

1182(a)(6)(A)(i); and as an immigrant who, at the time of application for admission, was not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card or other valid entry document, and a valid unexpired passport, or other suitable travel document, pursuant to section 212(a)(7)(A)(i) of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1182(a)(7)(A)(i).

On April 26, 2023, Mr. Green was released on parole under INA Section 212(d)(5), 8 U.S.C. § 1182(d)(5) for a period of one year. On an unknown date on or after November 18, 2023 (the date of the NTA), removal proceedings were commenced against Petitioner in the Philadelphia Immigration Court.

As a condition of release, Mr. Green was required to report periodically to Immigration and Customs Enforcement (“ICE”) for scheduled check-ins, all of which they attended.

On February 5, 2026, Mr. Green appeared for a routine ICE check-in. At that time, ICE officers took him into custody without prior notice and transferred him to the Federal Detention Center in Philadelphia, PA, where he remains detained.

On February 6, 2026 he was told he was being transported to Moshannon Valley processing Center. At 8:19 a.m. however, he was still able to call family from the Philadelphia Federal Detention center. As of approximately 9:00 am the Bureau of Prisons Inmate Locator showed him as present in Philadelphia. At the same time, the Immigration and Customs Enforcement (ICE) Detainee Locator showed him as present at Moshannon Valley Processing Center, a physical impossibility.

Mr. Green files this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2241, asserting that his continued detention violates the Due Process Clause of the Fifth Amendment.

His detention also violates the Immigration and Nationality Act (“INA”) and the Administrative Procedure Act (“APA”), 5 U.S.C §706.

Absent intervention by this Court, Mr. Green will remain detained without an opportunity for individualized custody review by an Immigration Judge. This is because the Board of Immigration Appeals decision in Matter of Yajure Hurtado, 29 I&N Dec. 216, (BIA 2025), approved a new DHS Policy interpreting INA 235(b)(2)(A), 8 USC 1225(b)(2)(A), to apply to noncitizens who entered without admission or inspection, thereby subjecting them to mandatory detention and rendering them ineligible for release on bond.

As applied to Mr. Green – who was previously released under INA 236(a), complied with all conditions of release, and has a pending asylum application – this policy results in arbitrary detention, without individualized assessment, in violation of the Due Process Clause and governing statutes.

JURISDICTION

1. This action arises under the Constitution and the laws of the United States, including the Due Process Clause of the Fifth Amendment, the Suspension Clause of the Constitution, Immigration and Nationality Act (“INA”), and the Administrative Procedures Act (“APA”). This court has subject matter jurisdiction pursuant to 28 U.S.C. §2241 because Petitioner is in federal custody within this judicial district and challenges the legality of that custody. The Court also has jurisdiction under 28 U.S.C. §1331, as this action presents question of federal law.

2. This Court may grant relief under the federal habeas corpus statutes, 28 U.S.C. §2241 *et seq.*, the Declaratory Judgement Act, 28 U.S.C. §2201 and the All Writs Act, 28 U.S.C §1651. Petitioner seeks relief from unlawful detention, which falls squarely within the

core purpose of the writ of habeas corpus. Preiser v. Rodriguez, 411 U.S. 475, 484 (1973) (“the essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and... the traditional function of the writ is to secure release from illegal custody.”)

3. Petitioner seeks release from detention or, in the alternative, an order requiring the Government to provide a constitutionally adequate bond hearing before an Immigration Judge.

4. Petitioner is currently detained at the Federal Detention Center (“FDC”) in Philadelphia, Pennsylvania, within this Court’s jurisdiction. See Trump v. J.G.G. 604 U.S. 670, 671 (2025) (“For ‘core habeas petitions,’ ‘jurisdiction lies in only one district: the district of confinement.’”)

5. ICE has unilateral authority to transfer Petitioner at any time, which would risk divesting this Court of jurisdiction and frustrate meaningful habeas review. Accordingly, Petitioner respectfully requests that this Court issue an Order to Show Cause forthwith directing Respondents to immediately justify the legal and factual basis for Petitioner’s detention. 28 U.S.C. §2243. Petitioner further requests interim injunctive relief under the All Writs Act prohibiting Respondents from transferring Petitioner outside the Eastern District of Pennsylvania while this habeas action is pending. See 28 U.S.C. §1651(a). Such relief is necessary to preserve this Court’s jurisdiction, prevent irreparable harm and ensure that the writ of habeas corpus remains an effective remedy. See 28 USC §§2241, 1651(a)

6. To the extent Respondents argue, as they have in similar recent detention cases, that 8 U.S.C. §§ 1252(a)(2)(B)(ii), 1252(b)(9), and 1252(g) strip this Court of jurisdiction to adjudicate this habeas petition, those arguments have been repeatedly rejected by district courts within the Third Circuit. See Centeno v. Lowe, No. 3:25-CV-2518 (M.D. Pa. January 13,

2026) (Munly, J)(citing Vadel v. Lowe, No. 3:25-CV-02452 at *3 (M.D. Pa. Dec. 31, 2025) (Mehalchick, J.); Samassa v. Lowe, No. 1 :25-CV-02197 at *1 (M .D. Pa. Dec. 17, 2025) (Brann, C.J.); Quispe v. Rose, No. 3:25-CV-02276 at *3 (M .D. Pa. Dec. 10, 2025) (Mehalchick, J.); Patel v. O'Neil, No. 3:25-CV-2185 at *4, n.7 (M.D. Pa. Dec. 8, 2025) (Mariani, J.); Santana-Rivas v. Warden of Clinton Cnty. Corr. Facility, No. 3:25-CV-01896 at *7 (M.D. Pa. Nov. 13, 2025) (Camoni, M.J.), report and recommendation adopted in part, rejected in part, No. 3:25-CV-01896 (M .D. Pa. Dec. 8, 2025) (Wilson, J.) (adopting jurisdiction section of the R&R). Courts within this District have likewise rejected Respondents' jurisdiction-stripping arguments in materially identical habeas challenges to immigration detention. See e.g., Khodjaev v. Rose, No. 26-69 at *2 (E.D. Pa. Jan. 9, 2026) (Brody, J.) (citing Demirel v. Fed . Det. Ctr. Philadelphia, No. 25-5488 at *2- 3 (E.D. Pa. Nov. 18, 2025) (Diamond, J.); Cantu-Cortes v. O'Neill, No. 25-CV-6338 at *1 (E.D. Pa. Nov. 13, 2025) (Kenney, J.); Kashranov v. Jamison, No. 2:25-CV05555-JDW at *3-4 (E.D. Pa. Nov. 14, 2025) (Walson, J.)); Hussain v. O'Neill, No. CV 26-35-KSM at *1- 3 (E.D. Pa. Jan. 8, 2026) (Marston, J.) ("While the year has changed , immigration enforcement in this District appears to have stayed the same."); Kobilov, v. O'Neill, No. CV 26-0058 at *3 (E.D. Pa. Jan. 8, 2026) (Rufe, J.); Morocho v. Jamison, No. 5:25-CV-05930-JMG at *2 (E.D. Pa. Nov. 26, 2025) (Gallagher, J); Del Cid v. Bondi, No. 3:25-CV-00304 at *12 (W.D. Pa. Oct. 23, 2025) (Haines, J.)).

VENUE

7. Venue is proper because Petitioner is detained at the Federal Detention Center ("FDC") in Philadelphia, Pennsylvania, which is within this Court's jurisdiction. 28 U.S.C. §2241(d). Venue is also proper in this District because Respondents include officers or

employees of the United States acting in their official capacity and agencies of the United States and a substantial part of the event giving rise to the claim occurred in this District. 28 U.S.C. §1391(e)(1).

PARTIES

8. Petitioner, Andray Codane Green, is a native and citizen of Jamaica seeking asylum relief in the United States. Petitioner is currently detained at the FDC in Philadelphia, Pennsylvania, and within the area of the Eastern District of Pennsylvania under the direct control of Respondents and their agents.

9. Respondent, J.L. Jamison, is the Warden of FDC, Philadelphia. The FDC has contracted with ICE to serve as detention facility for individuals suspected of and/or alleged to be in violation of immigration laws. Respondent Jamison has physical custody of Petitioner and is a legal custodian of Petitioner.

10. Respondent, Brian McShane, is the Acting Philadelphia Field Office Director for ICE Enforcement and Removal Operations (“ERO”). In this capacity, he is responsible for local custody, detention and transfer decisions of noncitizens, including Petitioner, who are suspected of or alleged to be in violation of immigration laws. As such, he is a legal custodian of Petitioner and has authority to release Petitioner from custody.

11. Respondent Todd Lyons is the Acting Director of ICE. In this capacity he is responsible for national policies regarding the implementation and enforcement of the Immigration and Nationality Act (“INA”). He has authority over Respondent McShane and the Philadelphia ICE ERO office, the agency responsible for ordering Petitioner’s continued detention and custody. As such, Respondent Lyons is a legal custodian of Petitioner.

12. Respondent Kristi Noem is the Secretary of the Department of Homeland

Security (“DHS”) and is responsible for policies to implement and enforce the INA. She has authority over all component agencies of DHS, including ICE – the agency responsible for the continued detention and custody of Petitioner. As such, Respondent Noem is a legal custodian of Petitioner.

13. Respondent Pamela Bondi is the Attorney General of the United States and the head of the U.S. Department of Justice. In her capacity, she has authority to oversee the Executive Office of Immigration Review (“EOIR”), which includes the immigration courts and Board of Immigration Appeals (“BIA”), and to supervise the interpretation and application of immigration law by the EOIR. Respondent Bondi is a legal custodian of Petitioner

14. Respondent U.S. Immigration Customs Enforcement is the federal agency responsible for carrying out the arrest, detention and custody of noncitizens suspected and/or alleged to be in violation of immigration laws.

15. Respondent U.S. Department of Homeland Security is the federal agency that has authority over the component agencies of DHS, including ICE – the agency responsible for the continued detention and custody of Petitioner.

FACTUAL BACKGROUND

16. Petitioner is a citizen and national of Jamaica.

17. Mr. Green has sought ASYLUM protection in the United States. Mr. Green married his U.S. Citizen spouse and was paroled pursuant to 8 U.S.C. § 1182(d)(5), and has no other grounds of inadmissibility that are not automatically waived for spouses of U.S. Citizens, and as such, is facially eligible to adjust status to a lawful permanent resident through a Family petition. However, for people in ICE custody, such family petitions can be pending for more than a year, whereas they are often quickly adjudicated for non-detained spouses of U.S. Citizens

18. Mr. Green was apprehended by immigration authorities and served with a Notice to Appear alleging that he was present in the United States without admission or parole in violation of 8 U.S.C. §1182(a)(6)(A)(i) and 8 U.S.C. §1182(a)(7)(A)(i). Mr. Green was released from detention on or about April 26, 2023 pursuant to a one-year parole under 8 U.S.C. §1182(d)(5). On or after April 18, 2023, a Notice to Appear were filed with the Philadelphia Immigration Court and removal proceedings were commenced against Mr. Green.

19. On information and belief, Petitioner timely filed a Form I-589 Application for Asylum and Withholding of Removal, seeking asylum, withholding of removal and protection under the Convention against Torture.

20. Following his parole, Petitioner began residing in Philadelphia County, Pennsylvania. His wife is a U.S. Citizen. Petitioner obtained employment authorization and is currently lawfully employment. On information from his wife, Mr. Green has never been arrested or convicted of any criminal offense.

21. Petitioner has appeared at all required immigration court hearings in connection with his ongoing removal proceedings and applications for relief. As a condition of release, Petitioner was enrolled in the Case Management and Appearance Program (“CART”) and required to attend periodic check-ins with ICE. On information and belief, Petitioner fully complied with all conditions of release and attended every required ICE check-in.

22. On February 5, 2026, Petitioner appeared for his ICE check-in. At that time, without prior notice or explanation, ICE officers took Petitioner into custody and transported him to FDC in Philadelphia, Pennsylvania. Petitioner remains detained there and within the Eastern District of Pennsylvania.

LEGAL FRAMEWORK

23. The Immigration and Nationality Act, 8 U.S.C. §§1225 and 1226, divide noncitizens into two categories: those seeking admission to the United States and those already present in the country, and sets forth the rules governing processing and detention for each group. See Maldonado Bautista v. Santacruz, No. 5:25-CV-01873 (C.D. Cal. July 23, 2025)(quoting Jennings v. Rodriguez, 583 U.S. 281, 289 (2018)). As explained by the Supreme Court, Section 1225(b) governs detention of noncitizens seeking admission and authorizes the Government to detain them during processing. Id.

24. Section 1226, by contrast, governs noncitizens already in the United States and authorizes the Government to apprehend and detain such individuals pending the outcome of removal proceedings. INA §236(a), 8 U.S.C. §1226(a); Jennings, 582 U.S. at 288-89. Section 1226(a) is distinct because noncitizens detained under its provisions are entitled to a bond hearing at the outset of detention. See 8 C.F.R. §236.1(d)(1); Jennings 583 U.S. at 306. A detainee who demonstrates that he or she is not a “threat to national security, a danger to the community at large, likely to abscond or otherwise a poor bail risk” merits release on bond. Matter of Guerra, 24 I&N Dec. 37, 40 (BIA 2006) (citing Matter of Patel, 15 I&N Dec 666 (BIA1976)).

25. Petitioner was not arriving in the US at the time of detention on February 5, 2026. He had been present in the United States for nearly three years and had previously been released on parole. The Supreme Court has said that the government, in its discretionary authority, under Section 1226(a) may detain noncitizens ‘already in the country pending the outcome of removal proceedings.’ That discretionary authority was exercised when the government initially released Petitioner on parole. See Demirel v. DHS, No. 25-5488 at p. 8

(E.D. Pa. Nov. 18, 2025) (Diamond, J.) (noting that Petitioner in that case was released on an Order of Recognizance pursuant to the government's 236(a) discretionary authority).

26. Until recently, DHS applied Section 1226(a) bond eligibility to the majority of noncitizens alleged to be present without proper admission or parole. However, a new DHS policy now maintains that anyone present without admission is subject to mandatory detention pursuant to Section 1225(b)(2)(A). This policy was upheld by the Board of Immigration Appeals in Matter of Yajure-Hurtado, 29 I&N Dec. 216, (BIA 2025). As a result, Immigration Judges are unable to consider bond requests filed by Petitioners. Because relief from detention is rendered futile by the BIA's binding precedent, exhaustion of administrative remedies is not required. United States v. Dohou, 948 F.3d 621, 628 (3d Cir. 2020) (exhaustion is not required when it would be futile).

27. Information available indicates that DHS's new policy is the sole reason for Petitioner's current detention. Yet, "every district court in the Third Circuit to consider this issue has found that detainees similarly situated are not subject to the mandatory detention provision of 8 U.S.C. §1225(b)(2)(A) and that Respondents' interpretation of the INA is wrong." Patel v. O'Neil No. 3:25-CV-2185 at p. 4, n. 7 (M.D. PA Dec. 8, 2025). Specifically, the Honorable Paul Diamond of the Eastern District of Pennsylvania has noted that in 282 decisions addressing this issue, courts consistently rejected this interpretation. See Demirel No. 25-5488 at p. 1. Including Demirel, three cases from the Eastern District have concluded that Section 1226, not Section 1225, governs and that the petitioner is entitled to a bond hearing. Id. Under the circumstances, the BIA's interpretation is entitled to little deference. See JSHM v. Wofford, No. 12 CV01309 at p. 16 (E.D. Cal October 16, 2025)(citing Loper Bright Enters. v. Raimondo, 603 U.S. 369, 400 (2024))

COUNT ONE

**Violation of Fifth Amendment Right to Substantive Due Process
(Unlawful detention without opportunity for individualized custody determination
or bond hearing)**

28. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

29. Noncitizens who are physically present in the United States are entitled to the protections of the Due Process Clause, regardless of their immigration status. Zadvydas v. Davis, 533 U.S. 678, 693.

30. Under the Due Process Clause, once an individual has been released from custody, that individual “has a protected liberty interest in remaining out of custody.” See ISHM v. Wofford, No. 12 CV01309 at p. 11 (E.D. Cal October 16, 2025); see also Young v. Harper, 520 U.S. 143 (1997) (addressing nature of interest of a parolee in continued liberty). “Just as people on parole, preparole and probation status have a liberty interest, so too does [a noncitizen released from immigration detention] have a liberty interest in remaining out of custody on bond.” Ortega v. Bonnar, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019)(citing Morrissey v. Brewer, 408 U.S. 471, 482 (1972)).

31. In recognition of this protected liberty interest, courts have held “nonpunitive detention violates the constitution unless it is strictly limited [and accompanied by] a prompt individualized hearing before a neutral decision maker to ensure that the imprisonment serves government legitimate goals. Padilla v. ICE, No. 19-35565 at p. 16 (9th Cir. 2019)(citing United States v. Salerno, 481 U.S. 739, 750-51 (1987)); Zadvydas v. Davis, 533 U.S. 678 (2001) (“government detention violates [the Due Process Clause] unless the detention is ordered in a *criminal* proceeding with adequate procedural protections..., or, in certain special and ‘narrow’

nonpunitive ‘circumstances,’ ...where a special justification ... outweighs the ‘individual’s constitutionally protected interest in avoiding physical restraint”).

32. Here, Petitioner was previously released on an humanitarian parole pursuant to INA 212(d)(5) after having entered without inspection on March 21, 2023 a day before he was apprehended on March 22, 2023, thereby creating a protected liberty interest in remaining free from detention. See also JSHM v. Wofford, No. 12 CV01309 at p. 21 (finding a protected liberty interest arose once Petitioner was released on an Order of Recognizance). The Court must therefore evaluate the constitutionality of Petitioner’s re-detention under the Mathews v. Eldridge framework, which considers: (1) the private interest affected; (2) the risk of erroneous deprivation under the procedures used; and (3) the Government’s interest. Mathews v. Eldridge, 424 U.S. 319, 335 (1976).

33. Each factor weighs in Petitioner’s favor. First, Petitioner’s private liberty interest – his freedom from confinement – “lies at the heart of the liberty” protected by the Due Process Clause. Zadvydas, 533 U.S. at 690. Moreover, while free, Petitioner obtained employment authorization, secured lawful employment, resided with his wife, and established ties to his community. Detention, therefore, severely disrupts his family unity, employment, and community life.

34. Second, the risk of erroneous deprivation is not speculative – it is actual and ongoing. DHS previously determined that Petitioner was not a flight risk or a danger to the community when it paroled him. See Noori v. LaRose, (S.D. Cal Oct. 1 2025) (“release reflects a determination by the government that the noncitizen is not a danger to the community or a flight risk”). There is no allegation or evidence that circumstances have changed. Petitioner has no criminal history, attended all ICE check-ins, and pursued asylum relief. Moreover, Petitioner

has relief from removal in the form of a spousal petition by his wife together with an application to adjust status to a lawful permanent resident. Detention based solely on a new policy approach has resulted in erroneous deprivation of Mr. Green's liberty interest.

35. Third, the government lacks a legitimate interest in detaining an individual who is neither a flight risk nor a danger to the community. The Government's asserted interest rests solely on a detention policy applied without individualized findings and for nonpunitive purposes. Such an interest cannot outweigh Petitioner's liberty interest. See Zadvydas, 533 U.S. at 690.

36. Petitioner's detention without an opportunity for a bond hearing violates the Fifth Amended Due Process Clause. Petitioner is therefore entitled to immediate release or a prompt bond hearing before a neutral Immigration Judge.

COUNT TWO
Violation of the Immigration and Nationality Act, 8 USC 1226(a)

37. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

38. Petitioner is not subject to mandatory detention under 1225(b)(2). At the time of his detention on February 5, 2026, Petitioner had been physically present in the United States for nearly three years following his release from custody on a humanitarian parole pursuant to 8 U.S.C. § 1192(d)(5). As a noncitizen already present in the United States on March 21, 2023 before his detention on March 22, 2023, Petitioner's detention is governed by 8 U.S.C. §1226(a), not §1225(b).

39. Section 1226(a) expressly provides for release on bond or

conditional parole following an individualized custody determination. Because Petitioner's detention falls within §1226(a), he is statutorily entitled to seek a bond redetermination hearing before Immigration Judge and to be released upon a showing that he is not a flight risk or a danger to the community.

40. Respondent's refusal to afford Petitioner a bond hearing rests solely on a DHS policy interpreting § 1225(b)(2) to mandate detention of all noncitizens charged with entry without admission or parole. 282 district courts, including three within the Eastern District of Pennsylvania, have rejected this interpretation and held that similarly situated noncitizens are detained under §1226(a), not §1225(b)(2). Demirel v. Fed. Det. Ctr. Philadelphia, No. 25-5488 at *2- 3 (E.D. Pa. Nov. 18, 2025) (Diamond, J.).

41. Petitioner has been denied his statutory right under §1226(a) to seek a bond redetermination. His continued detention therefore violates the Immigration and Nationality Act. Petitioner is entitled to immediate release from detention or, at minimum, an order requiring the Government to provide a prompt bond redetermination hearing consistent with 8 U.S.C. § 1226(a).

Count Three
Violation of the Administrative Procedure Act ("APA"), 5 U.S.C. § 701, et seq.

42. Petitioner realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

43. The APA prohibits agency action that is "arbitrary, capricious or an abuse of discretion." 5 U.S.C. §706(2)(A). An agency acts arbitrarily and capriciously when it fails to "articulate a 'rational connection between the facts found and the decision made.'" Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 59 (1983).

44. Respondents have articulated no individualized, reasoned basis for re-detaining Petitioner. There is no allegation that Petitioner violated any condition of release, engaged in criminal activity, posed a danger to the community, or became a flight risk. Instead, Respondents' decision to detain Petitioner rests solely on a blanket DHS policy interpreting 8 U.S.C. § 1225(b)(2) to mandate detention of all noncitizens charged with entry without admission or parole.

45. This policy-driven detention constitutes arbitrary and capricious agency action and a violation of the APA. Petitioner is therefore entitled to relief under 5 U.S.C. §706(2)(A), including release from custody or, at minimum, an order requiring the Government to provide a prompt bond redetermination hearing consistent with 8 U.S.C. § 1226(a).

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- (1) Assume jurisdiction over this matter and issue an Order prohibiting Respondents from transferring Petitioner outside the Eastern District of Pennsylvania while this habeas action is pending
- (2) Issue an Order to Show Cause forthwith directing Respondents to justify the legal and factual basis for Petitioner's continued detention within three days;
- (3) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment, the Immigration and Nationality Act, 8 USC §1226(a) and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701, *et seq.*;
- (4) Issue a Writ of Habeas Corpus ordering Respondents to immediately release

Petitioner from Custody or, in the alternative, order Respondents to provide Petitioner with a prompt, constitutionally adequate bond hearing before an Immigration Judge, at which the Government bears the burden of justifying continued detention;

(5) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and

(6) Grant any further relief this Court deems just and proper.

Dated: February 6, 2026

Respectfully submitted,

/s/ Lauren V. Amjed
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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Andray Codane Green, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 6th day of February, 2026.

/s/ Lauren V. Amjed

Lauren V. Amjed

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

Andray Codane Green

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

(c) Attorneys (Firm Name, Address, and Telephone Number) Lauren V. Amjed, Esq. Sweet & Paciorek, LLC PO Box 1216 Avondale, PA 19311

DEFENDANTS

J.L. Jamison, Brian McShane, Todd Lyons, US ICE, Kristi Noem, US 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 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, 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 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 2/6/2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Lauren V. Amjed

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 cases, if any. If there are related 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: Federal Detention Center, Philadelphia PA

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
If yes, attach an explanation.

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.

[] 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.

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

Andray Codane GREEN,	:	
	:	
Petitioner,	:	Case No. 26-CV-773
	:	
v.	:	
	:	Before the Honorable _____
J.L. JAMISON, in his official capacity as Warden	:	
of the Federal Detention Center, Philadelphia;	:	
BRIAN MCSHANE, in his official capacity as	:	
Acting Philadelphia Field Office Director,	:	
United States Immigrations and Customs	:	
Enforcement; TODD LYONS, in his official	:	
capacity as Acting Director of Immigration and	:	
Customs Enforcement; U.S. IMMIGRATION AND	:	
CUSTOMS ENFORCEMENT; KRISTI NOEM,	:	
in her official capacity as Secretary of the	:	
Department of Homeland Security; THE	:	
DEPARTMENT OF HOMELAND SECURITY;	:	
PAMELA BONDI, Attorney General of the United	:	
States	:	
Respondents.	:	

CERTIFICATE OF SERVICE

I, Lauren V. Amjed, Esquire, attorney for the Petitioner, Andray Codane Green, hereby certify that on this 6th day of February, 2026, I served a true copy of the following documents by electronic filing and USPS first class mail upon the parties named below:

PETITION FOR WRIT OF HABEAS CORPUS

J.L. Jamison, Warden
Warden of Federal Detention Center
700 Arch Street
Philadelphia, PA 19106

Brian McShane
Acting Philadelphia Field Office Director
United States Immigration & Customs
114 N 8th Street, Philadelphia, PA 1910

Todd Lyons, Acting Director
Immigration and Customs Enforcement
500 12th St. SW
Washington, DC 20536

Kristi Noem, Secretary
Department of Homeland Security
245 Murray Lane
Washington, DC 20528

The US Department of Homeland Security
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Date: February 6, 2025

/s/ Lauren V. Amjed, Esq.
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