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

UNITED STATES DISTRICT COURT

for the
Northern District of Texas

Jabulani Garikayi

Petitioner

v.

Marcello Villegas et al...

Case No. 1:26-cv-132-H
(Supplied by Clerk of Court)

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: Jabulani Garikayi
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: Bluebonnet Detention Centre
(b) Address: 400 2nd Street; Anson
Texas, 79501
(c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
ICE DETENTION
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): _____

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: US IMMIGRATION AND CUSTOMS ENFORCEMENT

REFUSAL TO RELEASE ME FROM IMMIGRATION DETENTION

(b) Docket number, case number, or opinion number: NONE

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

US IMMIGRATION AND CUSTOMS ENFORCEMENT

REFUSAL TO RELEASE ME FROM IMMIGRATION DETENTION

(d) Date of the decision or action: _____

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: 09/05/2025

(b) Date of the removal or reinstatement order: 11/03/2025

(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: MOTION TO RE-OPEN

(b) Name of the authority, agency, or court: DHS

(c) Date of filing: 03/09/2026

(d) Docket number, case number, or opinion number: _____

(e) Result: Pending

(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: Violation of the due process clause of the fifth Amendment to the U.S Constitution

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 Do not cite cases or law.*):

ICE is depriving me of my right to liberty. ICE is denying me of my HIV medication and is denying me of access to 3rd part medical service providers who always take care of my health.

See attached memorandum with additional specific facts.

Question (b) below does not apply

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

☐ Yes

☐ No

GROUND TWO: Violation of 8 U.S.C. §1231(a)(6)

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 Do not cite cases or law.*):

I have been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove me in the near future.

See attached memorandum with additional specific facts.

Question (b) below does not apply

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

☐ Yes

☐ No

GROUND THREE: Violation of the due process clause of the fifth Amendment to the U.S Constitution

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

I have been detained by ICE beyond the removal period authorized by statute. ICE is not likely to remove me in the near future. See attached memorandum with additional specific facts

Question (b) below does not apply

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

☐ Yes

☐ No

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GROUND FOUR: ICE failed to provide me with the required legal process

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

ICE did not respond to my two motions to stay removal or deportation.

ICE made my custody review decision before giving me the Individualized Custody Review forms

See attached memorandum with additional specific facts

Question (b) below does not apply

(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: Order my immediate release from ICE custody

Enjoin Ice from transferring me to any facility until end of this Action

Grant me future protection from illegal ICE detention as you deem necessary

Grant Motion to Stay Removal until the end of Motion to Re-open case

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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:

03-23-2026

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: 3-23-2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

JABULANI GARIKAYI

DETAINED
PRO SE



PROOF OF SERVICE

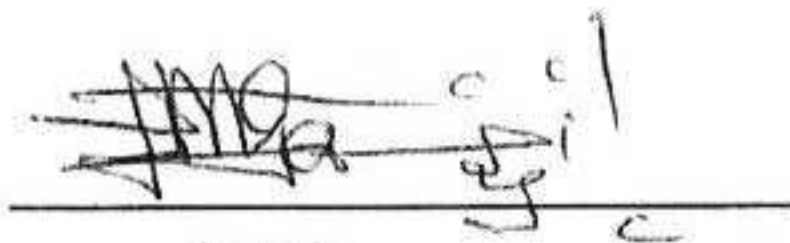
On 3-23-2026, I, JABULANI GARIKAYI

Mailed or delivered a copy of this WRIT FOR A HABEAS CORPUS and any other attached pages

to THE CLERK, UNITED STATES DISTRICT COURT at the following address: ³⁴¹~~431~~ PINE STREET,

NUMBER 2008, ABILENE, TEXAS, 79601

By PRIORITY MAIL

A handwritten signature in black ink, appearing to be "Jabulani Garikayi", written over a horizontal line.

Signature

3-23-2026

Date