

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

Hung Quoc Nguyen

Petitioner

Department of Homeland Security
 Enforcement and Removal Operations
 Attorney General of the United States
 WARDEN, North Florida Detention Facility

Respondent

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

Case No.

3:26CV-1173-JEP-PDF

(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: Hung Quoc, Nguyen
 (b) Other names you have used: N/A
2. Place of confinement:
 (a) Name of institution: North Florida Detention Facility
 (b) Address: 20706 U.S. Highway 90 West
Sanderson, Florida 32087-2359
 (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): _____

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)
- ☐ 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: North Florida Detention Facility(b) Docket number, case number, or opinion number: A 

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

I WAS placed in Re-detention with Out change the Circumstances in my case.
Re-detention with Out New facts is Arbitrary, Conspicuous, and UnConstitutional.
My detention is unlawfully. I am not challenging 180 DAYS Supreme Court Ruling.

(d) Date of the decision or action: December 23 of 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

(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: _____

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(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

(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: _____

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(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

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:

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- (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: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

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: _____

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- (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.

GROUND ONE: This Court has Jurisdiction Under 28 U.S.C. § 2241, because Petitioner is in Federal Immigration Custody within this District. Petitioner challenges only the lawfulness of continued detention and not the Validity of the underlying Order.

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

Petitioner Entered the United States on September 25th of 1986 from Vietnam at the time of Enter Petitioners parents where both United State citizens. Petitioner was fourteen years of age. He was ordered to be Removed on June 6th of 1996.

Petitioner was released on Supervision on September 5th of 1997. Because the Government was unable to remove the Petitioner back to Vietnam.

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

☐ Yes☒ No

GROUND TWO: Re-detention with Out new facts is Arbitrary, Comprieious, and UnConstitutional. It also violates fundamental principles of procedural Due-Process, because Petitioner received no notice, no hearing, and no Opportunity to Contest the basis for his Re-detention.

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

In Case of Individuals previously released by DHS. Re-detention Under 1226(A) Requires an Individuals determination of material change in Circumstances relating to flight Risk or danger.

Under 8 C.F.R 212.5 [b] (Authoring parole from Custody of [Non citizens] deemed "Neither a security risk or a Risk of absconding nor danger to person or property."

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

☐ Yes☒ No

GROUND THREE: The United States Court held that indefinite Post-removal order. detention "Violates due -Process" Once a [non citizens] order of removal becomes administratively final, the Government "shall" remove the person within 90 days. Due-Process clause applies to all "Persons" within the United States.

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

Including [non citizens] whether there Presence here is lawful, unlawful, temporary or permanent. "Zadvydas" 533 U.S at 693, when removal is not reasonably foreseeable, Continued detention loses its Justification.

The Court evaluating detention under ZADYDAS V. DAVIS 533 US (2001) Examine whether removal is realistically foreseeable in the Light of actual Removal history. Petitioner documented prior detention and release demonstrate that removal difficulties are not temporary but Longstanding and Structural.

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

☐ Yes☒ No

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GROUND FOUR: The Government past inability to remove Petitioner strongly undermine any claim that removal is now reasonably foreseeable.

Because Petitioner has demonstrated a documented history of prolonged Immigration detention, by Release due to the Government inability to accomplish Removal.

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

and because Respondents have failed to present Evidence establishing a Significant likelihood of removal in the reasonably foreseeable future, future Continued detention violates due process. The factual record before the Court demonstrates that Petitioner has previously undergone Post-order Immigration Detention under the same removal order and was released after the Government determined removal could not be effectuated, Because Respondents have Identified no material Change in Circumstances since that prior determination.

(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: N/A

Request for Relief

15. State exactly what you want the court to do: The Existing record is sufficient for adjudication of the Petition to be granted, and release of Petitioner with 24 Hrs of the Order, back on his Supervision with DHS.

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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:

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:

4-21-2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any