

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Yaseen Aymen Salih v. Angela Hoover

Salih · No. No. 4:25-CV-02407 · Decided January 21, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania dismissed Yaseen Aymen Salih’s 28 U.S.C. § 2241 petition for lack of jurisdiction. Salih sought to prevent his removal to Sudan or a third country without adequate notice and an opportunity to challenge removal based on safety concerns. The court held that the requested relief was bound up with his final removal order and therefore subject to review exclusively through the applicable court of appeals.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Matthew W. Brann
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	January 21, 2026
DOCKET	No. 4:25-CV-02407
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 and an injunction barring his removal to Sudan or a third country without adequate notice and an opportunity to challenge the removal. Respondent moved to dismiss for lack of subject-matter jurisdiction.
STANDARD OF REVIEW	The court independently considered whether it possessed subject-matter jurisdiction before reaching the merits.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum opinion and order
PARTIES	Yaseen Aymen Salih v. Angela Hoover

TOPICS

- federal habeas corpus
- removal proceedings
- subject matter jurisdiction
- immigration
- injunctions

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether 8 U.S.C. §§ 1252(a)(5) and 1252(b)(9) deprived the district court of jurisdiction over Salih's § 2241 challenge to the proposed country and notice procedures for his removal when a final order of removal existed.
2. Whether the court should enjoin Salih's transfer to a facility outside the district.

HOLDINGS

1. A district court lacks jurisdiction over a § 2241 petition seeking to prevent removal to Sudan or a third country without advance notice when the petitioner is subject to a final order of removal, because the claim relates to and is intertwined with the removal order and must be raised through the statutory review mechanism in the appropriate court of appeals.
2. Department of Homeland Security v. D.V.D. did not eliminate the jurisdictional bar applicable here because that case involved no applicable order of removal, whereas Salih was subject to a final order of removal.
3. The court declined to enjoin Salih's transfer to a facility outside the district because he presented no evidence or argument that such a transfer would violate his rights.

KEY QUOTATIONS

“Because the proper place of removal is intertwined with the underlying order of removal, this Court lacks jurisdiction over Salih’s petition, and this issue must be raised in a different forum.” (Discussion section)

“Salih’s 28 U.S.C. § 2241 petition (Doc. 1) is DISMISSED for lack of jurisdiction” (Conclusion)

FACTUAL BACKGROUND

Yaseen Aymen Salih, a citizen and native of Sudan, was convicted in federal court in 2019 of bank fraud under 18 U.S.C. § 1344 and sentenced to 60 months' imprisonment. He was placed in removal proceedings, found ineligible for asylum, and ordered removed to Sudan, although removal to Sudan was deferred under the Convention Against Torture. After his release from federal custody in November 2025, ICE detained him for removal, and he sought to prevent removal to Sudan or a third country without advance notice and an opportunity to challenge the destination based on safety concerns.

PROCEDURAL HISTORY

Salih, a Sudanese citizen subject to a final order of removal, filed a § 2241 petition in the Middle District of Pennsylvania after being taken into ICE custody. The court held a telephonic conference, considered the parties' jurisdictional arguments, dismissed the petition for lack of jurisdiction, declined to issue an injunction concerning transfer from the district, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- E.O.H.C. v. Secretary, U.S. Department of Homeland Security, 950 F.3d 177, 184 (3d Cir. 2020)
- Tazu v. Attorney General of the United States, 975 F.3d 292, 299 (3d Cir. 2020)
- Tonfack v. Attorney General of the United States, 580 F. App'x 79, 81-82 (3d Cir. 2014)
- Odiase v. Oddo, No. CV 3:25-206, 2025 WL 2673938, at *1, *6 (W.D. Pa. Sept. 18, 2025)
- Department of Homeland Security v. D.V.D., 145 S. Ct. 2153, 2160 (2025)

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