

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

OTABEK MURODOV

Petitioner,

v.

**J.L. JAMISON, in his official capacity as
Warden of Federal Detention Center,
Philadelphia; BRIAN MCSHANE, in his
official capacity as Acting Philadelphia
Field Office Director, United States
Immigration and Customs Enforcement;
TODD LYONS, in his Official capacity as
Acting Director of Immigration and
Customs Enforcement; KRISTI NOEM, in
her official capacity as Secretary of the
Department of Homeland Security; THE
US DEPARTMENT OF HOMELAND
SECURITY; PAMELA BONDI, Attorney
General of the United States**

Respondents.

CIVIL ACTION NO.:

**PETITION FOR WRIT OF HABEAS
CORPUS**

INTRODUCTION

Lilian Perelshteyn, hereby submits this petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and the Suspension Clause (Article 1, Section 9, Clause 2) of the United States Constitution. Petitioner requests that this Court release him from detention by the Immigration and Customs Enforcement (“ICE”) or, alternatively, conduct or order a bond hearing in which the Respondents bear the burden of justifying Petitioner’s continued detention. Petitioner also request that the Court set aside recent policies implemented by the Respondents that are contrary to the statutory rights of non-citizens like Petitioner to seek release and bail through an exercise of the Respondents’ discretion.

Mr. Murodov is a native of Uzbekistan. On or about May 17, 2023, Petitioner came to the port of entry at San Ysidro, California to seek asylum. Respondents paroled him into the United States, under 8 U.S.C. § 1182(d)(5) and released him from custody pursuant to the same statute. Respondents commenced removal proceedings against him in immigration court, which entitled him to present his asylum claim with the due process rights under 8 U.S.C. § 1229a.

On or about November 21, 2023, Petitioner timely filed his I-589, Application for Asylum and Withholding of Removal with the Philadelphia Immigration Court. On information and belief, Petitioner regularly complied with and appeared for ICE check-ins. On January 28, 2026, during a standard check-in appointment, Respondents arbitrarily detained Mr. Murodov without a stated justification. Respondents arbitrarily detained Mr. Murodov despite the requirement under 8 U.S.C. § 1226(a) and its implementing regulations that immigration officials make an individualized custody determination. Moreover, Respondents have adopted policies enshrined in administrative decisions by the Board of Immigration Appeals (“BIA”) that subject non-citizens like Mr. Murodov to mandatory detention in violation of Section 1226(a). Mr. Murodov is presently detained at the Federal Detention Center in Philadelphia. See Exhibit A.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 2241 (habeas corpus); 28 U.S.C. § 1651 (All Writs Act); 28 U.S.C. § 1331 (federal question); 5 U.S.C. § 702 (Administrative Procedures Act); U.S. Const. Amend. V (Due Process Clause); and United States Constitution, Article I, § 9, clause 2 (Suspension Clause).

2. Venue is proper in the Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1391(b) and 28 U.S.C. § 2241(d), because at the time of filing his Petition for Writ of Habeas

Corpus (Doc. 1), Mr. Murodov is imprisoned at the Federal Detention Center (“FDC”) in Philadelphia, Pennsylvania.

PARTIES

3. Petitioner Murodov is a native of Uzbekistan and is seeking release for unlawful detention. He is asylum applicant. He is detained at the Federal Detention Center in Philadelphia, PA.

4. Respondent J.L. Jamison is named in his official capacity as the Warden of FDC, Philadelphia, which detains individuals suspected of civil immigration violations. Respondent Jamison is the immediate physical custodian responsible for the detention of Petitioner.

5. Respondent Brian McShane is the Acting Philadelphia Field Office Director for Immigration and Customs Enforcement’s (“ICE”) Enforcement and Removal Operations. In this capacity he is responsible for the custody of all noncitizens detained by ICE at FDC, Philadelphia and has the authority to release Mr. Murodov or transfer him to a different facility. He is one of Mr. Murodov’s immediate custodians and is sued in his official capacity.

6. Respondent Todd Lyons is the Acting Director of ICE. In this capacity he is responsible for enforcing immigration laws, and as such is a legal custodian of Mr. Murodov. He is sued in his official capacity.

7. Respondent Kristi Noem is Secretary of Homeland Security. In this capacity she runs the Department of Homeland Security, and is charged pursuant to 8 U.S.C. 1103(a)(1) with administering and enforcing immigration laws. She is the ultimate legal custodian of Mr. Murodov, and is sued in her official capacity.

8. The Department of Homeland Security (“DHS”) is the agency of the federal government responsible for enforcing the immigration laws. DHS is also Mr. Murodov’s legal custodian.

9. Respondent Pamela Bondi is the Attorney General of the United States and the head of the U.S. Department of Justice, which encompasses the Board of Immigration Appeals (“BIA”) and immigration courts, known collectively as the Executive Office of Immigration Review (“EOIR”). Ms. Bondi shares responsibility for the implementation and enforcement of immigration laws along with Respondent Noem. Ms. Bondi is a legal custodian of Mr. Murodov. She is sued in her official capacity.

LEGAL FRAMEWORK

10. For non-citizens attempting to enter the United States, the INA provides under 8 U.S.C. § 1225(b)(2)(A) that “in the case of [a non-citizen] who is an applicant from admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained.” “A noncitizen detained under Section 1225(b)(2) may be released only if he is paroled ‘for urgent humanitarian reasons or significant public benefit’ pursuant to 8 U.S.C. § 1182(d)(5)(A).” *Gomes v. Hyde*, 25 Civ. 11571, 2025 WL 1868288, at *2 (D. Mass. July 7, 2025) (quoting *Jennings v. Rodriguez*, 583 U.S. 281, 300 (2018)).

11. In contrast, the Supreme Court has found that “U.S. immigration law authorizes the Government to detain certain [non-citizens] *already in the country* pending the outcome of removal proceedings under §§ 1226(a) and (c).” *Jennings*, 583 U.S. at 288-89.

12. Section 236 of the INA provides in relevant part as follows:

(a) Arrest, Detention, and Release. On a warrant issued by the Attorney General,

an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States. Except as provided in subsection (c) and pending such decision, the Attorney General —

- (1) *may continue to detain the arrested alien; and*
- (2) *may release the alien on—*
 - (A) *bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or*
 - (B) *conditional parole ...*

13. The Supreme Court has interpreted similar “may” language in other provisions of the INA to require “some level of individualized determination.” *I.N.S. v. Nat’l Ctr. For Immigrants’ Rights*, 502 U.S. 183, 194 (1991). The regulation implementing Respondents’ authority to arrest non-citizens present in the United States reads:

“Any officer authorized to issue a warrant of arrest may, in the officer’s discretion, release an alien not described in [8 U.S.C. § 1236(c)(1)] of the Act, under the conditions at section [8 U.S.C. § 1236(a)(2) and (3)]; provided that the alien must demonstrate to the satisfaction of the officer that such release would not pose a danger to property or persons, and that the alien is likely to appear for any future proceeding.”

8 U.S.C. § 1236.1(c)(8).

14. Noncitizens may request a review of an initial custody determination before an Immigration Judge (“IJ”). 8 C.F.R. § 1236.1(d)(1); 8 C.F.R. § 1002.19(a). At this hearing an IJ may make the decision “upon any information that is available to the [Immigration Judge] or that is presented to him or her by the [non-citizen] or the [government].” 8 C.F.R. § 1003.19(d); *see also Matter of Guerra*, 24 I&N Dec. 37, 39 (BIA 2006). Non-citizens may appeal a negative decision in a custody review before an IJ to the Board of Immigration Appeals. 8 C.F.R. § 1236.1(d)(3)(i). The current statutory scheme was created through the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”).

15. For the first time in nearly three decades, Respondents have taken the position through a series of precedential decisions by the Board of Immigration Appeals that non-citizens

residing in the interior of the United States are not entitled to a custody redetermination (a “bond hearing”) before an Immigration Judge.

16. First, in *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025), the BIA held that a non-citizen who had been apprehended at the border and subsequently released into the United States is subject to mandatory detention without a possibility of bail upon re-detention, pursuant to 8 U.S.C. § 1225(b), even if that re-detention occurs years after their initial release from custody. The BIA reasoned that “an applicant for admission who is arrested and detained without a warrant while in the process of arriving in the United States, whether or not at a port of entry, and subsequently placed in removal proceedings is detained under section [1225(b)] [], and is ineligible for any subsequent release on bond under section [1226(a)].” *Q. Li*, 29 I&N Dec. at 74.

17. Then in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), the BIA stated that all non-citizens who are present in the United States without admission are subject to mandatory detention under Section 1225(b), regardless of how long they have been residing in the U.S. and absent any prior interaction with immigration authorities.

FACTS AND PROCEDURAL HISTORY

18. Mr. Murodov is a native of Uzbekistan.

19. On or about May 17, 2023, Mr. Murodov came to the port of entry in San Ysidro, California to seek asylum. Respondents paroled him into the United States.

20. Mr. Murodov was issued a Notice to Appear on May 17, 2023, and he was released on the same day.

21. Mr. Murodov has been settled, living and working in Philadelphia, PA, surrounded by his aunts and uncles, prior to his incarceration.

22. Mr. Murodov timely filed his I-589, Application for Asylum and Withholding of Removal on November 21, 2023 with the Philadelphia Immigration Court.

23. An Individual Hearing was scheduled for Mr. Murodov for April 27, 2027 before the Philadelphia Immigration Court.

24. Upon information and belief, Petitioner regularly complied with and appeared for ICE check-ins.

25. Mr. Murodov was arrested without reason or explanation at regular ICE check-in on January 28, 2026. Without warning, ICE officials took Mr. Murodov into custody, and transported him to FDC, Philadelphia, where he remains detained.

CLAIM FOR RELIEF

COUNT ONE

VIOLATION OF FIFTH AMENDMENT RIGHT TO DUE PROCESS UNDER THE U.S. CONSTITUTION

26. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

27. The Fifth Amendment's Due Process Clause prevents the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V.

28. The Due Process Clause extends to noncitizens residing in the United States, whether they have lawful status or not. *See Mathews v. Diaz*, 426 U.S. 67, 77 (1976); *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

29. Specifically, "[i]t is well established that the Fifth Amendment entitles [non-citizens] to due process of law in deportation proceedings. *Reno v. Flores*, 507 U.S. 292, 306 (1993); *see also Abdulai v. Ashcroft*, 239 F.3d 542, 549 (3d Cir. 2001) ("[Non-citizens] facing

removal are entitled to due process”); *Calderon-Rosas v. Atty’ Gen.*, 957 F.3d 378, 386 (3d Cir. 2020) (“In sum, petitioners seeking discretionary relief are entitled to fundamentally fair removal proceedings, which constitutes a protected interest supporting a due process claim.”).

30. Evaluating the adequacy of the process provided to a non-citizen requires a balancing of factors. “First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.” *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

31. An application of these factors requires that Mr. Murodov should have been provided with additional process before being detained.

COUNT TWO

VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. § 1226(a)

32. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

33. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to grounds of inadmissibility. As, relevant here, it does not apply to those who have been residing in the United States at liberty after being briefly detained at or near the border. Such noncitizens, if detained, are done so under § 1226(a), and are generally eligible for release on bond.

34. Respondents' authority to detain Mr. Murodov is derived from 8 U.S.C. § 1226(a) as Mr. Murodov has been present in the United States for almost three years, before being detained.

35. Respondents have detained Mr. Murodov without making an individualized determination regarding whether he posed a danger or flight risk as required by 8 U.S.C. § 1226(a) and its regulations.

36. Moreover, Respondents' current policies as set forth in the BIA's decisions in *Matter of Q. Li* and *Matter of Yajure Hurtado* unlawfully prevent Mr. Murodov from obtaining a custody redetermination in front of an Immigration Judge as is his right by statute.

COUNT THREE

VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT ("APA"), 5 U.S.C. § 701, *et. seq.*

37. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

38. Mr. Murodov is aggrieved by agency action under the Administrative Procedure Act, 5 U.S.C. §§ 701 *et. seq.* Specifically, Respondents have acted arbitrarily in detaining Mr. Murodov without conducting an individualized determination into his circumstances. In other words, Respondents have not presented any indication that Mr. Murodov's circumstances have changed such that he is now a danger or flight risk.

39. Additionally, Respondents' recent policies announced through administrative decisions issued by the BIA unlawfully withhold the right to a bond hearing under 8 U.S.C. § 1226(a) to Mr. Murodov.

40. These policies are clearly arbitrary, capricious, and not in accordance with the text of the INA.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests this Court grant the following relief:

- (1) Assume Jurisdiction over this matter;
- (2) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody immediately on his own recognizance or under parole, bond or reasonable conditions of supervision, on the ground that his continued detention by the Department of Homeland Security violates his Due Process rights;
- (3) Set aside Respondents' unlawful detention policy contained *Matter of Q. Li* and *Matter of Yajure Hurtado* under the APA, 5 U.S.C. § 706(2), as contrary to law, arbitrary and capricious, and contrary to constitutional right;
- (4) Issue a writ requiring an immediate, constitutionally adequate hearing before an Immigration Judge, at which: (i) DHS bears the burden to demonstrate, by clear and convincing evidence, that Petitioner's continued detention is necessary, and (ii) the immigration judge considers Petitioner's ability to pay a bond.
- (5) While this petition is pending, order Petitioner's immediate release pursuant to the Court's inherent authority to release habeas corpus petitioners on bail;
- (6) Enter a judgment declaring that Respondents' detention of Petitioner is unauthorized by statute and contrary to law and the U.S. Constitution;
- (7) Award Petitioner reasonable costs and attorneys' fees under the Equal Access to Justice Act, and on any other basis justified under the law; and
- (8) Grant any further relief that this Court may deem fit and proper.

Respectfully submitted,

LAW OFFICE OF LILIAN PERELSHTEYN

BY: /s/ Lilian Perelshteyn, Esq.

Lilian Perelshteyn, Esq. (PA Bar 93926)

1800 Byberry Road, Suite 820

Huntingdon Valley, PA 19006

(215) 305-8800

lilian@lilianlaw.com

ATTORNEY FOR PETITIONER

Dated: January 29, 2026

LIST OF EXHIBITS

Ex. A. Bureau of Prisons website and ICE website printouts indicating that
Petitioner is detained at FDC, Philadelphia.

Ex. B. Humanitarian Parole

Ex. C. Asylum Receipt

EXHIBIT A

An official website of the United States government. Here's how you know

[A-Z Topics](#) [Site Map](#) [FOIA](#)

Search bop.gov

- [Home](#)
- [About Us](#)
- [Inmates](#)
- [Locations](#)
- [Careers](#)
- [Business](#)
- [Resources](#)
- [Contact Us](#)

Find an inmate.

Locate the whereabouts of a federal inmate incarcerated from 1982 to the present. Due to the First Step Act, sentences are being reviewed and recalculated to address pending Federal Time Credit changes. As a result, an inmate's release date may not be up-to-date. Website visitors should continue to check back periodically to see if any changes have occurred.

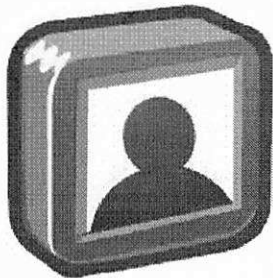
If an individual is listed as "Released" or "Not in BOP Custody" and no facility location is indicated, the inmate is no longer in BOP custody, however, the inmate may still be in the custody of some other correctional/criminal justice system/law enforcement entity, or on parole or supervised release.

Find By Number

Find By Name

1 Result for search **Otabek Murodov**

Clear Form



OTABEK MURODOV

Register Number:

Age: 21
Race: White
Sex: Male

Located at: Philadelphia FDC
Release Date: UNKNOWN

Related Links

- [Facility Information](#)
- [Call or email](#)
- [Send mail/package](#)
- [Send money](#)
- [Visit](#)
- [Voice a concern](#)

[About the inmate locator & record availability](#)

About Us

- [About Our Agency](#)
- [About Our Facilities](#)
- [Historical Information](#)
- [Statistics](#)

Inmates

- [Find an Inmate](#)
- [First Step Act](#)
- [Communications](#)
- [Custody & Care](#)
- [Visiting](#)
- [Report a Concern](#)

Locations

- [List of our Facilities](#)
- [Map of our Locations](#)
- [Search for a Facility](#)

Careers

- [Life at the BOP](#)
- [Explore Opportunities](#)
- [Current Openings](#)
- [Application Process](#)
- [Our Hiring Process](#)

Business

- [Acquisitions](#)
- [Solicitations & Awards](#)
- [Reentry Contracting](#)

Resources

- [Policy & Forms](#)
- [News Stories](#)
- [Press Releases](#)
- [Publications](#)
- [Research & Reports](#)

Resources For ...

- [Victims & Witnesses](#)
- [Employees](#)
- [Volunteers](#)
- [Former Inmates](#)
- [Media Reps](#)



Main Menu

[< BACK TO RESULTS](#)

Facility Page

Detention Information For:

OTABEK MURODOV

Country of Birth: Uzbekistan

A-Number: 

Current Detention Facility:

Philadelphia Federal Detention Center
700 Arch Street
NA
Philadelphia, PA 19106
Visitor Information: (215) 521-4000

[MORE INFORMATION >](#)

ERO Office Information

Family members and legal representatives may be able to obtain additional information about this individual's case by contacting this ERO office:

PHILADELPHIA, PA, DOCKET CONTROL OFFICE
Phone Number: (215) 656-7164

EXHIBIT B

The ability to create and pay for a Provisional I-94 will be unavailable Saturday, January 31, 2026, from 6:00 PM to 11:00 PM Eastern Time.

Official Website of the Department of Homeland Security



U.S. Customs and Border Protection

I-94/I-95 Website
Travel Record for U.S. Visitors

Home

Apply for I-94

Get Most Recent I-94/I-95

View Travel History

View Compliance

Get Most Recent I-94

Get your most recent I-94 form to prove your legal visitor status in the United States

Need Help?

Most Recent I-94

Note to employers, local, state or federal agency granting benefits:

Please visit the CBP I-94/I-95 Website and click on the tab for "Get Most Recent I-94/I-95" to perform a search for the applicant to confirm that the biographic and travel information displayed on this I-94 printout matches the "Get Most Recent I-94/I-95" returned results for this applicant. Reference the [CBP I-94/I-95 Website FAQs](#).

Admission I-94 Record Number: [REDACTED]
Arrival/Issued Date: 2023 May 17
Class of Admission: DT
Admit Until Date: 2024 May 15

Details provided on the I-94 Information form:

Last/Surname: MURODOV
First (Given) Name: OTABEK
Birth Date: [REDACTED]
Document: [REDACTED]
Country of Citizenship: Uzbekistan

Edit Search

Get Traveler History

Print



HELPFUL SITES:

- [CBP Info Center's FAQ about I-94/I-95](#)
- [About CBP](#)
- [Vulnerability Disclosure](#)
- [Guam-CMNI Travel Info](#)

SITE POLICIES:

- [Accessibility](#)
- [Privacy Policy](#)
- [Contact CBP](#)

PAPERWORK REDUCTION ACT:

An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number. The control number for this collection is 1651-0111. The estimated average time to complete this application is 4 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 90 K Street, NE, Washington DC 20229.

Need Help?

OMB No. 1651-0111 Expiration Date: 01/31/2026

EXHIBIT C

EOIR - MURODOV - 595 - Accepted - Applications - RMV

From: eRop@usdoj.gov
To: lilian@lilianlaw.com, lilian@lilianlaw.com
Cc:
Sent: 11/21/2023 11:37:17 PM

The Executive Office for Immigration Review (EOIR) has reviewed and approved your uploaded document. The following document is now included in the electronic Record of Proceedings (eROP):

- eFiled Document Name: I-589 EOIR filing Otabek Murodov.pdf
- Document Category: Applications
- Document Sub Category: I-589, Application for Asylum and for Withholding of Removal
- Uploaded On: 11/21/2023
- Tracking Number: [REDACTED]
- A-Number: [REDACTED]
- Noncitizen Name: MURODOV, OTABEK
- Charging Document Date: 05/17/2023
- Case Type: RMV
- Other Information: N/A

Attorneys/Representatives you may view the documents in the EOIR Case Portal at this link. Please note you will need your User ID and password to access the location.

DHS users you may view the documents in the EOIR DHS Portal at this link.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Otabek Murodov

(b) County of Residence of First Listed Plaintiff Philadelphia County (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Lilian Perelshteyn, Esq. 1800 Byberry Road, Ste. 820 Huntingdon Valley, PA 19006

DEFENDANTS

J.L.JAMISON, BRIAN MCSHANE, TODD LYONS, KRISTI NOEM, U.S.DHS, and PAMELA BONDI

County of Residence of First Listed Defendant Philadelphia (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

US Attorney's Office, Philadelphia, PA

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, 1 1, 2 2, 3 3, 4 4, 5 5, 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. §2241. Brief description of cause: Petition for Writ of Habeas Corpus

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE: Jan 29, 2026 SIGNATURE OF ATTORNEY OF RECORD: /s/ Lilian Perelshteyn, Esq.

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Philadelphia

RELATED CASE IF ANY: Case Number: Judge:

- 1. Does this case involve property included in an earlier numbered suit? Yes
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes
5. Is this case related to an earlier numbered suit even though none of the above categories apply? Yes

I certify that, to the best of my knowledge and belief, the within case is / is not related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Wage and Hour Class Action/Collective Action
6. Patent
7. Copyright/Trademark
8. Employment
9. Labor-Management Relations
10. Civil Rights
11. Habeas Corpus
12. Securities Cases
13. Social Security Review Cases
14. Qui Tam Cases
15. Cases Seeking Systemic Relief *see certification below*
16. All Other Federal Question Cases. (Please specify):

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify):
7. Products Liability
8. All Other Diversity Cases: (Please specify):

I certify that, to the best of my knowledge and belief, that the remedy sought in this case does / does not have implications beyond the parties before the court and does / does not seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

[X] Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of \$150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

[X] None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.