

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

_____		:	
FULL NAME		:	
		:	
	Petitioner(s),	:	
		:	CASE NUMBER:
		:	
	v.	:	(leave blank – supplied by
		:	Clerk of Court)
		:	
		:	
NAME OF WARDEN		:	
		:	
		:	
		:	
		:	
	Respondent(s).	:	
_____		:	

**PETITION FOR WRIT OF HABEAS CORPUS BY
A PERSON IN IMMIGRATION CUSTODY
(28 U.S.C. § 2241)**

PERSONAL INFORMATION

1. (a) Your full name: _____
(b) Name used by immigration court if different than above: _____
2. A-Number: _____
3. Place of Detention: _____
4. Date you were taken into present immigration custody or other official restraint:

5. Describe how and where you were taken into immigration custody: _____

6. What country or countries does the Government allege you are a citizen of? _____

7. Do you have an order of removal?

☐ Yes ☐ No

8. If yes, on what date was the removal order issued? _____

9. Which countries does the removal order designate for removal? _____

10. Is the Government trying to remove you to a country or countries other than the countries designated in an order of removal?

☐ Yes ☐ No

11. If so, what country or countries? _____

12. If you have an order of removal, provide the type of order:

☐ Removal order issued by an Immigration Judge (“IJ”)

☐ Expedited removal order

☐ Reinstated removal order

☐ Other: _____

13. If an IJ issued the order of removal, did you waive an appeal to the Board of Immigration Appeals (“BIA”)?

☐ Yes ☐ No

14. If you appealed to the BIA, has the BIA dismissed your appeal?

☐ Yes ☐ No

15. If yes, on what date did the BIA dismiss your appeal? _____

16. If the BIA dismissed your appeal, did you file a petition for review with the Third Circuit Court of Appeals?

☐ Yes ☐ No

17. If your case is pending at the Third Circuit, do you have a stay of removal?

☐ Yes ☐ No

18. If you have an immigration case that is still pending, where is your case currently pending?

☐ Immigration Court

☐ BIA

☐ Third Circuit Court of Appeals. Provide Case Number: _____

☐ Other _____

19. Has any IJ granted any applications for relief from removal?

☐ Yes ☐ No

20. If yes, on what date did the IJ grant the relief? _____

21. What type of relief from removal? _____

22. Was the IJ's decision appealed to the BIA?

☐ Yes ☐ No

23. If you answered "yes" to Question 22, then provide:

(a) Date of appeal to BIA: _____

(b) Outcome of Appeal:

☐ Affirmed IJ decision

☐ Reversed IJ decision

☐ I am waiting for BIA decision

☐ Other: _____

24. Have you ever submitted an application for relief with U.S. Citizenship and Immigration Services ("USCIS"), such as Special Immigrant Juvenile Status, U visa, T visa, Adjustment of Status, or asylum?

☐ Yes ☐ No

25. If you answered "yes" to Question 24, then provide:

(a) Type of application: _____

(b) Date that application was submitted: _____

(c) To the best of your knowledge, the status of that application: _____

26. Have you had a bond hearing in immigration court?

☐ Yes ☐ No

27. If you answered "yes" to Question 26, then provide:

(a) Date of bond hearing: _____

(b) The IJ found that:

☐ I am not eligible for a bond hearing

☐ I cannot be released because I am a danger or flight risk

☐ I should be released on the following conditions: _____

☐ Other: _____

28. If you were denied release at a bond hearing, did you appeal to the BIA?

☐ Yes

☐ No

29. If you answered “yes” to Question 28, then provide:

(a) Date of Appeal to BIA: _____

(b) Outcome of Appeal:

☐ Affirmed IJ bond decision

☐ Reversed IJ bond decision

☐ I am waiting for BIA bond decision

☐ Other: _____

30. If you answered “no” to Question 28, state if you plan to appeal to the BIA or, if not, explain why you do not plan to appeal to the BIA: _____

PREVIOUS DETENTION

31. Prior to your current detention, have you ever been detained and later released from immigration custody?

☐ Yes ☐ No

32. If you answered “yes” to Question 31, please describe all the periods in which you have previously been in immigration custody: _____

33. Were you subject to any conditions upon your previous release(s)?

☐ Yes ☐ No

34. If you answered “yes” to Question 33, please describe any conditions of your previous release(s):

☐ Order of Supervision

☐ Order of Release on Recognizance

☐ Parole

☐ Intensive Supervision Appearance Program (ISAP) – ankle monitor or cellphone app

☐ Other: _____

GROUND'S FOR YOUR PETITION

35. State every ground (reason) that supports your claim that you are being held or restrained unlawfully. State the facts supporting each ground. You may attach additional pages if necessary to provide legal arguments and supporting authority. You may also attach any documents relevant to your claims.

GROUND ONE: _____

Supporting facts: _____

[illegible]

Supporting facts: _____

REQUEST FOR RELIEF

36. State exactly what you want the court to do: _____

DECLARATION UNDER PENALTY OF PERJURY

If you are in custody, on what date did you place this petition in the 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: _____

Signature of Petitioner

Signature of Attorney or other authorized person, if any