

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
PHOENIX DIVISION

Case No. _____ (to be assigned)

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☐ RECEIVED	☐ COPY
MAR 25 2026	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

GURJIT SINGH SINGH,

Petitioner,

CV26-02048-PHX-RM--JZB

v.

FRED FIGUEROA, Warden,
Eloy Federal Contract Facility, in his official capacity;

TODD M LYONS
Acting Director U.S. Immigration and Customs Enforcement, in his official capacity;

JOHN E CANTU
Field Office Director for ICE's Enforcement and Removal Operation's (ERO) Field Office, in his
official capacity

FIELD OFFICE DIRECTOR,
ICE Enforcement and Removal Operations, Phoenix Field Office;

SIRCE E OWEN
Acting Director of Executive Office for Immigration Review, in her official capacity;

KRISTI NOEM
Secretary of the United States Department of Homeland Security, in her official capacity

PAMELA BONDI, Attorney General
of the United States,

Respondents.

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241
(Immigration detention)

Petitioner GURJIT SINGH SINGH respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 and alleges as follows:

Personal Information

1. (a) Your full name: GURJIT SINGH SINGH,

(b) Other names you have used: None known / N/A

2. Place of confinement:

(a). Name of institution: Eloy Federal Contract Facility (CoreCivic)

(b). Address: 1705 E. Hanna Road, Eloy, AZ 85131

(c). Identification number: A# 

3. Are you currently being held on orders by:

☒ Federal authorities (ICE / DHS)

☐ State authorities

☐ Other — explain: _____

4. Are you currently:

☐ A pretrial detainee (waiting for trial on criminal charges)

☐ Serving a sentence after a criminal conviction

☒ 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

☐ Pretrial detention

☒ Immigration detention

☐ Detainer

☐ The validity of your conviction or sentence as imposed

☐ 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: U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE)

(b) Docket number, case number, or opinion number: A-Number: 

(c) Petitioner challenges his prolonged and indefinite immigration detention. Petitioner was released on parole on October 17, 2024 and complied with all conditions of supervision.

On July 30, 2025, Petitioner appeared for an ICE appointment and was taken into custody. He has remained detained since that date.

On November 18, 2025, an Immigration Judge granted Petitioner withholding of removal. As a result, Petitioner cannot be removed to India.

Despite this, Petitioner remains detained without any significant likelihood of removal in the reasonably foreseeable future.

(d) Date of the decision or action: Ongoing detention since July 30, 2025

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

Administrative remedies are inadequate and futile. Immigration authorities lack authority to grant the constitutional relief sought, including release from custody.

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

Same as above.

9. Third appeal

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☒ No

Same as above.

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

(a) Date taken into custody:

On or about September 2024; re-detained July 30, 2025

(b) Date of removal order:

November 18, 2025 (withholding of removal granted)

(c) Appeal to BIA:

☐ Yes

☒ No

(d) Appeal to Court of Appeals:

☐ Yes

☒ No

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

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. State the facts supporting each ground. Do not cite cases or law here.

GROUND ONE - Indefinite detention.

I have been detained since July 30, 2025. On November 18, 2025, I was granted withholding of removal. I cannot be removed to India. No other country has been identified for my removal.

GROUND TWO - Lack of meaningful review.

I have not been given a meaningful opportunity to challenge my continued detention before a neutral decision-maker.

The government has not been required to justify my detention.

GROUND THREE - Arbitrary re-detention.

I was previously released on parole and complied with all conditions.

On July 30, 2025, I was told to appear for an appointment and was taken into custody without explanation.

There were no changed circumstances to justify my re-detention.

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not; N/A

Administrative remedies are inadequate and futile because immigration authorities cannot adjudicate constitutional claims or grant release through habeas relief.

RELIEF

1. Immediate release from custody;
2. In the alternative, a prompt individualized custody hearing;
3. Any other relief the Court deems just and proper.

Verification (signature)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 18, 2026

Signature: Gurjit Singh
Gurjit Singh Singh, Petitioner Pro Se
A# 

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
PHOENIX DIVISION**

Case No. _____ (to be assigned)

GURJIT SINGH SINGH,

Petitioner,

v.

FRED FIGUEROA, et al.

Respondents.

**PETITIONER'S MEMORANDUM OF LAW IN SUPPORT OF PETITION FOR WRIT
OF HABEAS CORPUS**

COMES NOW the Petitioner, Gurjit Singh Singh, proceeding pro se, and respectfully submits this Memorandum of Law in support of his Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his prolonged and unlawful civil immigration detention, which is no longer reasonably related to any legitimate governmental purpose and is being maintained in violation of the Constitution and laws of the United States.

INTRODUCTION

The petitioner, Gurjit Singh Singh, seeks a writ of habeas corpus to challenge his prolonged and unlawful civil immigration detention at the Eloy Detention Center in Eloy, Arizona.

This case presents a simple but profound constitutional problem: the government continues to detain a man whom it cannot remove.

On November 18, 2025, an Immigration Judge granted the petitioner withholding of removal. As a matter of law, the United States is prohibited from removing him to India—the only country designated in his proceedings. Yet the petitioner remains detained.

The purpose of immigration detention is to effectuate removal. Where removal is not reasonably foreseeable, detention loses its legal foundation. What remains is not administrative custody, but indefinite confinement.

The Supreme Court has already spoken to this precise scenario. In *Zadvydas v. Davis*, it held that such detention is impermissible once removal is no longer reasonably foreseeable.

Compounding this violation, the petitioner had previously been released on parole and complied fully with all conditions of supervision. He was re-detained without explanation and without any change in circumstances. This is not merely prolonged detention—it is arbitrary detention.

The petitioner is not being held because he is dangerous. He is not being held because he is a flight risk. He is being held because the government has chosen to continue detention even after its lawful purpose has disappeared.

FACTUAL BACKGROUND AND PROCEDURAL HISTORY

The petitioner entered the United States on or about September 14, 2024.

On October 17, 2024, the Department of Homeland Security released him on parole and placed him into the Alternatives to Detention program, including electronic monitoring. The petitioner complied fully with all conditions of supervision.

On July 30, 2025, the petitioner appeared at a scheduled ICE appointment under the understanding that his ankle monitor would be removed. Instead, he was taken into custody and has remained detained since that date.

On November 18, 2025, an Immigration Judge granted the petitioner withholding of removal. As a result, the government is legally barred from removing him to India.

Since that decision, the government has not identified any alternative country of removal, nor has it demonstrated that removal is likely in the reasonably foreseeable future.

The petitioner remains detained at the Eloy Detention Center in Arizona.

LEGAL FRAMEWORK

A petition under 28 U.S.C. § 2241 is the proper vehicle to challenge the legality of immigration detention. Jennings v. Rodriguez, 583 U.S. 281 (2018).

Immigration detention is civil in nature and subject to constitutional limitations under the Fifth Amendment. Zadvydas v. Davis, 533 U.S. 678, 690 (2001).

Under *Zadvydas*, detention following a removal order is limited to a period reasonably necessary to effectuate removal. Once detention exceeds six months, and the noncitizen demonstrates that there is no significant likelihood of removal in the reasonably foreseeable future, continued detention is no longer authorized. *Id.* at 701.

The Ninth Circuit has repeatedly emphasized that prolonged immigration detention without adequate procedural safeguards raises serious constitutional concerns. See Hernandez v. Sessions, 872 F.3d 976 (9th Cir. 2017); Diouf v. Napolitano, 634 F.3d 1081 (9th Cir. 2011).

ARGUMENT

I. PETITIONER'S DETENTION IS UNLAWFUL UNDER ZADVYDAS

The government's authority to detain a noncitizen after a removal order exists only to effectuate removal.

Here, that purpose has collapsed.

The petitioner has been granted withholding of removal. The government is legally prohibited from removing him to India. No alternative country has been identified.

Courts have consistently recognized that where withholding or similar relief prevents removal to the designated country, and no alternative removal is available, continued detention is unlawful under *Zadvydas*.

The government cannot rely on speculative or hypothetical removal. It must demonstrate that removal is significantly likely in the reasonably foreseeable future. It has not done so here.

The petitioner has now been detained well beyond the presumptively reasonable six-month period identified in *Zadvydas*. His continued detention is therefore unlawful.

II. PETITIONER'S DETENTION VIOLATES THE FIFTH AMENDMENT

A. Detention Without a Legitimate Purpose Is Arbitrary

Civil detention must be reasonably related to its purpose. *Zadvydas*, 533 U.S. at 690. Here, the purpose—removal—cannot be achieved. Continued detention therefore becomes arbitrary and unconstitutional.

The Constitution does not permit the government to detain individuals indefinitely simply because removal is difficult or inconvenient.

B. Prolonged Detention Without Adequate Process Violates Due Process

The petitioner has not been provided with a meaningful opportunity to challenge his continued detention before a neutral decisionmaker. The Ninth Circuit has recognized that prolonged detention without adequate procedural safeguards raises serious constitutional concerns. *Diouf*, 634 F.3d at 1091–92. At a minimum, due process requires a meaningful hearing at which the government bears the burden of justifying continued detention.

No such hearing has been provided.

III. THE PETITIONER'S RE-DETENTION WAS ARBITRARY AND UNJUSTIFIED

This case presents an additional and independent due process violation.

The petitioner was previously released on parole after the government determined that detention was unnecessary. He complied fully with all conditions of supervision. He was then re-detained without explanation, without changed circumstances, and without any individualized determination.

Courts have consistently held that arbitrary detention—particularly where a prior release determination exists—violates due process.

The government cannot simply reverse its prior determination without justification and subject the petitioner to renewed confinement.

IV. RESPONDENTS' ANTICIPATED ARGUMENTS FAIL

Respondents may argue that detention remains authorized under 8 U.S.C. § 1231. That argument fails. Section 1231 permits detention only for a period reasonably necessary to

effectuate removal. It does not authorize indefinite detention where removal is not reasonably foreseeable.

Respondents may also argue that removal to a third country is theoretically possible.

Such speculative assertions are insufficient under *Zadvydas*. The government must show a significant likelihood of removal—not a mere possibility.

Finally, Respondents may argue that continued detention is justified as a matter of discretion.

Discretion does not override the Constitution. Once detention becomes indefinite, it violates due process regardless of statutory authorization.

V. THE ROLE OF THE GREAT WRIT

The writ of habeas corpus exists precisely to prevent unlawful executive detention. Without judicial intervention, the petitioner will remain confined indefinitely despite the absence of any lawful basis for his detention. The immigration system provides no adequate remedy. Only this Court can restore the petitioner's liberty.

CONCLUSION AND REQUESTED RELIEF

The detention of Gurjit Singh Singh is not authorized by statute and violates the Constitution.

The petitioner respectfully requests that this Court:

1. Grant the Petition for a Writ of Habeas Corpus;
2. Order Respondents to immediately release the petitioner from custody;
3. In the alternative, order a prompt individualized custody hearing before a neutral decisionmaker;
4. Grant such other relief as the Court deems just and proper.

Date: March 18, 2026

Signature: Gurjit Singh

Gurjit Singh Singh, Petitioner Pro Se

A#



**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
PHOENIX DIVISION**

Case No. _____ (to be assigned)

GURJIT SINGH SINGH,

Petitioner,

v.

FRED FIGUEROA, et al.

Respondents.

_____/

CERTIFICATE OF SERVICE

I, Gurjit Singh Singh, certify under penalty of perjury that on this ____ day of March, 2026, I served a true and correct copy of the following documents:

1. Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (AO 242);
2. Memorandum of Law in Support of the Petition;

I caused the documents to be served by U.S. Mail (Certified Mail, return receipt requested, if available) upon:

United States Attorney
District of Arizona
Two Renaissance Square
40 N. Central Avenue, Suite 1800
Phoenix, AZ 85004

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

ICE Office of the Principal Legal Advisor (OPLA) — Phoenix
2035 N. Central Avenue
Phoenix, AZ 85004

Warden, Eloy Federal Contract Facility

1705 E. Hanna Road
Eloy, AZ 85131

Date: March 18, 2026

Signature: Gurjit Singh

Gurjit Singh Singh, Petitioner Pro Se

A#



Clerk of Court

United States District Court

District of Arizona — Phoenix Division

Sandra Day O'Connor U.S. Courthouse, Suite 130

401 W. Washington Street, SPC 1

Phoenix, AZ 85003-2118

Re: Petition for Writ of Habeas Corpus — Gurjit Singh Singh (A#



Dear Clerk of Court:

Enclosed please find the following documents for filing in the above-referenced matter:

1. Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (AO 242);
2. Memorandum of Law in Support of the Petition;
3. Certificate of Service;

Also enclosed is a money order in the amount of Five Dollars (\$5.00), payable to "Clerk, U.S. District Court," as the filing fee for this habeas corpus action.

Petitioner Gurjit Singh Singh is presently detained in ICE custody at the Eloy Federal Contract Facility, Eloy, Arizona.

Please assign a civil case number to this matter. If a file-stamped copy is available, please return it using the enclosed self-addressed stamped envelope.

Thank you for your assistance.

Respectfully submitted,

Gurjit Singh

Gurjit Singh Singh, Petitioner (Pro Se)
Detainee at Eloy Federal Contract Facility
1705 E. Hanna Road
Eloy, AZ 85131
A# 