

UNITED STATES DISTRICT COURT
for the
Northern District of Texas

Jamshid Safi

Petitioner

v.

Daren K Margolin, Warden,

PrairieLand Detention Center

Respondent

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

Case No.

(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: Jamshid Safi
(b) Other names you have used: None
2. Place of confinement:
(a) Name of institution: PrairieLand Detention Center
(b) Address: 1209 Sunflower Lane
Alvarado, TX 76009
(c) Your identification number: A2 [redacted]
3. Are you currently being held on orders by:
[x] 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:
[x] 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)

- 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: **Immigraton and Customs Enforcement, Dallas, TX**

(b) Docket number, case number, or opinion number: **A** 

(c) Decision or action you are challenging (*for disciplinary proceedings, specify the penalties imposed*):

1. The revocation of my parole.

2. My continued detention.

(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: **No appeal permitted.**

8. **Second appeal**

After the first appeal, did you file a second 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 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

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: **I am not a prisoner in custody under a sentence of a court established by an act of Congress**

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

- Yes
- No

If "Yes," provide:

- (a) Date you were taken into immigration custody: **August 21, 2025**
- (b) Date of the removal or reinstatement order: **February 27, 2025**
- (c) Did you file an appeal with the Board of Immigration Appeals?

- Yes
- No

If "Yes," provide:

(1) Date of filing: **March 24, 2025; August 18, 2025; August 22, 2025**

(2) Case number: **A [REDACTED]**

(3) Result: **Appeal Summarily Dismissed**

(4) Date of result: **December 5, 2025**

(5) Issues raised: **Whether the Immigration Judge erred in denying my applications for asylum and cancellation of removal. Whether the notice of appeal of March 24, 2025 was properly filed.**

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

(1) Name of court: **Fifth Circuit Court of Appeals**

(2) Date of filing: **December 10, 2025**

(3) Case number: **25-60676**

(4) Result: **Stay of Removal issued; petition pending.**

(5) Date of result: **Stay issued December 24, 2025.**

(6) Issues raised: **Whether the BIA acted properly when it summarily dismissed my appeal of the decision of the IJ.**

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: **I. The revocation of Mr. Safi's parole without compliance with 8 CFR 241.4(l) requires his immediate release.**

II. The revocation of Mr. Safi's parole deprived him of due process of law.

III. Mr. Safi's detention unlawfully deprives him of liberty because there is no reasonable likelihood that he will be removed in the foreseeable future.

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: I. The revocation of Mr. Safi's parole was contrary to 8 CFR 241.4(l)

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

Mr. Safi parole was revoke either for unknown reasons or because he had a final order of removal. If it was the first it was contrary to the regulatory requirement that he be given notice of the grounds for revocation and an opportunity to respond. If it was the second, it was in error, both because having been issued a final order of removal is not a basis for revocation of parole, and because he in fact did not have such an order.

(b) Did you present Ground One in all appeals that were available to you? N/A (no appeals available).

Yes No

GROUND TWO: The revocation of Mr. Safi's parole deprived him of due process of law.

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

Mr. Safi was not provided any due process of law when his parole was revoked.

(b) Did you present Ground Two in all appeals that were available to you? N/A (no appeals available)

Yes No

GROUND THREE: Mr. Safi is being unlawfully deprived of liberty without due process of law because there is no reasonable likelihood of him being removed in the foreseeable future.

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

The 5th Circuit Court of Appeals has stayed his removal. It is unknown when, if ever, this stay may be lifted.

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

Yes No N/A (no appeal available)

GROUND FOUR:

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

(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: No appeals available.

Request for Relief

15. State exactly what you want the court to do: Mr. Safi should either be released from detention immediately, or the DHS should be required to provide him with a hearing before an impartial decision-maker within 7 days in which the DHS will have the burden of of establishing by clear and convincing evidence that he "would ... pose a danger to the public or a risk of flight, without regard to the likelihood of the alien's removal in the reasonably foreseeable future". If this cannot be established, then he should be released in accordance with 8 C.F.R. § 241.13(b)(1).

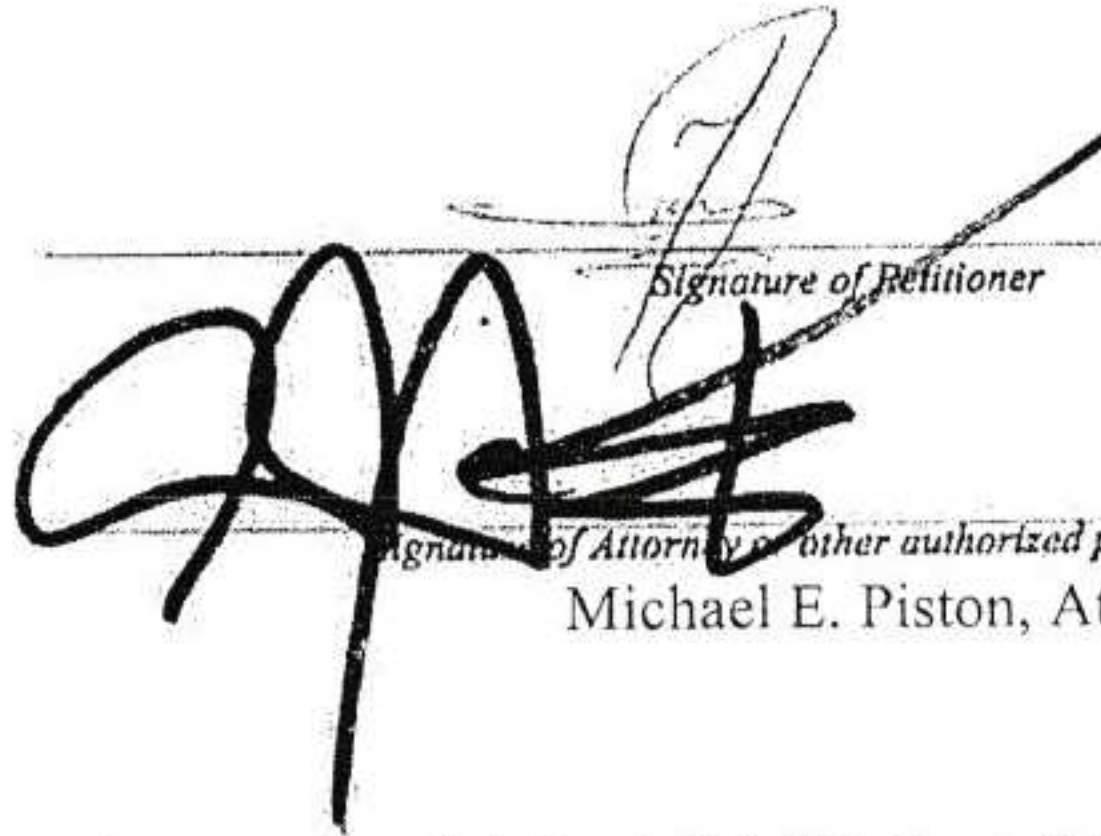
AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

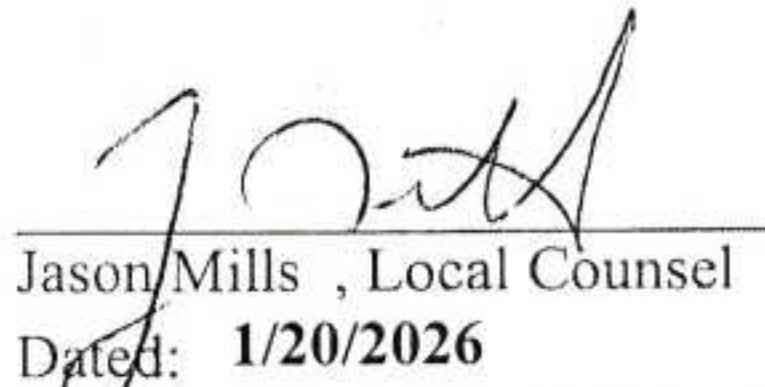
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:
I did not 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: 01-03-2026
01-06-2026


Signature of Petitioner


Jason Mills, Local Counsel
Dated: 1/20/2026

Signature of Attorney or other authorized person, if any
Michael E. Piston, Attorney for Respondent

I am competent in English and Pashto, a language in which Jamshid Safi is fluent. I have read the foregoing to him in Pashto and he told me he understand and agrees with it.

Signed: 
Name: Muhammad Bahr e Alam
Dated" 01/03/2026