Special Rule Cancellation of Removal under INA § 240A(b)(2) was granted denied withdrawn with prejudice withdrawn without prejudice

C. Waiver

- A waiver under INA § was granted denied withdrawn with prejudice withdrawn without prejudice

D. Adjustment of Status

- Adjustment of Status under INA § was granted denied withdrawn with prejudice withdrawn without prejudice

E. Other

III. Voluntary Departure

- Respondent's application for pre-conclusion voluntary departure under INA § 240B(a) post-conclusion voluntary departure under INA § 240B(b) was denied.
- Respondent's application for pre-conclusion voluntary departure under INA § 240B(a) post-conclusion voluntary departure under INA § 240B(b) was granted, and Respondent is ordered to depart by . The respondent must post a \$ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.
- The respondent is subject to the following conditions to ensure his or her timely departure from the United States:
 - Further information regarding voluntary departure has been added to the record.
 - Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set

- the presumptive civil monetary penalty amount of \$3,000.00 USD
- \$ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of

10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

IV. Removal

- Respondent was ordered removed to
- In the alternative, Respondent was ordered removed to
- Respondent was advised of the penalties for failure to depart pursuant to the removal order:

If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

V. Other

- Proceedings were dismissed terminated with prejudice
 terminated without prejudice administratively closed.
- Respondent's status was rescinded under INA § 246.
- Other:



Immigration Judge: Hussey, Michael 11/20/2025

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

Appeal Due: 12/22/2025

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : BARRY, MAMADOU BOBO | A-Number :



Riders:

Date: 11/20/2025 By: Hussey, Michael, Immigration Judge

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

Event No: 


NOTICE TO EOIR: ALIEN ADDRESS

Date: October 22, 2025

To: Enter Name of BIA or Immigration Court I-830 ELIZABETH VIDEO HEARINGS
Enter BIA or Immigration Court Three Letter Code@usdoj.gov VNJ

From: Enter Name of ICE Office PHILADELPHIA, PA, DOCKET CONTROL OFFICE
Enter Street Address of ICE Office DOCKET CONTROL OFFICE PHILADELPHIA

Enter City, State and Zip Code of ICE Office PHILADELPHIA, PA

Respondent: Enter Respondent's Name BARRY, MAMADOU
Alien File No: Enter Respondent's Alien Number 

This is to notify you that this respondent is:

Currently incarcerated by federal, state or local authorities. A charging document has been served on the respondent and an Immigration Detainer-Notice of Action by the ICE (Form I-247) has been filed with the institution shown below. He/she is incarcerated at:
Enter Name of Institution where Respondent is being detained _____
Enter Street Address of Institution where Respondent is being detained _____
Enter City, State and Zip code of Institution where Respondent is being detained _____
Enter Respondent's Inmate Number _____
His/her anticipated release date is Enter Respondent's Anticipated Release Date. _____

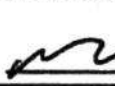
Detained by ICE on Enter Date Respondent was Detained by ICE at: October 22, 2025
Enter Name of ICE Detention Facility where Respondent is being detained MOSHANNON VALLEY PROCESSING CENTER
Enter Street Address of ICE Detention Facility where Respondent is being detained 555 GEO DRIVE
Enter City, State and Zip Code of ICE Detention Facility where Respondent is being detained PHILIPSBURG PA 168660000

Detained by ICE and transferred on Enter Date Respondent was transferred to: _____
Enter Name of ICE Detention Facility where Respondent has been transferred _____
Enter Street Address of ICE Detention Facility where Respondent has been transferred _____
Enter City, State and Zip Code of ICE Detention Facility where Respondent has been transferred _____

Released from ICE custody on the following condition(s):
 Order of Supervision or Own Recognizance (Form I-220A)
 Bond in the amount of Enter Dollar Amount of Respondent's Bond
 Removed, Deported, or Excluded
 Other _____

Upon release from ICE custody, the respondent reported his/her address and telephone number would be:
Enter Respondent's Street Address _____
Enter Respondent's City, State and Zip Code _____
Enter Respondent's Telephone Number (including area code) _____

I hereby certify that the respondent was provided an EOIR-33 Form and notified that they must inform the Immigration Court of any further change of address.

ICE Official: Enter Your First, Last Name and Title  DJD 8132 SDAO

EOIR - 1 of 1

----- Forwarded message -----

From: Philadelphia.Outreach <Philadelphia.Outreach@ice.dhs.gov>
Date: Fri, Nov 21, 2025 at 2:09 PM
Subject: ICE ERO Philadelphia Outreach Email Confirmation
To: Norman Matlock <nmatlock@gmail.com>

Thank you for contacting U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) Philadelphia Field Office Outreach with your question or concern. ERO is dedicated to ensuring that the community is fully informed of our programs and processes, and to answering your inquiry in a timely manner. Your inquiry will be reviewed by a member of our outreach team, and if appropriate, a response will be provided.

If you are trying to locate an individual who is being held by ICE, please see the Online Detainee Locator System (ODLS) at <https://locator.ice.gov/>.

For information on ICE detention facilities, please visit <https://www.ice.gov/detention-facilities>. Detention facilities within the Philadelphia Field Office include [Moshannon Valley Processing Center](#), [Clinton County Correctional Facility](#), and [Pike County Correctional Facility](#).

Anonymous suspicious criminal activity or information regarding an ICE investigation may be reported [online](#) and may also be reported to ICE via the toll-free ICE Tip Line, (866) 347-2423.

To schedule or change an ICE appointment, please visit <https://www.ice.gov/check-in>.

To change your address online, please visit <https://onlinechangeofaddress.ice.gov/ocoa>.

Please remember we cannot share any details with you about another person without a signed Form G-28, privacy wavier, or, in certain circumstances, appropriate verification of an agency relationship with the individual. For information on ICE privacy regulations, please visit <https://www.ice.gov/about-ice/management-administration/privacy>.

If this is a concern that requires immediate attention, please be assured we will look into it as promptly as possible.

Sincerely,

Philadelphia ICE ERO Outreach
114 North 8th Street
Philadelphia, PA 19107
United States
(215) 656-7164

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MAMADOU BOBO BARRY :
Petitioner, :
v. :
ICE FIELD OFFICE DIRECTOR : **Case No**
And :
Warden Of Moshannon Valley Processing Center :
Respondents :

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

I. INTRODUCTION

Petitioner **Mamadou Bobo Barry** respectfully petitions this Court for a **Writ of Habeas Corpus** pursuant to **28 U.S.C. § 2241**, challenging his **continued and indefinite civil immigration detention** following a **grant of withholding of removal**, while his **asylum denial is currently on appeal before the Board of Immigration Appeals (BIA)**.

Mr. Barry has **no final order of removal**, has already **prevailed on the merits of his fear of persecution**, and is **legally protected from removal to his country of origin**. Despite this, ICE continues to detain him **without a bond hearing, without individualized custody review, and without any showing that his continued detention is necessary**.

This prolonged detention violates the **Due Process Clause of the Fifth Amendment**, exceeds ICE's statutory authority, and constitutes **unlawful custody under § 2241**.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction under **28 U.S.C. § 2241** because Petitioner is in federal custody within this District.
2. Jurisdiction also arises under **28 U.S.C. § 1331** and the **Fifth Amendment** to the United States Constitution.
3. Venue is proper under **28 U.S.C. § 1391(e)** because Petitioner is detained within this District and Respondents exercise control over his detention here.

III. PARTIES

4. **Petitioner**, Mamadou Bobo Barry, is a native and citizen of **Guinea** and is currently detained at **Moshannon Valley Processing Center**.
5. **Respondent ICE Field Office Director** is responsible for ICE detention determinations within this District.
6. **Respondent Warden** is the immediate custodian of Petitioner.

IV. FACTUAL BACKGROUND

7. Mr. Barry entered the United States without inspection and was placed into removal proceedings.
8. He filed an application for asylum, withholding of removal, and protection under the Convention Against Torture.
9. Mr. Barry was later **arrested by ICE while complying with reporting requirements** and placed in immigration detention.
10. On **November 20th, 2025**, the Immigration Judge:
 - **GRANTED withholding of removal** under INA § 241(b)(3); and
 - **DENIED asylum**;
11. The Immigration Judge's decision **affirmatively determined that Mr. Barry would face persecution if returned to his country of origin**.
12. Mr. Barry timely filed an **appeal to the Board of Immigration Appeals challenging the asylum denial**, which is **currently pending**.
13. As a result:
 - **Mr. Barry has no final order of removal**;

- DHS is **legally barred from removing him** to his country of origin; and
 - His immigration proceedings remain ongoing.
14. Despite these facts, ICE continues to detain Mr. Barry **without a bond hearing or individualized custody review.**

V. LEGAL FRAMEWORK

15. Immigration detention is **civil, not punitive**, and must bear a **reasonable relation to its purpose.**
16. Prolonged detention without adequate procedural safeguards violates due process.
17. Once withholding of removal is granted, the government's interest in continued detention is **significantly diminished**, particularly where removal is not foreseeable.
18. Continued detention without a bond hearing becomes **arbitrary and unconstitutional.**

VI. CLAIMS FOR RELIEF

COUNT I

Violation of the Fifth Amendment – Prolonged Detention Without Due Process

19. Mr. Barry has been detained for a prolonged period without:
- a bond hearing;
 - a finding of danger or flight risk; or
 - meaningful procedural protections.
20. ICE bears the burden to justify continued detention but has failed to do so.
21. Continued detention violates the **Due Process Clause of the Fifth Amendment.**

COUNT II

Unlawful Detention Under 28 U.S.C. § 2241

22. Mr. Barry's detention is no longer reasonably related to its purported purpose.
23. Removal is not reasonably foreseeable due to the grant of withholding and pending appeal.
24. ICE lacks statutory authority to detain Mr. Barry indefinitely without review.

COUNT III

Failure to Provide a Custody Redetermination Hearing

25. ICE's refusal to provide a bond hearing or individualized custody review violates fundamental fairness.
26. At minimum, due process requires a hearing before a neutral adjudicator where the government bears the burden of proof.

VII. IRREPARABLE HARM

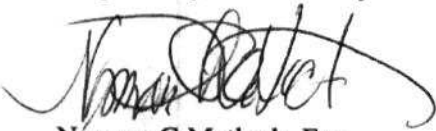
27. Mr. Barry suffers ongoing irreparable harm, including:
 - prolonged deprivation of liberty;
 - emotional and psychological distress;
 - inability to reunite with family or prepare his legal case adequately.
28. There is no adequate remedy at law absent this Court's intervention.

VIII. REQUEST FOR RELIEF

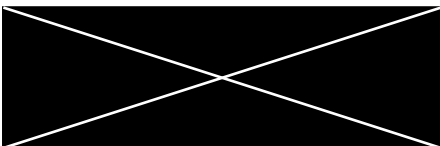
WHEREFORE, Petitioner respectfully requests that this Court:

- A. **Grant the Petition for Writ of Habeas Corpus;**
- B. **Order Respondents to immediately release Petitioner** from ICE custody;

Respectfully Submitted by



Norman G Matlock, Esq



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Attorney for Petitioner