

**UNITED STATES DISTRICT COURT MIDDLE
DISTRICT OF FLORIDA**

KHALID ABUBLAKAN,

Petitioner/Plaintiff, v.

KRISTI NOEM, in their official
capacity as Secretary of the United States
Department of Homeland Security;

PAMELA BONDI, in their official
capacity as Attorney General of the
United States;

GARRET RIPA, in their official
capacity as Director of Miami Field
Office, U.S. Immigration Customs
Enforcement;

MATTHEW MORDANT, in his
official capacity as Warden of
Florida Soft Side South

Respondents/Defendants.

Case No. A



PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

INTRODUCTION

Petitioner, Khalid Abukablan (“Petitioner”), by and through undersigned counsel, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Petitioner challenges his continued post-order immigration detention by U.S. Immigration and Customs Enforcement (“ICE”) as unconstitutional and unlawful where removal is not significantly likely in the reasonably foreseeable future. Petitioner seeks conditional release under an Order of Supervision or such other relief as the Court deems appropriate.

JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody and is detained in violation of the Constitution and laws of the United States.

2. Venue is proper in the Middle District of Florida because Petitioner is detained at the Florida Soft Side South Facility, 54575 Tamiami Trail East, Ochopee, Florida 34141, which lies within this District.

PARTIES

3. Petitioner KHALID ABUKABLAN, A# [REDACTED] was born on [REDACTED] 1967, in Saudi Arabia and is a Palestinian national. He is currently detained at the Florida Soft Side South Facility in Ochopee, Florida.
4. Respondent KRISTI NOEM is sued in her official capacity as Secretary of the Department of Homeland Security and is responsible for the administration and enforcement of the Immigration and Nationality Act.
5. Respondent PAMELA BONDI is sued in her official capacity as Attorney General of the United States and oversees the Department of Justice, including immigration detention litigation.
6. Respondent FIELD OFFICE DIRECTOR, ICE ENFORCEMENT AND REMOVAL OPERATIONS, Tampa or Miami Field Office, is sued in his official capacity and exercises authority over Petitioner's detention and removal.
7. Respondent MATHHEW MORDANT, WARDEN OF THE FLORIDA SOFT SIDE SOUTH FACILITY is the immediate custodian of Petitioner.

FACTUAL BACKGROUND

8. Petitioner entered the United States on or about December 1, 1990, and has resided continuously in the United States for more than thirty-four (34) years.
9. In August 2002, an Immigration Judge ordered Petitioner removed from the United States.
10. In October 2002, Petitioner was released from immigration detention pursuant to a writ of habeas corpus, after the Government was unable to effectuate his removal.
11. Following his release, Petitioner remained in the United States for more than twenty (20) years under orders of supervision, fully complying with all reporting and supervision requirements and living openly in the community.
12. On or about October 10, 2025, ICE officers arrested Petitioner at his home and placed him back into immigration detention.
13. Petitioner has now been detained for approximately four (4) months post-arrest, with no removal date, no travel documents, and no country willing to accept him.

REMOVAL IS NOT REASONABLY FORESEEABLE

14. ICE has attempted to remove Petitioner to Saudi Arabia.
15. ICE has also attempted to remove Petitioner to Egypt.
16. Both countries have refused to accept Petitioner and have declined to issue travel documents.
17. ICE has not identified any alternative country willing or able to accept Petitioner.
18. ICE has not obtained any travel documents on Petitioner's behalf.
19. ICE has not scheduled any embassy appointments.
20. ICE has not scheduled or announced any removal date.

21. Petitioner is therefore effectively stateless for removal purposes, and continued detention cannot facilitate removal.

LEGAL FRAMEWORK

22. Post-order immigration detention is governed by INA § 241(a), 8 U.S.C. § 1231.
23. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that post-order detention is presumptively reasonable for six months. After that period, continued detention is lawful only if removal is significantly likely in the reasonably foreseeable future.
24. Where removal is not reasonably foreseeable, continued detention violates both the Immigration and Nationality Act and the Due Process Clause of the Fifth Amendment.
25. Detention must bear a reasonable relationship to the purpose of removal. Where removal is not realistically attainable, detention becomes unlawful.

COUNT I

Violation of the Due Process Clause (Fifth Amendment)

26. Petitioner incorporates all preceding paragraphs.
27. Although Petitioner has been subject to a final order of removal for many years, his current detention serves no legitimate immigration purpose where removal is not significantly likely in the reasonably foreseeable future.
28. ICE cannot effectuate Petitioner's removal because multiple countries have refused to accept him and there is no realistic alternative country willing or able to receive him.
29. Continued detention under these circumstances is punitive, arbitrary, and unconstitutional.

COUNT II

Violation of INA § 241(a)

30. Petitioner incorporates all preceding paragraphs.
31. INA § 241(a) does not authorize indefinite detention.
32. Because removal is not significantly likely in the reasonably foreseeable future, continued detention exceeds ICE's statutory authority.

PRIOR PRO SE HABEAS FILING DOES NOT BAR RELIEF

33. A prior habeas petition was filed pro se on Petitioner's behalf and denied on or about December 19, 2025.
34. That denial does not preclude relief here because:
 - a. Petitioner remains in custody;
 - b. This Petition is filed by counsel;
 - c. This Petition corrects procedural and substantive defects in the prior filing; and
 - d. Habeas relief remains available for unlawful continued detention.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Assume jurisdiction over this action;

B. Issue an Order to Show Cause requiring Respondents to demonstrate, within a time set by the Court, that there is a significant likelihood of Petitioner's removal in the reasonably foreseeable future; or, in the alternative, order Petitioner's release under an Order of Supervision;

C. Enjoin Respondents from transferring Petitioner outside this District without Court approval; and

D. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

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January 16, 2026

VERIFICATION

Pursuant to 28 U.S.C. § 2242 and 28 U.S.C. § 1746, I declare under penalty of perjury that the facts set forth in the foregoing Petition for a Writ of Habeas Corpus are true and correct.

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