

FEB 4 2026 AM 11:00 84

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

SUNNY EJENG ARIKPO

A 

Petitioner, Pro Se,

v.

Civil Action No. 1:26-cv-048-H

Respondents;

WARDEN, BLUEBONNET DETENTION CENTER;

DIRECTOR, IMMIGRATION AND CUSTOMS ENFORCEMENT
DALLAS FIELD OFFICE;

SECRETARY, DEPARTMENT OF HOMELAND SECURITY.

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

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



INTRODUCTION

1. I, **SUNNY EJENG ARIKPO**, respectfully file this Petition for a **Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241**, challenging my prolonged and unconstitutional civil immigration detention.
2. I have been **detained by Immigration and Customs Enforcement ("ICE") for more than eleven (11) months** without a constitutionally adequate custody determination, without consideration of less restrictive alternatives and without meaningful procedural protections required by the Fifth Amendment Due Process Clause.
3. Although immigration detention is civil, not criminal, the Supreme Court has made clear that civil detention may not become **indefinite or punitive**.
4. I file this petition **pro se** because I have been detained with **no access to income** as such I **cannot retain counsel** for this Writ of Habeas Corpus and, I have **exhausted reasonable patience** with lower tribunals that have failed to provide timely or meaningful review.
5. I submit this petition with a sound and clear mind, respectfully seeking fairness, equity and justice where continued detention has exceeded constitutional limits.
6. I ask that the Court construe this **filing liberally** as required for **pro se litigants**.

JURISTITION AND VENUE

7. This Court has jurisdiction under **28 U.S.C. § 2241** because I am in federal custody in violation of the Constitution.
8. Venue is proper in the **Northern District of Texas** because I am detained at **Bluebonnet Detention Center in Anson, Texas** within this District, and my detention is controlled by the **ICE Dallas Field Office**.

PARTIES

9. I am Sunny Ejeng Arikpo, date of birth  A-Number 
10. The respondents include:
 - a. **Warden, Bluebonnet Detention Center**, my immediate custodian;
 - b. **Director, ICE Dallas Field Office**, authority over custody determinations;
 - c. **Secretary, Department of Homeland Security**, ultimate authority over ICE detention operations.

FACTUAL AND PROCEDURAL BACKGROUND

11. I have been continuously detained since **February 6, 2025**.

12. My detention is based on:

- a. A **visa over stay, a civil immigration violation**; which happened because I was married to a U.S. citizen and abused by her, thereby leading to denial of I-130 petition filed in 2017.
- b. A **single pending DUI charge**, for which I have not been convicted. ICE **has relied on this charge to punish me** despite multiple request sent on detention facility messaging system to consider an alternative to detention.

13. In April 2025, an Immigration Judge denied bond, asserting danger to the community.

During that bond hearing:

- a. I was **NOT permitted to testify**;
- b. **No clear-and-convincing-evidence standard was applied**;
- c. **The proceeding lacked meaningful individualized assessment**.

14. A **subsequent bond request was denied without a hearing**;

- a. The Immigration Judge stated that I have not shown evidence of change or rehabilitation despite submitting certificate completed recovery program available at the facility.
- b. The Immigration Judge insisted she had made her decision during the first bond hearing and didn't want to hear anymore, effectively foreclosing any meaningful custody review.

15. I timely appealed the bond denial to the Board of Immigration Appeal (BIA) through my removal proceedings counsel.

- a. The appeal has been pending for **over 180 days**;
- b. The **DHS did not submit a brief for the bond denial appeal** within the stipulated timeframe.
- c. Multiple detainees housed with me at Bluebonnet Detention Center – who filed appeals later – **have received decisions on their case**.
- d. I remain detained without explanation for the delay.

PROLONGED DETENTION IN VIOLATION OF DUE PROCESS

16. I am detained under **8 U.S.C § 1226(a)**, which authorizes discretionary detention but does not permit indefinite detention without constitutional safeguards.

17. After more than eleven (11) months, **my detention is no longer reasonably related to its civil purpose and has become indefinite and punitive**.

FAILURE TO CONSIDER ALTERNATIVES TO DETENTION (ATD)

18. ICE and DHS possess well-established Alternatives to Detention, including supervision, regular reporting, GPS monitoring, ISAP enrollment, and community-based oversight.

19. Despite my **eligibility for two (2) reliefs and strong community ties**, ICE has chosen the most restrictive option – continued incarceration – without justification.

INTERFERENCE WITH STATUSTORY IMMIGRATION RELIEF

20. I am pursuing lawful statutory relief, including:

- a. I-130 family-based relief under **8 U.S.C § 1154(a)**; and
- b. VAWA Cancellation Removal (Special Rule) under **8 U.S.C § 1229b(b)(2)**.

21. Prolonged detention materially interferes with my ability to pursue these congressionally authorized remedies particularly where:

- a. Gathering **ALL** the evidence that supports the **VAWA Cancellation Removal (Special Rule) under 8 U.S.C § 1229b(b)(2)** has become impossible and undermines fairness.

- b. **My I-130 petition cannot currently be adjudicated** because I am a national of Nigeria, a country designated under **Presidential Proclamation 10949** as a high-risk country subject to heightened scrutiny.

22. On December 2, 2025 USCIS issued Policy Memorandum **PM-602-0192**, titled:

“Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries.”

23. This policy memorandum directs USCIS to **place an adjudicative hold on all pending benefit requests** filed by nationals of countries listed in **Presidential Proclamation 10949**, regardless of date of entry, while a comprehensive national-security review is conducted.

24. My I-130 family-based relief under **8 U.S.C § 1154(a)** filed with the USCIS has been placed on **adjudicative hold due to Nigeria designation as high risk country**.

25. On December 5, 2025 the USCIS updated the status of my I-130 petition to:

“Case Is Still Being Processed By USCIS.”

26. USCIS has stated that:

The hold applies agency-wide;

- a. Adjudications are paused pending individualized, case-by-case security assessments;
 - b. Additional scrutiny is required, including interviews that may not be waived.
27. USCIS has explained that this process is undertaken pursuant to DHS Delegation of Authority 0150.1 (June 5, 2003), which authorizes investigation on benefit requests for national security and public safety purposes.
28. As a result, **my I-130 petition is administratively stalled through no fault of my own, a no definitive adjudication timeline exists.**
29. Continued detention while **USCIS has formally paused adjudication renders my confinement indefinite and unreasonable**, particularly where DHS simultaneously argues that I must remain detained pending resolution of relief that the government itself has placed on hold.
30. Detention under these circumstance violates due process because:
- a. **Removal is not imminent;**
 - b. **Relief adjudication is delayed by government policy;**
 - c. **I am deprived of liberty based on speculative timelines outside my control.**

CONDITIONS OF CONFINEMENT AND MEDICAL NEGLECT

31. Since detention, I have suffered respiratory problem (which occasionally makes it difficult for me to breath) and skin conditions that have been inadequately treated despite repeated medical requests.

- a. For about nine months I have been on Loratadine 10MG TAB – a medication for allergies but the allergy and respiratory condition has not improved.
- b. Between June to August of 2025 I suffered laceration (which the medical department assumed was an **insect bite** and also suggested it was an **infected hair follicle** on my right thigh which got infected as a result of poor treatment despite constantly reminding the medical department of the severity of pain I was enduring.

After **repeatedly writing grievances** on facility messaging system about medical neglect while custody and feared dying in detention, I was then transported to Hendrix Medical Center in Abilene, TX for a shot. I was **placed on different antibiotics** during this time and then probiotics which created stomach upset for days.

- c. I recently had an X-ray of my back and chest because I am **currently enduring severe pain in my upper part of my spine** thereby affecting my breathing and as a **6ft 7inches tall** and **almost 308lbs** in weight, I have had to squeeze into the bunk bed for over 11 months thereby **spraining my back, upper spine and lower waist** leading to **worsening physical health**.
- d. **Prior to my detention I did not have these medical conditions** but now I am constantly on **Tylenol and Ibuprofen** which only temporarily reliefs the pain.

FAMILY HARDSHIP AND COMMUNITY TIES

- 32. **My daughter has autism and depends on me emotionally and financially.** My absence has been felt because she has been looking for me and rushes to answer her mother's phone whenever it rings believing I am the caller.
- 33. **The mother of my daughter suffers from post-military mental health conditions and cannot work.** Since my detention, **she has relied on friends or family support** and this has **caused her to denunciate me of forsaking our daughter.**
- 34. **My wife suffers Stage IV endometriosis and fibroids requiring ongoing medical treatment – due to my absence she continue postponing medical procedures** because there is no one to care for her post-surgery since her family live in California.
- 35. I have strong community that support me and I respect; including my church community **Emmanuel Pentecostal Church Mesquite, TX, Project Management Institution (PMI) Dallas Chapter and ServiceNow Professional Community** all of which provides **accountability, demonstrate stability, supervision and deep roots in the community.**
- 36. I own a managed service provider agency where I host and manage web development projects for **U.S. businesses hosted on webserver**, these businesses have been affected by my detention.
 - a. My attempts to migrate these websites to a different web server has failed.
 - b. These businesses may **initiate legal actions against me** for loss of income, request refund and compensation due to delay and breach of contract **which will cause irreparable loss and damages to my health, finances and career.**

PUNITIVE NATURE OF DETENTION

Civil detention may not be used as punishment. My continued detention amounts to punishment without conviction.

- a) My continued detention sets me up for failure, where I am unable to submit **ALL** the evidence necessary to support my VAWA Cancellation Removal (Special Rule) under **8 U.S.C § 1229b(b)(2)**.
- b) Based on USCIS Policy Memorandum **PM-602-0192** issued on December 2, 2025 it is unlikely that the USCIS will adjudicate my I-130 by February 25, 2026; a date set by the Immigration Judge for my Individual hearing even though I have emphasized multiple times that my **I-130 petition is the primary form of relief**.
- c) DHS/ICE insist I will remain detained until my case is adjudicated.

RELIEF REQUESTED

I respectfully request that this Honorable Court:


- A. **Grant the Writ of Habeas Corpus** and order my immediate release from ICE custody;
- B. In the alternative **order a prompt, meaningful and constitutionally adequate bond hearing**, to be **scheduled and conducted** before my final merits hearing (scheduled for February 25, 2026).
- C. Require DHS/ICE to **bear the burden of proof**, by **clear and convincing evidence**, to demonstrate that I am a **danger to the public** and a **flight risk**;
- D. Require DHS/ICE to **consider and implement appropriate alternatives to detention**, including **supervision, reporting, GPS monitoring, ISAP enrollment or other non-custodial conditions**;
- E. Order that I be permitted to continue all immigration court hearings and fully comply with ALL Court requirements from outside detention.
- F. Enjoin ICE from **transferring me to another detention facility during the pendency of this action** and;
- G. **Grant such other and further relief as the court deems just and proper.**

VERIFICATION

I, Sunny Ejeng Arikpo declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of January 2026.



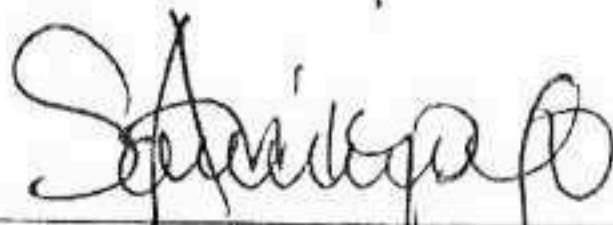
Sunny Ejeng Arikpo
A-
Bluebonnet Detention Center
Anson, Texas

CERTIFICATE OF SERVICE


I certify that on this 23rd day of January, 2026, I served a copy of this Petition by U.S. Mail on:

United States Attorney's Office
Northern District of Texas - Abilene Division
500 Chestnut Street, Suite 601
Abilene, TX 79602

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor (OPLA)
Dallas Field Office
8101 N. Stemmons Freeway
Dallas, TX 75247



Sunny Eiena Arikpo

A 
Bluebonnet Detention Center
Anson, Texas

COVER LETTER

Clerk of Court
U.S. District Court
Northern District of Texas – Abilene Division
341 Pine Street, Room 2008
Abilene, TX 79601


Dear Clerk,

Enclosed, please find my petition for Writ of Habeas Corpus under U.S.C § 2241, Motion to Expedite Review, Supporting Documents and Declaration.

Also enclosed is additional copy of this Petition for Writ of Habeas Corpus. I humbly request that this court return me a stamped copy for my record purpose.

I have been detained since February 06, 2025 and proceeding Pro Se.

Respectfully submitted.

Sunny Arikpo
A 
Bluebonnet Detention Center
400 2nd Street
Anson, TX 79501

