

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

UNITED STATES DISTRICT COURT

for the

FILED
DISTRICT COURT
DISTRICT DIV.

FEB 27 P 3:12

KEM

DIST. OF GA.

Case No. 526cv281
(Supplied by Clerk of Court)

Bounlop Bouakhio

A#

Petitioner

v.

Warden, Folkston Ice Processing Center

Respondent

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

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Bounlop Bouakhio
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: Folkston Ice Processing Center
(b) Address: P.O Box 248
Folkston, GA. 31537
(c) Your identification number: A- [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):
Not applicable. Petitioner is not challenging a criminal conviction or sentence.
This petition challenges immigration detention only.

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: Immigration Court (EOIR)

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

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

Petitioner challenges his continued immigration detention beginning October 21, 2025

He does not challenge his criminal conviction or removal order,

but instead challenges the legality of his ongoing detention.

(d) Date of the decision or action: ~~September 19~~ Aug 27, 2014

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:

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: _____

_____**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

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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: 10/21/2025
 (b) Date of the removal or reinstatement order: 08/27/2014
 (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:

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: Unlawful Prolonged Detention

Petitioner has been detained by Immigration and Customs Enforcement (ICE) for over 100 days pursuant to final order of removal.

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 Do not cite cases or law.*):

Petitioner was born in Laos but has lived in the United States since age three. He is now 47 years old and has no ties, family, or meaningful connections to Laos. He is a former lawful permanent resident.

To Petitioner's knowledge, the government has not secured travel documents from the government of Laos, nor has ICE provided proof that removal is significantly likely in the reasonably foreseeable future

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

☐ Yes

☒ No

GROUND TWO: No Significant Likelihood of Removal in the Reasonably Foreseeable Future

ICE has represented that it is attempting to obtain travel documents from Laos. However:

Petitioner has not been shown proof that Laos has agreed to issue travel documents.

Petitioner has not been provided a removal date.

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

Without confirmed travel authorization, removal cannot occur

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

☐ Yes

☒ No

GROUND THREE: Due Process Violation - Arbitrary Detention

Petitioner complied with ICE supervision requirements for approximately eleven years following his 2014 release. He has: Reported as required, Maintained compliance, Given no indication of flight risk

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

Despite this history of compliance, ICE detained Petitioner at a routine check-in without demonstrating changed circumstances or new evidence that he poses a flight risk or danger.

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

☐ Yes

☒ No

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GROUND FOUR: Lengthy Residence and Equities

Petitioner has resided in the United States for approximately 44 years. The United States is the only country he has ever known. He has no meaningful ties to Laos.

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

Detention pending speculative removal to a country with which Petitioner has no connection is fundamentally unfair and constitutionally unreasonable.

(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:

Petitioner respectfully requests that this Court order his immediate release from immigration detention because there is no significant likelihood that he will be removed in the reasonably foreseeable future. Petitioner further requests release under reasonable conditions of supervision and any other relief the Court deems just and proper.

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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:

2.13.26

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:

2.13.26

Baunhop Baunhop

Signature of Petitioner

Signature of Attorney or other authorized person, if any