

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

KHALED ABUBLAKAN,
Petitioner,

v.

Case No. 2:26-cv-808-SPC-NPM

WARDEN

Alligator Alcatraz
Florida Soft Side South
54575 Tamiami Trail East
Ochopee, Florida 34141,

Garret Ripa

FIELD OFFICE DIRECTOR

U.S. Immigration and Customs Enforcement
Miami Field Office,

Pam Bondi

ATTORNEY GENERAL OF THE UNITED STATES

Kristi Noem

SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY

Respondents.

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

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FILED - USDC - FLND - FTM

Petitioner Khaled Abublakan respectfully petitions this Court for a Writ of Habeas Corpus under 28 U.S.C. §2241 and states as follows:

INTRODUCTION

1. Petitioner Khaled Abublakan respectfully submits this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his continued detention by U.S. Immigration and Customs Enforcement ("ICE").
2. Petitioner asserts that his continued detention violates the Fifth Amendment Due Process Clause and the Immigration and Nationality Act ("INA").
3. Immigration detention following a final order of removal must remain tied to the Government's ability to effectuate removal within a **reasonable period of time**.
4. The Supreme Court has held that detention may not become indefinite or potentially permanent when removal is not realistically foreseeable.
5. Under *Zadvydas v. Davis*, six months is considered the presumptively reasonable period for post-removal detention.
6. After that period, if removal is not significantly likely in the reasonably foreseeable future, continued detention becomes unlawful.
7. Immigration authorities do not have authority to detain an individual repeatedly for six-month periods **without a concrete and realistic removal plan**.
8. In Petitioner's case, the Government has attempted removal for **more than two decades** and has been unable to secure travel documents from any country.
9. Petitioner was born in Saudi Arabia but holds a **Palestinian passport**, and no country has agreed to accept him for repatriation.
10. Because removal has repeatedly failed and no country has accepted him, Petitioner's continued detention serves no legitimate immigration purpose.

PETITIONER INFORMATION

- Name: **Khaled Abublakan**
- Date of Birth: [REDACTED] (59 Years Old)
- Marital Status: **Single**
- Country of Citizenship: **Palestine**
- County of Birth: **Saudi Arabia**
- A-Number: [REDACTED]
- Date of Entry to the US: **1991 (Entered legally on F-1 Visa)**
- Immigration Status: ***Subject to a removal order issued 2002. Petitioner previously completed the statutory removal period (+6 Months in ICE Custody) and was released under an Order of Supervision (OSUP) when removal could not be effectuated.***
- Date of Arrest by ICE: **October 10th, 2025 (+5 Months in ICE Custody) (Abducted from his house)**
- Current Detention Facility: **Florida Soft Side South (54575 Tamiami Trail East Ochopee, Florida 34141)**

JURISDICTION

11. This Court has jurisdiction under 28 U.S.C. §2241 because Petitioner is in custody under authority of the United States.
12. Petitioner is currently detained at:
Florida Soft Side South
54575 Tamiami Trail East
Ochopee, Florida 34141

RESPONDENTS

13. **Warden**; Florida Soft Side South Detention Center
14. **Field Office Director**; U.S. Immigration and Customs Enforcement, Miami Field Office
15. **Attorney General**; Pam Bondi
16. **Secretary of Homeland Security**; Kristi Noem

FACTUAL BACKGROUND

17. Petitioner entered the United States in **1991** on a **student visa**.
18. Removal proceedings were initiated following criminal convictions, and an Immigration Judge issued a **final order of removal**.
19. Since that time, the Government has attempted to remove Petitioner multiple times but has been unable to do so.
20. In **2002**, the United States requested travel documents from **Saudi Arabia**, which were denied.
21. Over the years, the Government also attempted to obtain travel documents from:
 - o Saudi Arabia
 - o Egypt
 - o Sweden
 - o China
 - o The Palestinian Authority
22. None of these governments accepted Petitioner for repatriation.
23. Because removal could not be executed, Petitioner was previously released under an Order of Supervision.
24. In **November 2025**, ICE again detained Petitioner.
25. Despite decades of failed removal efforts, ICE continues to detain Petitioner even though **no country has agreed to accept him**.
26. ICE has not provided evidence of travel documents, a scheduled removal flight, or a concrete removal plan.

GROUND FOR HABEAS RELIEF

Ground One (Continued Detention Violates the Immigration and Nationality Act)

27. Under the **INA**, the Government must remove a noncitizen within the **90-day removal period** after a final order of removal.
28. Although detention may continue beyond the removal period, the Supreme Court has held that such detention must remain **reasonably related to removal**.
29. Where removal is not reasonably foreseeable, continued detention exceeds statutory authority.
30. In this case, the Government has attempted removal for more than twenty years and has been unable to obtain travel documents from any country.
31. Continued detention under these circumstances is not authorized by the INA.

Ground Two

(Continued Detention Violates the Fifth Amendment)

32. Civil immigration detention must remain regulatory rather than punitive.
33. Petitioner complied with ICE supervision for more than a decade without violations.
34. Re-detaining Petitioner without any new violations or criminal conduct constitutes arbitrary detention.
35. Such detention violates the Due Process Clause of the Fifth Amendment.

Ground Three

(ICE Cannot Restart Six-Month Detention Periods Without a Realistic Removal Plan)

36. The Government cannot repeatedly detain an individual and claim a new six-month detention period each time without demonstrating that removal is realistically possible.
37. Allowing ICE to restart detention periods without a concrete removal plan would effectively allow **indefinite detention**, which the Supreme Court rejected.
38. Immigration detention must be tied to a **realistic and concrete removal plan**, not speculative diplomatic efforts.
39. Because no country has accepted Petitioner despite decades of attempts, continued detention is unlawful.

Ground Four (No Country Will Accept Petitioner)

40. Petitioner was born in Saudi Arabia but does not possess Saudi citizenship.
41. Petitioner holds a **Palestinian passport**, and the Palestinian Authority has not accepted him for repatriation.
42. The United States has already attempted to obtain travel documents from multiple countries without success.
43. Courts have recognized that when **no country will accept a detainee**, removal is not reasonably foreseeable.
44. Where the Government cannot identify any country willing to receive the individual, continued detention becomes **indefinite and unconstitutional**.
45. Because no country has accepted Petitioner and the Government has not secured travel documents, removal is ~~not~~ significantly likely in the reasonably foreseeable future.

Relief Requested

WHEREFORE, Petitioner respectfully requests that this Court grant this Petition for Writ of Habeas Corpus, order Petitioner's immediate release under appropriate supervision, and grant such other relief as the Court deems just and proper.

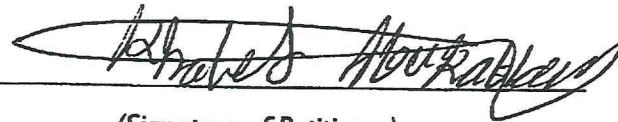
Declaration Under Penalty of Perjury

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 material fact may serve as the basis for prosecution for perjury.

Name: _____

Date: _____

A-Number: _____

A handwritten signature in black ink, appearing to read "Abdullah Al-Rabie", is written over a horizontal line.

(Signature of Petitioner)