

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

FILED

JAN 16 2026

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

HIEP VAN NGUYEN

Petitioner

v.

Case No. CV-26-87-R  
(Supplied by Clerk of Court)

DEPARTMENT OF HOMELAND SECURITY

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: HIEP VAN NGUYEN

(b) Other names you have used: \_\_\_\_\_

2. Place of confinement:

(a) Name of institution: CORECIVIC CIMARON CORRECTION Facility

(b) Address: 3200 S. King HWY.  
Cushing, OK 74023

(c) Your identification number: A 

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): \* Placed under orders of Supervision

\* Final orders of Removal, Deportation

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**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)
- 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: USCIS office in Oklahoma City

(b) Docket number, case number, or opinion number: A ~~XXXXXXXXXX~~

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

- Arrested, Detained by ICE THE SECOND TIME  
- Revocation of my release ordered by Immigration Judge

(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: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

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

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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(b) If you answered "No," explain why you did not appeal:

*I've spoken with an ICE agent and was told I have not been detained long enough for case review.*

8. **Second appeal**

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:

*still in process of filing the first appeal through Habeas Corpus petition*

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: \_\_\_\_\_

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(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) If you answered "No," explain why you did not file a third appeal: *still in process of filing the first appeal through Habeas Corpus petition.*

10. Motion under 28 U.S.C. § 2255 (NOTE: this section is to be completed only by persons being held in custody on orders of federal authorities)

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?

Yes  No

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_

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(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 *No.*

If "Yes," provide:

(a) Date you were taken into immigration custody: 11/22/2025

(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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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.

**GROUND ONE:** DHS have not provide a proper reason to redetain me, since they still have not been able to obtain the required travel documents to deport me, eventhough they've been trying since 2005

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

I was detained in the immigration detention for 6 months by ICE and was released in 2005 due to the fact, they failed to obtain the required documents to deport me, and up to this date they still dont have those documents in order to deport me, so they dont have reasons to redetain me.

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

Yes

No

**GROUND TWO:** DHS has violated the Zavydas laws by detained me the second time, in addition to the 6 months period of my first detention in 2005

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

This is the second time I was detained by ICE it has been 50 days since I was arrested on 11/22/25, in addition to the 180 days I was detained by ICE the first time in 2005, its surpassing the amount of times days to hold someone in the detention if they failed to deport them.

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

Yes

No

allowed by that law

**GROUND THREE:**

DHS has violated their own rules and regulations because they did not provide any kind of notice warning of reasonable causes, that leads to my arrest and the revocation of ordered release under orders of supervision.

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

I was arrested and detained, when I came to ICE office for a once a year check-in, by surprise without a proper reason or a fair notice in advance. They did not properly provide me space and time to practice my legal rights of seeking for legal advisory, legal assistants

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

Yes  No to accompany me to the check-in appointment that could've saved and prevent my arrest, and detention.

GROUND FOUR:

DHS has violated the APA.

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

I was arrested and detained on 11/22/25 it has been 51 days to this date, DHS ICE still has not provided me a informal interview, indications of the causes for the revocation of my release and detention.

(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:

Facts check on The DHS, ICE Improper, unlawful operations, actions, regards carrying out arrest detaining on immigrants. \* Restore the status of being ordered of release under supervision, until a proper schedule, date is set for my deportation, and a request of my appearance being sent out for my departure

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**Declaration Under Penalty Of Perjury**

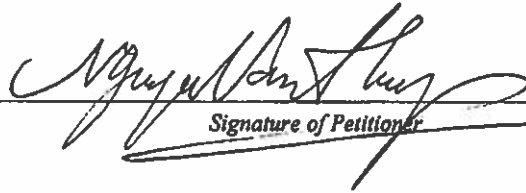
If you are incarcerated, on what date did you place this petition in the prison mail system, with the correct postage attached:

01/11/2026

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:

01/11/2026

  
\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Signature of Attorney or other authorized person, if any