

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

DICQUANE RICHARD RENNAU,
Petitioner,

v.

Case No. 1:26-CV-00125

ANGELA HOOVER,
Warden, Clinton County Correctional Facility;

DAVID O'NEIL,
Acting Director, Philadelphia Field Office,
U.S. Immigration and Customs Enforcement;

KRISTI NOEM,
Secretary, U.S. Department of Homeland Security;

PAMELA BONDI,
Attorney General of the United States,

Respondents, in their official capacities.

Civil Action No. _____

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**PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241
(Immigration Detention — Prolonged and Unconstitutional Detention)**

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INTRODUCTION

Petitioner Dicquane Richard Rennau respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, challenging his prolonged and unlawful immigration detention in violation of the Due Process Clause of the Fifth Amendment to the United States Constitution.

Petitioner has been continuously detained by U.S. Immigration and Customs Enforcement (“ICE”) for approximately fourteen (14) months without ever receiving a meaningful bond hearing. His detention persists solely because the Department of Homeland Security (“DHS”) has designated him an “arriving alien,” a jurisdictional label that has been used to categorically deny bond rather than based on any individualized determination of danger or flight risk.

Despite repeated requests for bond and humanitarian parole, all avenues for release have been denied, leaving Petitioner trapped in effectively indefinite detention while his appeal before the Board of Immigration Appeals (“BIA”) remains pending with no foreseeable end date.

Petitioner seeks immediate release, or alternatively, a prompt and meaningful individualized bond hearing before an Immigration Judge with authority to grant release, at which the government bears the burden of proof.



JURISDICTION

This Court has jurisdiction pursuant to 28 U.S.C. § 2241, which authorizes federal courts to grant habeas relief to persons held “in custody in violation of the Constitution or laws or treaties of the United States.”

Federal courts retain jurisdiction to review the constitutional permissibility of immigration detention, including prolonged detention without bond.

Diop v. ICE/Homeland Sec., 656 F.3d 221 (3d Cir. 2011);

Guerrero-Sanchez v. Warden York Cty. Prison, 905 F.3d 208 (3d Cir. 2018).



VENUE

Venue is proper in this District under 28 U.S.C. § 2241(a) because Petitioner is detained at Clinton County Correctional Facility, 58 Pine Mountain Road, McElhattan, Pennsylvania, which lies within the Middle District of Pennsylvania.



PARTIES


1. Petitioner Dicquane Richard Rennau is a noncitizen currently detained at Clinton County Correctional Facility and in ICE custody.

2. Respondent Angela Hoover is the Warden of Clinton County Correctional Facility and has immediate physical custody of Petitioner.
3. Respondent David O'Neil is the Acting Director of the Philadelphia Field Office of ICE and has legal authority over Petitioner's detention and release.
4. Respondent Kristi Noem, in her official capacity as Secretary of DHS, oversees ICE and parole determinations.
5. Respondent Pamela Bondi, in her official capacity as Attorney General of the United States, oversees EOIR and removal proceedings.

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STATEMENT OF FACTS

A. Petitioner's Life in the United States

Petitioner was born on  in Kingston, Jamaica. He entered the United States in September 2001 at the age of three and has resided continuously in the United States for approximately twenty-four (24) years.

Petitioner completed all schooling in the United States, graduating from Bronx Regional High School in 2019. He has maintained steady employment, paid taxes, and developed strong family and community ties. His family includes U.S.-citizen relatives and a U.S.-citizen spouse.

Petitioner was granted Deferred Action for Childhood Arrivals ("DACA") on October 17, 2013, and continuously renewed that status until his arrest in 2024.

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B. Advance Parole and "Arriving Alien" Designation

In February 2016, pursuant to advance parole granted under DACA, Petitioner traveled to Jamaica for seven (7) days to visit his dying grandfather. On February 22, 2016, U.S. Customs and Border Protection paroled Petitioner into the United States pursuant to INA § 212(d)(5)(A).

This lawful parole entry later became the sole basis for DHS to classify Petitioner as an "arriving alien," despite his lifelong residence and deep ties to the United States.

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C. Criminal Case and ICE Detainer

On January 12, 2024, Petitioner was arrested in Union County, Pennsylvania, and charged with identity theft, a misdemeanor of the first degree under 18 Pa. C.S. § 4120(a). Bail was set at \$1,000.

Before bail could be posted, ICE lodged an immigration detainer on January 26, 2024, rendering the state court's bail determination meaningless.

Petitioner remained incarcerated for 269 days of pretrial detention. On October 8, 2024, he was sentenced to time served (269 days) to 23 months, plus one year of probation.

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D. Transfer to ICE Custody and Prolonged Detention

On October 9, 2024, Petitioner was transferred into ICE custody, where he remains detained. His immigration detention now exceeds the length of his criminal incarceration.

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E. Bond and Parole Requests Denied

- October 10, 2024 – Bond denied due to “arriving alien” status
- October 21, 2024 – Bond denied for lack of jurisdiction
- December 7, 2024 – DHS denied humanitarian parole
- March 4, 2025 – DHS denied second parole request
- December 9, 2025 – Bond again denied for lack of jurisdiction

Petitioner has never received a meaningful bond hearing.

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F. Removal Proceedings and Pending Appeals

On June 9, 2025, the Immigration Judge pretermitted all applications for relief without substantive review. Petitioner timely appealed to the BIA on June 25, 2025. The appeal remains pending with no decision timeline.

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G. Marriage and Adjustment Eligibility

On January 23, 2025, Petitioner married Tashay Olivia Walker, a U.S. citizen. A Form I-130 Petition

for Alien Relative is pending. Because Petitioner was paroled into the United States, he is statutorily eligible for adjustment of status under INA § 245(a).



DESCRIPTION OF EXHIBITS

Exhibits A–K are submitted and incorporated by reference, including marriage documentation, bond denials, parole denials, criminal sentencing records, DACA documentation, and proof of pending immigration relief.



LEGAL BASIS FOR CONSIDERATION OF EXHIBITS

Federal courts may consider documentary evidence in habeas proceedings to assess whether continued detention violates constitutional limits.

Zadvydas v. Davis, 533 U.S. 678 (2001);

Guerrero-Sanchez v. Warden York Cty. Prison, 905 F.3d 208 (3d Cir. 2018).



LEGAL FRAMEWORK

The Fifth Amendment prohibits the federal government from depriving any person of liberty without due process of law. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

Prolonged immigration detention without a bond hearing raises serious constitutional concerns, particularly where removal is not reasonably foreseeable. *Diop v. ICE/Homeland Sec.*, 656 F.3d 221, 232–34 (3d Cir. 2011); *Guerrero-Sanchez v. Warden York Cty. Prison*, 905 F.3d 208, 224–26 (3d Cir. 2018).

Courts have consistently held that detention exceeding six months to one year without individualized review violates due process. *Diouf v. Napolitano*, 634 F.3d 1081 (9th Cir. 2011); *Haughton v. Crawford*, No. 1:16-cv-634, 2016 WL 5899285 (E.D. Va. Oct. 7, 2016).

Even arriving aliens are entitled to constitutional protections. *Leke v. Hott*, 521 F. Supp. 3d 597 (E.D. Va. 2021).

In *Matter of Akhmedov*, 29 I&N; Dec. 166 (BIA 2025), the BIA recognized that prolonged detention requires an individualized bond hearing even where initial jurisdiction was lacking.

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CLAIMS FOR RELIEF

COUNT I – Violation of Fifth Amendment Due Process

Prolonged Detention Without Bond

Petitioner's fourteen-month detention without a meaningful bond hearing is unreasonable, excessive, and unconstitutional. The sole reason Petitioner has been denied bond is a jurisdictional label, not any individualized finding that he is dangerous or a flight risk.

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COUNT II – Unlawful Indefinite Detention

There is no foreseeable end to Petitioner's detention due to his pending BIA appeal, pending Form I-130 petition, and potential Third Circuit review. Detention under these circumstances violates due process. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

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COUNT III – Statutory and Regulatory Violations

The government's reliance on *Matter of Yajure-Hurtado*, 29 I&N; Dec. 216 (BIA 2025), conflicts with controlling federal circuit precedent and cannot override constitutional protections.

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PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this petition;
2. Declare Petitioner's detention unconstitutional;
3. Order Petitioner's immediate release, or alternatively;
4. Order a prompt, meaningful bond hearing with the burden on the government;
5. Award costs and fees as permitted by law; and
6. Grant such other relief as the Court deems just and proper.

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VERIFICATION

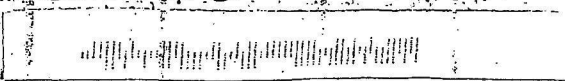
I, Dicquane Richard Rennau, declare under penalty of perjury that the foregoing is true and correct.

Date: 01/16/2026

D. Rennau

Dicquane Richard Rennau, Pro Se
Clinton County Correctional Facility

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