UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PATIENCE GORE, Petitioner, v. MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security, in official capacity; TODD M. LYONS, Acting Director, U.S. Immigration and Customs Enforcement, in official capacity; VERNON LIGGINS, Acting Director, Baltimore Field Office, U.S. Immigration and Customs Enforcement, in official capacity, Respondents.	)	Civil Action No. _____

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241, COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF, AND REQUEST FOR ORDER TO SHOW CAUSE UNDER 28 U.S.C. § 2243

Petitioner Patience Gore, by and through undersigned counsel, respectfully petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2241 and for declaratory and injunctive relief, and alleges as follows:

I. INTRODUCTION

1. This is a habeas action challenging Petitioner's present civil immigration detention.

2. Petitioner does not seek review of the validity of the underlying order of removal itself.

3. Instead, Petitioner challenges:
   a. her current post-order detention under 8 U.S.C. § 1231(a)(6), as limited by *Zadvydas v. Davis,* 533 U.S. 678 (2001), and implemented through 8 C.F.R. § 241.13;

b. the unlawful revocation, termination, or disregard of her prior Order of Supervision without adherence to 8 C.F.R. § 241.13(i), 8 C.F.R. § 241.4, and the agency's own binding post-order custody procedures;
c. Respondents' threatened or attempted use of a third-country-removal framework without the required protection procedures; and
d. the immediate risk that Respondents will remove Petitioner from Maryland or from the United States before this Court can adjudicate the lawfulness of her present detention.

4. Petitioner is presently detained at the Baltimore Hopkins Plaza ICE Holding Facility in Baltimore, Maryland.

5. Petitioner is now pregnant.

6. Upon information and belief, ICE may be attempting to remove Petitioner to a third country, including Cameroon, even though Respondents have not provided lawful notice revoking, terminating, or superseding her prior Order of Supervision, have not completed the return-to-custody procedures reflected in 8 C.F.R. § 241.13(i), and have not shown a significantly likely, reasonably foreseeable lawful removal pathway.

7. Petitioner therefore seeks immediate release from detention, restoration to her prior Order of Supervision, an order barring removal from Maryland and from the United States while this action is pending, an order barring transfer outside Maryland absent further order, and an order requiring Respondents to produce competent evidence, if any exists, of a lawful and reasonably foreseeable removal pathway.

II. JURISDICTION

8. This Court has jurisdiction under 28 U.S.C. § 2241(c)(3) because Petitioner is in custody under color of federal authority in violation of the Constitution, laws, or treaties of the United States.

9. This Court also has jurisdiction under 28 U.S.C. § 1331 because this action arises under the Constitution and laws of the United States, including 8 U.S.C. § 1231 and its implementing regulations, the Accardi doctrine, and the Due Process Clause of the Fifth Amendment.

10. This Court may grant declaratory relief under 28 U.S.C. §§ 2201-2202 and such other relief as law and justice require.

11. This Court may grant all writs necessary or appropriate in aid of its jurisdiction under 28 U.S.C. § 1651.

12. Petitioner does not seek review of the merits of the underlying order of removal. Rather, Petitioner challenges current detention, the unlawful revocation or disregard of supervision, and Respondents' failure to comply with mandatory statutory and regulatory procedures governing post-order detention and threatened third-country removal.

III. VENUE

13. Venue is proper in this Court because Petitioner is presently detained in Baltimore, Maryland, within this judicial district.

14. Venue is also proper because Respondents are exercising present detention and removal authority over Petitioner in this district.

IV. PARTIES

15. Petitioner Patience Gore is presently detained at the Baltimore Hopkins Plaza ICE Holding Facility in Baltimore, Maryland.

16. Respondent Markwayne Mullin is the Secretary of the U.S. Department of Homeland Security and is sued in official capacity.

17. Respondent Todd M. Lyons is the Acting Director of U.S. Immigration and Customs Enforcement and is sued in official capacity.

18. Respondent Vernon Liggins is the Acting Director of the Baltimore Field Office, U.S. Immigration and Customs Enforcement, and is sued in official capacity.

V. EMERGENCY NATURE OF THIS ACTION

19. Habeas relief is urgent because Petitioner remains in unlawful civil detention.

20. Habeas relief is also urgent because Respondents may again attempt to move Petitioner outside this Court's jurisdiction or remove her from the United States before this Court can adjudicate the merits.

21. Petitioner's pregnancy makes the need for immediate interim relief especially acute.

22. Petitioner respectfully requests immediate interim relief preserving the status quo and this Court's jurisdiction.

VI. FACTUAL ALLEGATIONS

A. Immigration history, prior supervision, and prior release

23. Petitioner is subject to a final order of removal, subject to a Withholding of Removal Order to Zimbabwe. See Ex. D.

24. Petitioner previously was released under an Order of Supervision.

25. Petitioner complied with her supervision obligations, including ICE reporting and community compliance.

26. Petitioner previously obtained federal habeas relief requiring release under the same conditions that existed before detention.

B. Current Maryland detention and pregnancy

27. Petitioner was detained in Maryland and is now being held at the Baltimore Hopkins Plaza ICE Holding Facility. See Ex. A.

28. Petitioner is now pregnant.

29. Counsel notified ICE in writing on August 6, 2026, that Petitioner is pregnant and requested her immediate release on urgent medical and humanitarian grounds

30. ICE has not restored Petitioner to her prior supervised-release status.

C. Lack of lawful revocation process and lack of a demonstrated removal pathway

31. Respondents have not served Petitioner or counsel with proper written notice revoking, terminating, or superseding her prior Order of Supervision.

32. Respondents have not provided Petitioner a meaningful opportunity to contest any revocation or termination of supervision.

33. Respondents have not produced a lawful custody-review record showing that renewed detention is justified.

34. Upon information and belief, Respondents may be attempting or threatening third-country removal, including to Cameroon.

35. Respondents have not identified any specific lawful receiving country that is both available and willing to accept Petitioner.

36. Respondents have not produced travel documents, acceptance letters, transportation arrangements, or other competent evidence of imminent removal.

37. Respondents have not shown that they have lawfully initiated and completed the required protection procedures before any such third-country removal could proceed.

38. Petitioner therefore remains detained even though Respondents have not shown a presently executable, lawful removal pathway.

VII. LEGAL FRAMEWORK

A. 8 U.S.C. § 1231(a)(6), Zadvydas, and the reasonably foreseeable removal standard

39. Once a removal order becomes administratively final, detention is governed by 8 U.S.C. § 1231, and after the removal period, detention authority is limited by 8 U.S.C. § 1231(a)(6).

40. Under Zadvydas v. Davis, 533 U.S. 678 (2001), post-order detention may continue only so long as it is reasonably necessary to bring about removal; six months is presumptively reasonable, and after six months, if the noncitizen provides good reason to believe there is no significant likelihood of removal in the reasonably foreseeable future, the burden shifts to the Government to rebut that showing.

B. 8 C.F.R. § 241.13

41. 8 C.F.R. § 241.13(c) provides that HQPDU "shall conduct a review" to determine "whether there is no significant likelihood that the alien will be removed in the reasonably foreseeable future," and if so, whether the alien should be released under appropriate conditions of supervision or referred under 8 C.F.R. § 241.14.

42. 8 C.F.R. § 241.13(d)(1) allows an eligible noncitizen to submit a written request asserting "that there is no significant likelihood that the alien will be removed in the reasonably foreseeable future," and 8 C.F.R. § 241.13(d)(2) requires information showing compliance and cooperation with removal efforts.

43. 8 C.F.R. § 241.13(e)(1) requires HQPDU to respond in writing within 10 business days after receiving such a request and to explain the procedures that will be used to evaluate the request, while 8 C.F.R. § 241.13(e)(2) requires HQPDU first to determine whether the noncitizen has failed to cooperate or has obstructed removal.

44. 8 C.F.R. § 241.13(g)(1) provides that if DHS determines "there is no significant likelihood that the alien will be removed in the reasonably foreseeable future," then, unless special circumstances justify continued detention, "the Service shall promptly make arrangements for the release of the alien".

C. 8 C.F.R. § 241.13(h)-(i) and 8 C.F.R. § 241.4

45. 8 C.F.R. § 241.13(h)(1) provides that release after such a determination occurs under "appropriate conditions" in the order of supervision and expressly contemplates future "removal to a third country, should circumstances change in the future".

46. 8 C.F.R. § 241.13(i)(1) provides that a person released under an order of supervision under that section may be returned to custody if she "violates any of the conditions of release".

47. 8 C.F.R. § 241.13(i)(2), as quoted in the recent decision *Rodriguez Romero v. Ladwig*, (M.D. La. Feb. 6, 2026) allows revocation where, "on account of changed circumstances,

the Service determines that there is a significant likelihood that the alien may be removed in the reasonably foreseeable future".

48. 8 C.F.R. § 241.13(i)(3), as quoted in *Rodriguez Romero v. Ladwig*, requires that when release is revoked, the noncitizen "be notified of the reasons for revocation of his or her release" and be afforded "an initial informal interview promptly after his or her return to Service custody to afford the alien an opportunity to respond to the reasons for revocation". (M.D. La. Feb. 6, 2026).

49. 8 C.F.R. § 241.4 is the general post-order detention regulation governing continued detention of inadmissible, criminal, and other aliens beyond the removal period, the authority to continue custody or grant release or parole under INA § 241(a)(6), the classes of aliens to whom that authority applies, and custody determinations and release criteria.

50. Under 8 C.F.R. § 241.4(d), a decision to retain custody must briefly set forth the reasons for continued detention, and under 8 C.F.R. § 241.4(e), release criteria include whether travel documents are unavailable, whether the detainee is presently nonviolent, whether the detainee is likely to remain nonviolent if released, and whether the detainee is likely to pose a threat to the community.

D. Withholding and third-country removal procedures

51. A grant of withholding of removal bars the Government from removing the noncitizen to the country of withholding unless and until that protection is lawfully terminated.

52. The regulations governing reasonable-fear procedures in connection with removal, including third-country removal, are set out in 8 C.F.R. §§ 208.31 and 1208.31, and those procedures are mandatory before Respondents may lawfully carry out third-country removal where fear-based protections are implicated.

53. *Matter of A-S-M-*, 28 I&N Dec. 282 (BIA 2021), as reflected in the record, recognizes that the relevant inquiry runs to fear of harm in the actual "country of removal," meaning the country DHS states it will use under INA § 241(b)(2), not merely the original country named in the removal order.

VIII. CLAIMS FOR RELIEF

COUNT ONE
UNLAWFUL POST-ORDER DETENTION UNDER 8 U.S.C. § 1231(a)(6), ZADVYDAS, AND 8 C.F.R. § 241.13

54. Petitioner incorporates all preceding paragraphs.

55. Petitioner's removal period and the six-month presumptively reasonable detention period have long since expired.

56. Petitioner has provided, and can further provide, good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.

57. Respondents have not identified a specific lawful receiving country willing to accept Petitioner.

58. Respondents have not produced travel documents, acceptance materials, or imminent transportation arrangements.

59. Under 8 C.F.R. § 241.13(c), (d), (e), and (g), if there is no significant likelihood of removal in the reasonably foreseeable future, DHS must arrange release unless special circumstances justify continued detention.

60. Continued detention is therefore not reasonably necessary to effectuate removal and exceeds the authority conferred by 8 U.S.C. § 1231(a)(6).

61. Petitioner's present detention violates 8 U.S.C. § 1231(a)(6), *Zadvydas v. Davis*, and 8 C.F.R. § 241.13.

COUNT TWO
UNLAWFUL REVOCATION, TERMINATION, OR DISREGARD OF ORDER OF SUPERVISION; 8 C.F.R. § 241.13(i); 8 C.F.R. § 241.4; ACCARDI; PROCEDURAL DUE PROCESS

62. Petitioner incorporates all preceding paragraphs.

63. DHS previously determined that Petitioner could be managed in the community under an Order of Supervision.

64. Petitioner complied with that Order of Supervision.

65. Respondents later re-detained Petitioner without adhering to the procedures reflected in 8 C.F.R. § 241.13(i) and the governing post-order custody framework in 8 C.F.R. § 241.4.

66. Respondents did not provide proper written notice of revocation or termination of supervision.

67. Respondents did not provide the prompt informal interview required by 8 C.F.R. § 241.13(i)(3).

68. Respondents did not produce a lawful custody-review record justifying renewed detention under 8 C.F.R. § 241.4(d)-(e).

69. Respondents did not show either:
    a. a violation of release conditions under 8 C.F.R. § 241.13(i)(1); or
    b. changed circumstances establishing a significant likelihood that Petitioner may be removed in the reasonably foreseeable future under 8 C.F.R. § 241.13(i)(2).

70. Under the Accardi doctrine, an agency must follow its own binding regulations.

71. Respondents' failure to follow the governing regulations violates the Accardi doctrine and the Due Process Clause of the Fifth Amendment.

72. For this independent reason, current detention is unlawful.

COUNT THREE
THREATENED OR ATTEMPTED THIRD-COUNTRY REMOVAL WITHOUT REQUIRED PROTECTION PROCEDURES

73. Petitioner incorporates all preceding paragraphs.

74. Upon information and belief, Respondents may be attempting or threatening third-country removal, including to Cameroon.

75. Respondents may not lawfully carry out third-country removal without full compliance with the mandatory reasonable-fear procedures set out in 8 C.F.R. §§ 208.31 and 1208.3.

76. *Matter of A-S-M-* confirms that when DHS identifies a different country of removal, the relevant fear/protection inquiry runs to that actual country of removal.

77. Those procedures have not been properly initiated or completed as to any identified receiving country.

78. Respondents therefore have no lawful basis to claim imminent third-country removal.

79. Respondents likewise may not rely on a noncompliant or incomplete third-country removal framework to justify continuing detention.

IX. IRREPARABLE HARM AND NEED FOR IMMEDIATE INTERIM RELIEF

80. Petitioner incorporates all preceding paragraphs.

81. Petitioner suffers ongoing irreparable harm from unlawful detention.

82. Petitioner also faces immediate irreparable harm if Respondents remove her from the United States or transfer her outside Maryland before the merits are adjudicated.

83. Petitioner's pregnancy makes the risk of irreparable harm immediate and acute.

84. The risk of persecution, torture, or other severe harm in violation of non-refoulement obligations constitutes irreparable harm. Interference with the right of access to the courts is also irreparable injury.

85. The balance of equities favors preserving the Court's jurisdiction and preventing further unlawful detention, transfer, or removal.

86. The public interest favors compliance with federal immigration statutes, regulations, and court orders.

X. REQUEST FOR ORDER TO SHOW CAUSE UNDER 28 U.S.C. § 2243

87. Under 28 U.S.C. § 2243, the Court should forthwith issue an order directing Respondents to show cause why the writ should not be granted unless it plainly appears Petitioner is not entitled to relief.

88. Here, the Petition alleges substantial and ongoing violations of federal law and due process.

89. Petitioner respectfully requests that the Court:
    a. issue an Order to Show Cause forthwith;
    b. require a prompt return;
    c. set an expedited hearing; and
    d. preserve the status quo by barring removal or transfer outside Maryland pending hearing.

XI. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue a writ of habeas corpus under 28 U.S.C. § 2241;

2. Order Petitioner's immediate release from ICE detention with all personal property;

3. Order that Petitioner be restored immediately to release under the same Order of Supervision conditions that existed before her present re-detention;

4. Declare that Petitioner's continued detention violates 8 U.S.C. § 1231(a)(6), 8 C.F.R. § 241.13, the Accardi doctrine, and the Due Process Clause of the Fifth Amendment;

5. Enjoin Respondents from removing Petitioner from the State of Maryland or from the United States while this action is pending;

6. Enjoin Respondents from transferring Petitioner outside the State of Maryland absent prior notice to counsel and further order of this Court;

7. Order that Petitioner's Order of Supervision may not be revoked, superseded, or disregarded absent compliance with 8 C.F.R. § 241.13(i) and the governing post-order custody review procedures in 8 C.F.R. § 241.4;

8. Enjoin Respondents from re-detaining Petitioner absent:

   a. a proven violation of release conditions; or
   b. a lawful determination, based on changed circumstances, that there is a significant likelihood Petitioner may be removed in the reasonably foreseeable future;

9. Order Respondents, within a deadline set by the Court, to file and serve competent evidence showing whether Petitioner's removal is significantly likely in the reasonably foreseeable future, including:

   a. the identity of any proposed receiving country;
   b. proof that such country is willing to accept Petitioner;
   c. all travel-document requests and responses;
   d. all transportation or itinerary arrangements;
   e. all documents revoking, terminating, or superseding Petitioner's prior Order of Supervision;
   f. all custody-review decisions; and
   g. all documents reflecting compliance with 8 C.F.R. §§ 208.31 and 1208.3;

10. Issue an Order to Show Cause under 28 U.S.C. § 2243 and set an expedited hearing;

11. Grant such other and further relief as law and justice require.

Dated: August 7, 2026

Respectfully submitted,

/s/ Edward W. Neufville, III
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Counsel for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner Patience Gore and verify this Petition on her behalf. I hereby verify that the factual statements contained in this Petition are true and correct to the best of my knowledge, information, and belief, based on my representation of Petitioner, communications with Petitioner and her family, and review of the supporting records and exhibits.

Dated: August 7, 2026

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