

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

UNITED STATES DISTRICT COURT

for the
Southern District of Georgia

FILED
U.S. DISTRICT COURT
FEB 4 10:36

MM

Akhmed Tatarashvili

Petitioner

v.

Warden, D. Ray James ICE Processing Center

Respondent

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

CV 526-151

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: Akhmed Tatarashvili
- (b) Other names you have used: N/A
2. Place of confinement:
 - (a) Name of institution: D. Ray James ICE Processing Center
 - (b) Address: 3262 Highway 252, Folkston, GA 31537
- (c) Your identification number: [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): _____

Filing Fee Pd. #40003052


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: custody at D. Ray James ICE Processing Center, Folkston, GA; U.S. Immigration and Customs Enforcement (ICE), Atlanta Field Office
 - (b) Docket number, case number, or opinion number: 
 - (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
The prolonged civil immigration detention of the detainee, and has continued for more than six months without any bond hearing or meaningful custody review.
 - (d) Date of the decision or action: 06/01/2025

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: _____
There is no meaningful administrative remedy to challenge my prolonged ICE detention. Only this Court can provide relief from my continued custody.

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: _____

No second administrative appeal is available to challenge my prolonged immigration detention.

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: _____

No third administrative level exists for reviewing my continued ICE detention.

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: 06/01/2025
- (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: _____
- _____
- _____
- _____

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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: Fourth and Fifth Amendments (Detention is unlawful)

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 Do not cite cases or law.):*

The detainee was taken into ICE custody on June 1, 2025, and has remained detained for over six months. He has not received a bond hearing, nor has any officer reviewed whether his continued detention is justified. His prolonged confinement has no clear end date, even though this is civil detention, not criminal punishment. The failure to provide a custody hearing or meaningful review violates the fundamental constitutional protections against unreasonable seizure and deprivation of liberty without due process.

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

Yes No

GROUND TWO: Serious medical condition ignored (dental neglect)

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

The detainee has three seriously damaged teeth, which cause him constant and severe pain and interfere with his ability to eat properly. Since early September 2025, he has repeatedly requested dental appointments, as there is no dentist at the detention center, but his requests have been ignored. When his face swelled, he was prescribed antibiotics and told the tooth would be removed, but the removal never took place. He continues to experience pain and can only eat soft foods.

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

Yes No

GROUND THREE: No criminal history; arbitrary detention of a law-abiding person

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

The detainee crossed the U.S. border on December 26, 2022 and was released from border custody after screening by immigration authorities, confirming that he was not considered a security or flight risk. From his release until ICE detained him on June 1, 2025, he lived in the community without any arrests, charges, or criminal activity and complied with all immigration requirements. ICE has provided no individualized or factual justification for his detention, making his continued confinement arbitrary and unsupported by facts.

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

Yes No

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GROUND FOUR: Family hardship (wife and children depend on him)

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

The detainee's wife and children reside freely in the United States and require his presence for their well-being and financial security. His prolonged and unnecessary detention deprives them of essential family support. Keeping a father and husband in civil detention, without evidence that detention is necessary, inflicts avoidable harm on innocent family members and serves no legitimate purpose.

(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:

Request for Relief

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

- 1. An immediate bond hearing;
- 2. Or release under supervision;
- 3. Or release on bond;
- 4. Any other relief the Court finds just and proper to remedy unlawful prolonged detention and medical neglect.

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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: 01/31/26

A handwritten signature in black ink, appearing to read "Ruse" over "epine", written over a horizontal line.

Signature of Petitioner

A handwritten signature in black ink, appearing to read "Beu", written over a horizontal line.

Signature of Attorney or other authorized person, if any

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