

JON M. SANDS
Federal Public Defender
District of Arizona
2285 S. 4th Avenue, Suite 2E
Yuma, Arizona 85364
Telephone: 928-314-1780

Brenda A. Sandoval,
AZ State Bar #022933
Asst. Federal Public Defender
Attorney for Defendant
Brenda_sandoval@fd.org
Attorney for Petitioner Epie

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Etuge Valery Epie,

Petitioner,

vs.

David R. Rivas, Warden, San Luis Regional
Detention Center;

Gregory J. Archambeault, San Diego Field
Director, U.S. Immigration and Customs
Enforcement;

Kristi Noem, Secretary of Homeland
Security; and

Pamela Jo Bondi, Attorney General of the
United States,

Respondents.

No.

**Petition for a Writ of Habeas Corpus
Under 28 U.S.C. § 2241**

Technical Data

1. Mr. Epie is challenging the validity of his detention in immigration custody. His A number is 
2. Mr. Epie is challenging the decision made by U.S. Customs and Border Protection, together with U.S. Immigration and Customs Enforcement, to detain him pending removal from the United States.

- 1 3. Mr. Epie, was taken into custody on December 20, 2024, when he was found at or near
2 Calexico, California by U.S. immigration officials. While he entered this country without
3 presenting himself for inspection at a designated port of entry, he waited to be picked up
4 by U.S. immigration officials to apply for asylum. Mr. Epie received a positive credible
5 fear determination on January 21, 2025. That same date, he was denied asylum because the
6 Securing the Border Proclamation in effect at the time restricted asylum eligibility at the
7 U.S.-Mexico border when unauthorized crossing. As such, he was taken to the Imperial
8 Regional Detention Facility in Calexico, California. On November 3, 2025, he was
9 transferred to the San Luis Regional Detention Center in San Luis, Arizona. Upon
10 information and belief, while he was denied relief by an immigration judge, he has not had
11 any opportunity to exhaust his administrative remedies.

12 **Parties, Jurisdiction, and Venue**

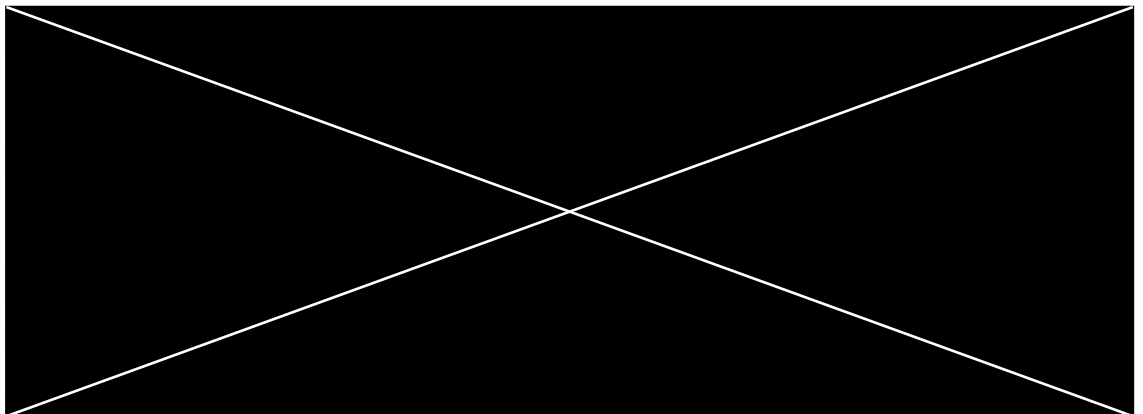
- 13 4. Petitioner Etuge Valery Epie is a native of Cameroon. He was ordered removed from the
14 United States on June 5, 2025, and was granted a withholding order of removal to
15 Cameroon. On October 10, 2025, and 127 days after he was ordered removed, Mr. Epie
16 signed travel documents to be removed to a third country. On November 18, 2025, U.S.
17 Immigration and Customs Enforcement advised Mr. Epie that it would review his case for
18 consideration of release on an order of supervision. Although Mr. Epie was advised that
19 his custody status would be reviewed by November 25, 2025, on November 20, 2025, and
20 only two days after he received notice of review for consideration of release, he was denied
21 release without having the opportunity to seek legal counsel as he had previously requested.
22 On February 5, 2026, and 245 days after his order of removal was issued, U.S. Immigration
23 and Customs Enforcement failed to remove Mr. Epie to a third country. In an effort to
24 extend the deadline to remove him, U.S. Immigration and Customs Enforcement again
25 demanded that Mr. Epie sign travel documents knowing or have reason to know that his
26 removal to a safe third country is not likely in the foreseeable future. On that date, Mr. Epie
27 again requested an opportunity to seek legal counsel. When he was denied such request, he
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declined to sign the travel documents. Mr. Epie has now been in custody for 286 days since withholding of his order of removal was issued.

5. Respondent David R. Rivas is the Warden of San Luis Regional Detention Center, where Mr. Epie is being detained. He is Mr. Epie immediate legal custodian and thus a proper respondent in this matter. *See Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004).
6. Respondent Gregory J. Archambeault is the San Diego Field Office Director for U.S. Immigration and Customs Enforcement. He is responsible for Mr. Epie's detention, and thus a legal custodian of Mr. Epie.
7. Respondents Kristi Noem and Pamela J. Bondi are, respectively, the Secretary of Homeland Security and the Attorney General of the United States. As such, they are responsible for maintaining the immigration detention system. They are thus legal custodians of Mr. Epie.
8. This Court has jurisdiction under 28 U.S.C. §§ 2241 *et seq.*; the Declaratory Judgment Act, 28 U.S.C. §§ 2201 *et seq.*; the All Writs Act, 28 U.S.C. § 1651; and the Fifth Amendment to the United States Constitution.
9. Venue is proper in this district under 28 U.S.C. § 1391(b)(2) and (e)(1)(B) because a substantial part of the events or omissions giving rise to the claims set forth herein occurred in this district.

Background

10. Mr. Epie was born in 1997 in Cameroon.



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6 11. Mr. Epie has no criminal history.

7 12. Since late 2016, Anglophones in Cameroon's Northwest and Southwest regions have faced
8 intense violence, killings, and displacement during the "Anglophone Crisis" (Ambazonia
9 War). Government security forces and armed separatists are engaged in a conflict
10 characterized by reported atrocities, including mass arrests and killings of civilians and
11 resulting in over 15,000 refugees.

12 13.
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15 14. In the winter of 2024, Mr. Epie fled Cameroon to seek asylum in the United States. On
16 December 20, 2024, shortly after he entered at or near Calexico, California, he turned
17 himself into U.S. immigration officials. Mr. Epie was denied admission, placed in removal
18 proceedings, and detained pending removal from the United States.

19 15. Upon information and belief, Mr. Epie was inadmissible in 2024 because he presented
20 himself as an applicant for admission without a valid document. *See* 8 U.S.C. §
21 1182(a)(7)(A)(i). He indicated that he feared persecution in Cameroon on account of 

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24  He was therefore referred for a credible fear interview in accordance with 8
25 U.S.C. § 1225(b)(1)(A)(ii).

26 16. Upon information and belief, on June 5, 2025, an immigration judge determined that while
27 Mr. Epie had a credible fear of persecution in Cameroon on account of 

[REDACTED] the Securing the Border Proclamation restricted him from qualifying for asylum as he had entered this country without presenting himself for inspection at a port of entry. He was accordingly ordered removed from the United States. *See* 8 U.S.C. § 1225(b)(1)(B)(iii)(I). It is unclear whether Mr. Epie requested, or received, or was told that he had a right to appeal as provided in 8 U.S.C. § 1225(b)(1)(B)(iii)(III) and 8 C.F.R. § 235.6(a)(2).

17. Respondents accordingly have detained Mr. Epie in accordance with 8 U.S.C. § 1225(b)(1)(B)(iii)(IV), which requires him to be detained “pending a final determination of credible fear of persecution and, if found not to have such a fear, until removed.”

Ground for Relief

Mr. Epie’s detention in immigration custody violates the Due Process Clause of the Fifth Amendment because there is no significant likelihood that he will be removed to a safe third country in the reasonably foreseeable future.

18. Mr. Epie fled Cameroon, country engaged in violent civil war, because he feared persecution there based on [REDACTED]
[REDACTED]
19. Mr. Epie was taken into custody upon arrival in Calexico, California, on December 20, 2024. He has been detained by immigration officials ever since. Following a granting of a withholding order of removal to Cameroon by an Immigration Judge, he is pending removal to a third country, which it is not likely that he can be removed in the foreseeable future.
20. The Due Process Clause of the Fifth Amendment limits an alien’s “detention to a period reasonably necessary to bring about that alien’s removal from the United States.” *Zadvydas v. Davis*, 533 U.S. 678, 689 (2001). Because of this constitutional limitation, 8 U.S.C. § 1231 “does not permit indefinite detention.” *Id.*
21. If the alien “provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” *Id.* at 701.

22. Mr. Epie has been detained by immigration officials for over six months. It is thus presumed that his detention is indefinite and thus violates the Due Process Clause of the Fifth Amendment. *Zadvydas*, 533 U.S. at 701. Because it is not likely that he will be removed to a safe third country in foreseeable future, the government cannot rebut this presumption. This Court accordingly should order Mr. Epie released from immigration detention, subject to appropriate conditions.

Prayer for Relief

23. Mr. Epie is being illegally detained, in violation of the Due Process Clause of the Fifth Amendment. He respectfully asks the Court to:

- a. order the government to answer this petition;
- b. permit him to file a reply in support;
- c. allow him to conduct discovery in order to support his claim for relief;
- d. convene an evidentiary hearing, if needed to resolve disputed facts;
- e. order Respondents to release him from their custody under supervision; and
- f. grant any other relief that is just and practicable.

Respectfully submitted:

March 25, 2026.

JON M. SANDS
Federal Public Defender

s/Brenda A. Sandoval
Brenda A. Sandoval
Asst. Federal Public Defender
Attorney for Petitioner Epie