

JUDGE KATHLEEN CARDONE
VERIFIED PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241) PRO SE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED
JAN 29 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY CLERK

Aleksei Krisanov,

A-Number: [REDACTED],
El Paso Processing Center
8915 Montana Ave.
El Paso, TX 79925
Petitioner, Pro Se,

EP 26CV0226

v.

Warden, El Paso Processing Center,
ICE Field Office Director, El Paso,
Secretary of Homeland Security,
Attorney General of the United States,
Respondents.

VERIFIED PETITION FOR WRIT OF HABEAS CORPUS

(28 U.S.C. § 2241)

**UNLAWFUL DETENTION — FINAL IJ ORDER — NO DHS APPEAL
— NO STAY**

I. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody within this District and challenges the legality of his detention.
2. Venue is proper under 28 U.S.C. § 1391(e) because Petitioner is detained at the El Paso Processing Center in El Paso, Texas.

II. PARTIES

3. Petitioner is Aleksei Krisanov, A-Number , currently detained at the El Paso Processing Center.
4. Respondent Warden is Petitioner's immediate custodian.
5. Respondent ICE Field Office Director controls detention decisions.
6. Respondent Secretary of Homeland Security oversees DHS.
7. Respondent Attorney General oversees EOIR and the Board of Immigration Appeals.

III. STATEMENT OF FACTS

8. Petitioner's A-Number is .
9. Petitioner was detained by DHS on April 17, 2025, and transferred to the El Paso Processing Center.
10. On April 23, 2025, the Immigration Court granted a Motion to Reopen, restoring Immigration Judge jurisdiction.
11. On December 10, 2025, the Immigration Judge issued a final merits decision GRANTING relief to Petitioner.
12. EOIR Automated Case Information confirms:
 - a. "The immigration judge GRANTED an application."
 - b. "No appeal was received for this case."
13. The 30-day appeal period expired with no DHS appeal filed.
14. There is no stay of the Immigration Judge's order.
15. There is no BIA jurisdiction.
16. ICE has issued no new custody order, no bond determination, and no custody hearing since the IJ grant.
17. Petitioner has no criminal history and is not subject to mandatory detention under INA § 236(c).
18. DHS background checks confirm Petitioner is not a danger and not a flight risk.
19. Petitioner maintains lawful identification, employment authorization, and full tax compliance.
20. Petitioner owns Alekris Carrier Inc, EIN , confirmed by IRS Letter 147C dated June 27, 2024.
21. Petitioner is the sole financial provider for his spouse and three minor children.
22. Removal is legally impossible while the IJ grant remains final and operative.

23. ICE continues to detain Petitioner without statutory authority.
24. ICE Locator confirms Petitioner is currently In ICE Custody at the El Paso Processing Center.

IV. CLAIMS FOR RELIEF

COUNT I

Detention Without Statutory Authority

(INA § 236; 28 U.S.C. § 2241)

25. ICE lacks authority to detain Petitioner because:
 - a. The Immigration Judge granted relief;
 - b. No DHS appeal exists;
 - c. No stay exists;
 - d. No custody redetermination exists.
26. Continued detention is ultra vires and unlawful.

COUNT II

Fifth Amendment Due Process Violation

27. Continued detention violates substantive and procedural due process.
28. No post-grant custody hearing occurred.
29. No individualized findings justify custody.
30. Government delay alone sustains detention.

COUNT III

Zadvydas / Prolonged Detention

31. There is no foreseeable removal.
32. Detention is indefinite and punitive.
33. Continued custody violates *Zadvydas v. Davis*, 533 U.S. 678 (2001).
- 34.

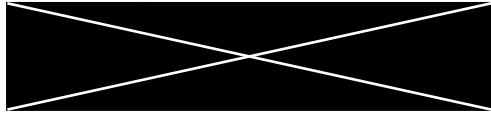
COUNT IV

Failure to Execute Final IJ Order (APA, 5 U.S.C. § 706)

34. DHS failed to execute a final agency order granting relief.
35. DHS action is arbitrary, capricious, and unlawful.

OFFER OF RESIDENCE UPON RELEASE

Upon release from ICE custody, Petitioner will immediately reside at:



Huntington Beach, CA



This address is stable, permanent, and suitable for compliance with all DHS supervision or reporting conditions.

SPONSORSHIP & COMMUNITY TIES CONFIRMATION

Petitioner has lawful community ties and an available sponsor who is a U.S citizen and ready to support him upon release. The following facts are submitted:

- Petitioner possesses valid U.S. government identification
- Petitioner has a stable residential address in California
- Petitioner has established community residence
- Petitioner is not a flight risk
- Petitioner has no criminal history
- Petitioner is willing to comply with all ICE supervision conditions
- Petitioner has a U.S citizen sponsor willing to provide housing and financial support
- Petitioner has a final Immigration Judge grant of relief
- No DHS appeal or stay exists
- Continued detention lacks statutory authority

V. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

- A. Order immediate release from ICE custody;
- B. Alternatively, order an individualized bond hearing within 48 hours with DHS bearing the burden of proof;
- C. Declare that Petitioner's detention is unlawful;
- D. Enjoin Respondents from re-detaining Petitioner absent lawful authority;
- E. Award costs and fees under EAJA;
- F. Grant any further relief the Court deems just.

VI. VERIFICATION

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

Date: 01/20/2026

Signature:  _____

Aleksei Krisanov, Pro Se

A-Number: 

El Paso Processing Center

El Paso, Texas