

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

FILED
HARRISBURG, PA

JAN 22 2026

PER [Signature]
DEPUTY CLERK

MANUEL ENRIQUE AMADOR-ANGUSTIA

A: [Redacted]

Petitioner

v.

Warden, Moshannon Valley Processing Center, Todd
Lyon acting director of ICE, Kristi Noem, Secretary for
Homeland Security

Respondent

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

Case No. 4:26-CV-00150

(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: MANUEL ENRIQUE AMADOR-ANGUSTIA
 (b) Other names you have used: NONE
2. Place of confinement:
 (a) Name of institution: Moshannon Valley Processing Center
 (b) Address: 555 Geo Drive
Philisburg PA 16866
 (c) Your identification number: A [Redacted]
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)

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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: U.S. Immigration and Custom Enforcement (ICE)

Department of Homeland Security

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Arbitrary Detention by ICE while attending a schedule ICE check-in, without an individualized Custody determination.

(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: _____

(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

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(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**

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**

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

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

Yes No

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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?

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: Arbitrary detention despite compliance with ICE supervision

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 Do not cite cases or law.*):

Petitioner's detention violates the Due Process Clause of the Fifth Amendment because he was taken into ICE check-in, demonstrating compliance rather than evasion. Civil immigration detention must bear a reasonable relation, to its purpose and may not be imposed arbitrarily *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) Detention of an individual who affirmatively complies with supervision requirements lacks a rational connection to preventing flight or protecting the community and is therefore unconstitutional. *Demore v. Kim*, 538 U.S. 510, 527-28 (2003)

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

Yes No

GROUND TWO: Lack of individualized custody determination (procedural due process)

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

The government failed to provide an individualized custody determination justifying Petitioner's detention, in violation of procedural due process. Due process requires an individualized assessment of flight risk or danger before continued civil detention may be imposed. *Jennings v. Rodriguez*, 583 U.S. 281, 306-07 (2018); *Singh v. Holder*, 638 F.3d 1196, 1203-05 (9th Cir. 2011) (government bears burden of justifying detention by clear and convincing evidence). Detention without such a determination constitutes arbitrary deprivation of liberty.

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

Yes No

GROUND THREE: Interference with access to counsel and pending asylum proceedings

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

Petitioner's detention unlawfully interferes with his ability to prepare and litigate a pending application for asylum, withholding of removal, and protection under the Convention Against Torture. Detention that materially impairs access to counsel or the courts violates due process. *Bounds v. Smith*, 430 U.S. 817, 828 (1977); *Ly v. Hansen*, 351 F.3d 263, 271-72 (6th Cir. 2003) (detention becomes unconstitutional where it undermines fairness of immig proceedings).

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

Yes No

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GROUND FOUR: Civil detention has become punitive and excessive

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

Immigration detention is civil in nature and becomes unconstitutional when it is excessive or punitive rather than than regulatory. *Zadvydas v. Davis*, 533 U.S. 678, 690–91 (2001). Where detention is not reasonably related to a legitimate governmental objective and no individualized justification exists, continued custody violates substantive due process. *Bell v. Wolfish*, 441 U.S. 520, 535–39 (1979).

(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: Petitioner had no meaningful administrative or judicial avenue to challenge detention before being taken into ICE custody.
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Request for Relief

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

Order Petitioner's immediate release from ICE custody, or in the alternative, order an individualized custody hearing with the burden on the government to justify continued detention.

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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:

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: 01/20/2026

MANUEL ENRIQUE AMADOR-ANGUSTIA

Signature of Petitioner

Rosanna H. R. Madero
Signature of Attorney or other authorized person, if any

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MANUEL ENRIQUE AMADOR-ANGUSTIA, A# 
Petitioner,

v.

WARDEN, MOSHANNON VALLEY PROCESSING CENTER; DIRECTOR, U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT; SECRETARY OF HOMELAND SECURITY,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS (28 U.S.C. § 2241)

I. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in ICE custody at Moshannon Valley Processing Center within this District. Venue is proper in the Middle District of Pennsylvania because Petitioner's immediate custodian is located here.

II. PARTIES

Petitioner Manuel Enrique Amador-Angustia is a noncitizen currently detained by ICE. Respondents include the Warden of Moshannon Valley Processing Center, the Director of ICE, and the Secretary of Homeland Security.

III. STATEMENT OF FACTS

Petitioner consistently complied with ICE supervision. On October 24, 2025, he voluntarily appeared at a scheduled ICE check-in and was detained during compliance. He had a pending Form I-589 application for asylum, withholding of removal, and CAT protection. ICE provided no individualized custody determination justifying detention.

IV. GROUNDS FOR RELIEF

Ground One – Arbitrary Detention. Petitioner's detention violates the Fifth Amendment because he was detained during compliance with ICE supervision. Civil detention must bear a reasonable relation to its purpose and may not be arbitrary. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *Demore v. Kim*, 538 U.S. 510, 527–28 (2003).

Ground Two – No Individualized Custody Determination. Due process requires an individualized

assessment of flight risk or danger before continued detention. *Jennings v. Rodriguez*, 583 U.S. 281, 306–07 (2018). ICE failed to provide such a determination.

Ground Three – Interference with Asylum Proceedings. Detention that materially impairs access to counsel and the courts violates due process. *Bounds v. Smith*, 430 U.S. 817, 828 (1977); *Ly v. Hansen*, 351 F.3d 263, 271–72 (6th Cir. 2003).

Ground Four – Punitive Civil Detention. Immigration detention becomes unconstitutional when it is excessive or punitive rather than regulatory. *Bell v. Wolfish*, 441 U.S. 520, 535–39 (1979); *Zadvydas*, 533 U.S. at 690–91.

V. RELIEF REQUESTED

Petitioner respectfully requests that this Court grant the writ of habeas corpus and order his immediate release, or alternatively order a prompt individualized custody hearing where the government bears the burden of justifying detention.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 1/22/2024

Rosangely Madera, Next Friend for Petitioner

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

CERTIFICATE OF SERVICE

I certify that on the date below, I served true and correct copies of the Petition for Writ of Habeas Corpus, Emergency Motion for Immediate Release, and supporting declarations by U.S. Mail on the following:

United States Attorney's Office, Middle District of Pennsylvania; **ICE Office of the Principal Legal Advisor (OPLA)**.

Service was made by depositing the documents in the United States mail, postage prepaid.

Date: 1/22/2026

Rosangely Madera
Next Friend

Clerk of Court
United States District Court
Middle District of Pennsylvania
228 Walnut Street, Suite 200
Harrisburg, PA 17101

**Re: Manuel Enrique Amador-Angustia
Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)**

Dear Clerk:

Enclosed please find a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, filed on behalf of Petitioner Manuel Enrique Amador-Angustia, A#  who is currently detained at Moshannon Valley Processing Center.

This filing includes:

- Petition for Writ of Habeas Corpus ✓
- Emergency Motion for Immediate Release
- Declaration of Next Friend (Rosandgely Madera) ✓
- Motion for Appointment of Counsel ✓
- Certificate of Service ✓
- Exhibit Index and Exhibits ✓
- Filing fee in the amount of \$5.00 (or In Forma Pauperis application) ✓

Please file these documents and assign a case number. If any additional information is required, please advise.

Thank you for your assistance.

Respectfully,

Rosandgely Madera
Next Friend for Petitioner

